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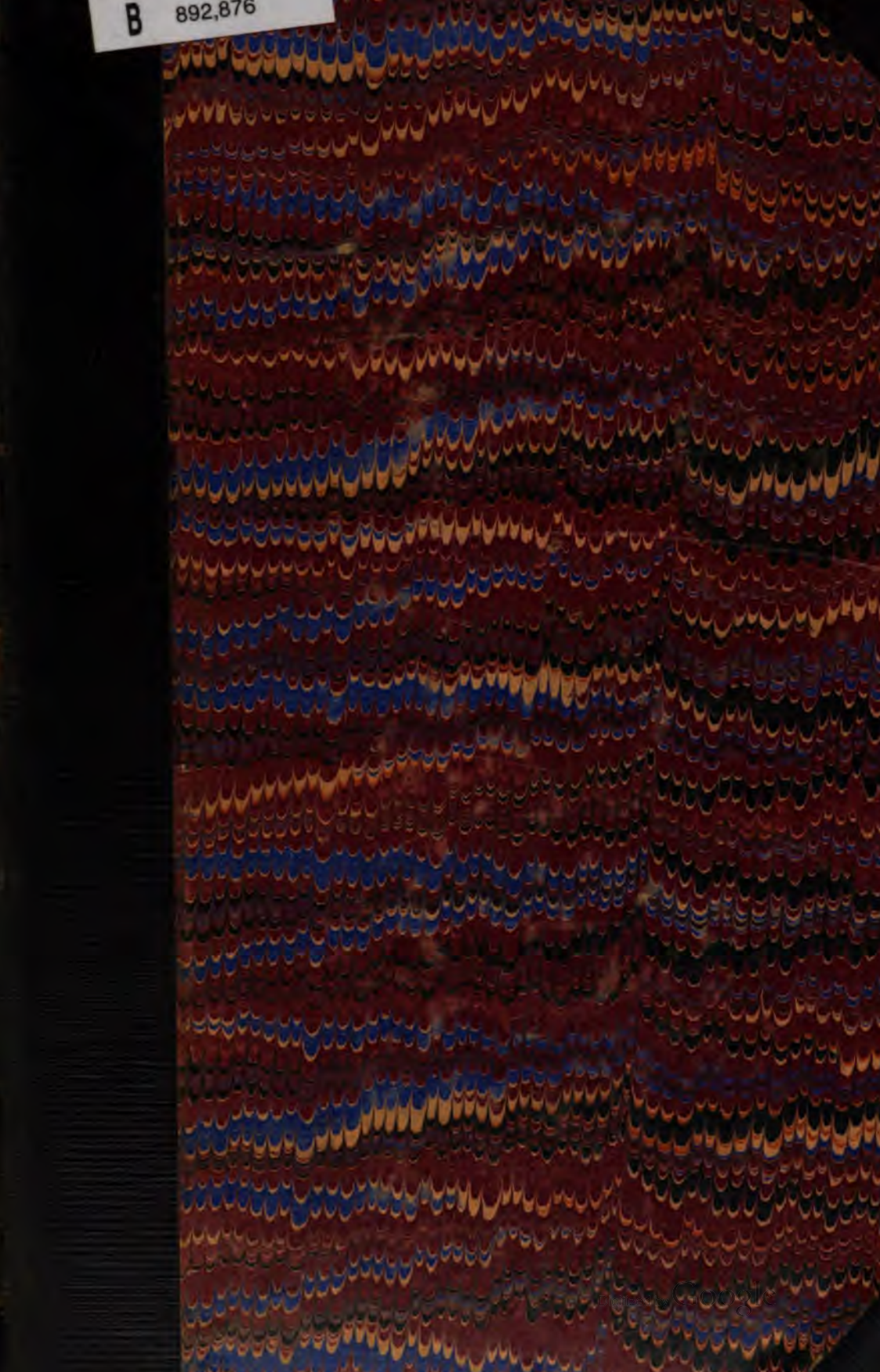

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COMMONWEALTH OF AUSTRALIA.

PARLIAMENTARY DEBATES.

SESSION 1911.

(SECOND SESSION OF THE FOURTH PARLIAMENT.)

VOL. LXI.

(Comprising the period from 11th October to 9th November, 1911.)

SENATE AND HOUSE OF REPRESENTATIVES.

Printed and Published for the GOVERNMENT *of the* COMMONWEALTH *of* AUSTRALIA *by* J. KEMP, *Government Printer for the State of Victoria.*

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Senate.

Wednesday, 11 October, 1911.

The PRESIDENT took the chair at 3 p.m., and read prayers.

DEATH OF MR. BATCHELOR.

Senator PEARCE (Western Australia—Minister of Defence) [3.1].—It is with considerable sorrow that I rise to move—

1. That this Senate places upon record its high appreciation of the great public services of the late Hon. Egerton Lee Batchelor, Minister of State for External Affairs, and tenders its sincere sympathy to the bereaved wife and family of an eminent citizen whose untimely decease is a great loss to the Commonwealth.

2. That the President be requested to convey the foregoing resolution to Mrs. Batchelor.

I have never had occasion before, in the Senate, to submit a motion which has been the cause of such deep regret to me as is the present one. To all of us Mr. Batchelor was a friend, to me he was a very intimate and sincere friend. I had the pleasure and the privilege of being associated with him, not only in my own party and in the Government, but also at the recent Imperial Conference. We journeyed back from the Conference together, and the close association we then enjoyed developed a friendship which was firm and lasting. I grew to appreciate my late colleague's many noble and manly qualities. As a public man he was respected by all parties, and he had friends on both sides of the House of which he was so distinguished a member. In his personal relations he was, indeed, a model to all public men. He held his political opinions strongly, but they did not affect his friendship for men who differed entirely from him in politics. I venture to say that he won the respect of all, although he could give expression to his opinions in forcible language, and did not hesitate to do so when he felt that he should. He was a careful and zealous administrator, and it will, I think, be admitted that he has left in the Department over which he presided a record of which we are all proud. We know that, as a citizen, as a parent, and as a husband, he was all that a man could or should be. It is a loss, not only to this Parliament, but also to Australia, when one so young, and with a career of such bright promise, is suddenly cut off. We, who were his colleagues in the Government, feel his loss keenly, and I am sure that it is also felt keenly by all who were associated with him in his political life. His death, in the sad circumstances surrounding it, undoubtedly calls attention to the severe strain which public life in Australia entails upon those who are called upon to take a leading part in it. He was, apparently, in the prime of life, and his untimely end indicates that his strength had been sapped in an insidious way, probably unknown even to himself. I am sure, sir, that I submit this motion with the entire concurrence of the Senate, and that it is no mere lip service which we tender, but the heartfelt expression of every member of the Senate. We do sincerely condole with the widow and the family of Mr. Batchelor. We trust that, in Divine Providence, the blow which falls so hardly upon them may be tempered by the kindly thought of those who will endeavour to assuage the grief of the loved ones who are left.

Senator MILLEN (New South Wales) [3.5].—I desire to second the motion so ably proposed by the Minister of Defence. We in this House were not brought so closely into touch with the late Mr. Batchelor as were the members of the House of Representatives. But we nevertheless had ample opportunities of judging of both his worth as a politician and his qualities as a man, and we are in a position to say that, judged by his words and his acts—those acts which speak more loudly than words—Mr. Batchelor moved according to the high standard of conduct which he himself had set up. Moderate in his judgments, sincere of purpose, courteous—indeed, gentle—in manner, he had won a place in the esteem of his fellow members of which, possibly, he was never conscious, and of which, I venture to say, we ourselves were not fully conscious until now, when death has removed him from us. Sincere and conscious of his own sincerity, he was able to believe in the sincerity of those who differed from him, and by reason of that to establish a deep and abiding claim upon the friendship of his political opponents. As a public man Mr. Batchelor accepted his public duties in no mere perfunctory spirit, and as an evidence of that might I remind honorable senators of the efforts which he made in administering certain branches of his Department to make himself thoroughly acquainted with the heavy work thrust upon him. It will be in the recollection of honorable senator-

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that quite recently he visited Papua and the Northern Territory, solely, I have reason to know, with the view that he might better understand the problems which called for his efforts as the Minister charged with the administration of those Provinces. Sir, it is because of these facts, knowing how Mr. Batchelor bore himself and his demeanour to us as members of this Parliament, that we feel we are marking our sense of the loss of, not merely a public man, but also a personal friend. This motion quite rightly makes mention of those whom Mr. Batchelor has left behind. We can hardly hope to do much to assuage their grief, but it may be some little consolation to them in their hour of trial to know of the high esteem in which he stood, and it may also be to them, as to us, a slight consolation to reflect that—

> There is no Death! What seems so is transition;
> This life of mortal breath
> Is but a suburb of the life elysian,
> Whose portal we call Death.

Question resolved in the affirmative, honorable senators standing in their places.

Senate adjourned at 3.9 p.m.

House of Representatives.

Wednesday, 11 October, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

MAJOR-GENERAL SIR JOHN HOAD.

Mr. SPEAKER.—I desire to announce that on hearing of the death of Major-General Sir John Hoad, I sent, on behalf of the House of Representatives, a letter of sympathy to Lady Hoad, and ordered a wreath to be placed on the coffin.

PERSONAL EXPLANATION.

Mr. BRUCE SMITH.—In the course of my speech on the Kalgoorlie to Port Augusta Railway Bill, I referred to the fact that the right honorable member for Swan had made certain observations with regard to the country through which the route runs, and, I think, in doing so, did him an injustice which I wish to correct. I represented to the House that the right honorable gentleman had gone to the Australian Bight in a schooner, and had then made two or three trips inland, returning to the schooner. I find, after looking again at his book, that he did not on the occasion referred to go to the Bight by sea, but undertook a rather extended south-easterly journey across the continent, and travelled to within a few miles of the route of the proposed line. As my remarks may have given a wrong impression, on thinking the matter over, after re-reading his book, and remembering that his journey took place forty years ago, when that part of Australia which he visited was almost an undiscovered country, I feel it right to say that I unnecessarily and unfairly belittled his great effort in the cause of Australian exploration.

CADET TRAINING AT CHRISTMAS TIME.

Mr. CHARLTON.—Will the Minister representing the Minister of Defence endeavour to make arrangements for avoiding the drilling of cadets during the Christmas holidays?

Mr. FRAZER.—I shall put the matter before the Minister, and ask for a reply as early as possible.

INDEPENDENT CABLE SERVICE.

Mr. W. ELLIOT JOHNSON.—Has the Prime Minister seen an article in the *Standard of Empire* dealing with the cablegrams sent to Australia through the agency of the Independent Press Association, which is subsidized by Commonwealth funds? It is said that—

> The news is mostly gathered at Vancouver from trans-atlantic sources, and cabled across the Pacific at 3d. a word. Press messages from England cost 9d. a word.
>
> The cablegrams selected in Vancouver from trans-atlantic sources (unfortunately Canada is largely served by United States organizations) frequently show a tainted origin, and are sometimes absolutely groundless.

The article gives some examples of the cables that are sent. In view of the fact that the Independent Press Association is heavily subsidized by the Commonwealth, will the Prime Minister say what newspapers take advantage of its cablegrams, and whether any steps will be taken by the Government to put an end to the present unsatisfactory state of affairs?

Mr. FISHER.—I have either heard or read of the complaints referred to, but the question contains an innuendo to which I object. If the honorable member will ask for the information which he desires by putting a question on the notice-paper, I shall try to get it for him; but I decline

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to accept the statement that the news which is sent is biased or inaccurate.

Mr. W. ELLIOT JOHNSON.—I did not say that it was. I merely quoted the statement in the *Standard of Empire*.

LAND TAX REGULATIONS.

Mr. BRUCE SMITH. — In the *Law Reports* of a few days ago there is a judgment of the High Court on a land tax appeal in which regulations upon which a claim was made to turn were characterized by the Chief Justice as "*ultra vires* and absurd," and, again, an act of the Commissioner, as "extraordinary and surprising." I should like to know upon whose advice these regulations were framed, and whether the right honorable gentleman will take steps to have the regulations under the Land Tax Act reviewed, in order that the High Court may not again have reason for using such language with regard to them.

Mr. FISHER.—No one knows better than the honorable member that the Chief Justice in his judicial capacity may say what he pleases. I think I remember that he once said, speaking of Justices of the Supreme Court of a State, that they ought to have known something of the elementary principles of law. We all honour and admire him for his talent, but we cannot complain of the language which he chooses to use. No doubt the best legal advice was sought and obtained before the regulations were made, and another Judge might take a different view of them.

Mr. GLYNN.—While I recognise that it may not be permissible, in a question, to say that the regulation was manifestly not within the scope of section 24 of the Land Values Assessment Act, I wish to ask the Prime Minister whether the value under the section, since the regulation was declared *ultra vires*, is not much greater on life tenants than before, and whether the honorable gentleman will bear that aspect of the matter in mind if it be intended to amend the regulation?

Mr. FISHER.—I am not competent to express a legal opinion on the matter, but I shall bring the honorable member's remarks under the notice of the Attorney-General and others concerned.

OUTBREAK OF SMALL-POX.

Mr. BAMFORD.—I wish to draw the attention of the Minister of Trade and Customs to the following paragraph which appears in this morning's *Argus*:—

SMALL-POX ON SHIPBOARD.

CURIOUS FEDERAL ACTION.

Sydney, Tuesday.—There is a good deal of criticism among shipping men here of the action of the authorities in causing the steamer *Eastern*, which has reported a case of small-pox on board, to steam direct from Thursday Island to Sydney. Amongst 350 souls on board are passengers for Brisbane, and there is also a large quantity of cargo destined for Brisbane. It is asserted that something is wrong when passengers and cargo for the northern State cannot be landed there under quarantine safeguards, instead of being brought all the way to Sydney. The *Eastern* is expected to arrive tomorrow night or early on Thursday.

For what reason have passengers to Brisbane been brought on to Sydney? Why was the vessel not quarantined in Queensland?

Mr. TUDOR.—I stated last week that, at the time Federation was entered into, Queensland abolished its quarantine station at Brisbane, and there is now no quarantine station between Thursday Island and Sydney. The accommodation at Thursday Island is not sufficient, and therefore we had to bring the passengers to Sydney.

Mr. W. ELLIOT JOHNSON.—Will the Government favorably entertain a proposal to compensate to some extent those passengers and others who have had to suffer monetary loss through the *Eastern* having been ordered so many hundred of miles away from their destination? Furthermore, will immediate steps be taken to improve the accommodation at Thursday Island for passengers who may arrive in infected vessels?

Mr. TUDOR.—The honorable member's question opens up a very large matter in regard to the compensation of people for detention, when that detention is imposed in the interests of public health. I shall, therefore, be glad if the honorable member will give notice of his question in order that I may have time to look into the matter.

CONCILIATION AND ARBITRATION ACT.

ENGINE-DRIVERS' CASE.

Mr. HALL.—Will the Prime Minister enable honorable members to see the judgment of the High Court in the engine-drivers' case before the House is called upon to pass the new Arbitration Bill, which amends the law as declared in that case?

Mr. FISHER.—I shall make the necessary request for copies of the judgment to be supplied.

Mr. GROOM.—It has already been issued in the *Argus Law Reports.*

Mr. FISHER.—Then I shall see that honorable members are supplied with it.

BUDGET.

Mr. DEAKIN.—Is the Treasurer able to fix the time at which he will deliver the Budget statement?

Mr. FISHER.—I am sorry, but it will be yet a fortnight.

BUREAU OF AGRICULTURE.

Mr. GROOM.—Will the Prime Minister state whether it is the intention of the Government to introduce during the present session any motion or Bill relating to the establishment of a Federal Bureau of Agriculture?

Mr. FISHER.—The Government will endeavour, at any rate before they leave this bench, to give effect to the proposal in which the honorable member has taken so great an interest. Whether steps can be taken this session or not is another matter.

PAPERS.

MINISTERS laid upon the table the following papers:—

Railways—The Gauges of Australia and their Unification—Supplementary Report by the Consulting Railway Engineer (H. Deane)—6th October, 1911.

Census and Statistics Act—

Official Year-Book of the Commonwealth—No. 4.—1901 to 1910.

Bulletins—

Finance—No. 4.—Summary, 1901 to 1910.

Population and Vital Statistics—

No. 23.—Quarter ended 30th September, 1910.

No. 24.—Quarter ended 31st December, 1910.

No. 25.—Vital Statistics, 1910.

No. 26.—Quarter ended 31st March, 1911.

Production—No. 4.—Summary, 1901 to 1909.

Social Statistics, 1909—No. 3.—Education, Hospitals and Charities, and Law and Crime.

Transport and Communication—No. 4.—Summary, 1901 to 1910.

Trade, Shipping, Migration, and Finance—

No. 45.—September, 1910.

No. 46.—October, 1910.

No. 47.—November, 1910.

No. 48.—December, 1910.

No. 49.—January, 1911.

Census and Statistics Act—*continued.*

Bulletins—*continued.*

Trade, Shipping, &c.—*continued.*

No. 50.—February, 1911.

No. 51.—March, 1911.

No. 52.—April, 1911.

No. 53.—May, 1911.

No. 54.—June, 1911.

No. 55.—July, 1911.

Public Service Act—Regulations Nos. 114-116A Amended (Provisional)—Statutory Rules 1911, No. 159.

Defence Act—Regulations Amended (Provisional)—

Military Forces—

Nos. 92, 93—Statutory Rules 1911, No. 155.

Financial and Allowance Regulations—

No. 82(*a*)—Statutory Rules 1911, No. 151.

No. 161—Statutory Rules 1911, No. 152.

No. 152—Statutory Rules 1911, No. 153.

No. 176—Statutory Rules 1911, No. 154.

Universal Training—No. 16.—Statutory Rules 1911, No. 150.

Naval Defence Act—Naval Forces—Regulation No. 200 Amended (Provisional)—Statutory Rules 1911, No. 149.

DEFENCE DEPARTMENT.

HOLIDAY RAILWAY WARRANTS.

Mr. RYRIE asked the Minister representing the Minister of Defence, *upon notice*—

1. Is he aware that members of the Defence Forces serving in States other than those in which their homes are situated are practically debarred from coming home during their holidays by reason of the expense of the journey?

2. Will he instruct his Department to issue railway warrants to such officers when requested for this purpose?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. Only members of the Permanent Forces are required to serve in States other than those in which they are engaged. They necessarily are obliged to serve in any part of Australia, and they are acquainted with this condition when they are engaged. Passes are given to them on the termination of their service to enable them to return to the places of their engagement.

2. The Minister for Defence is not prepared to issue such instructions in view of the great expense involved.

WOOL BOUNTY.

Mr. HIGGS asked the Prime Minister, *upon notice*—

Whether the Commonwealth Government will take any exception to the Queensland Government granting Rockhampton the benefits that were given to Brisbane at the inauguration of wool sales at the latter place, provided that said

benefits are as shown in the following paragraph :—

> In 1898 wool sales were first established in Brisbane, and by way of assistance the Government of the day decided to grant a bonus on all Queensland wool sold thereat of £1 per ton for the years 1898-9, 15s. per ton for the years 1899-1900, and 10s. per ton for the years 1900-1; also to reduce the export harbor dues on wool imported into Brisbane from 2s. to 1s. per ton; and in addition the Commissioner for Railways undertook to convey all wool to the Brisbane National Society's grounds (where the sales were held) free, which was estimated at a saving of 5s. per ton?

Mr. FISHER.—I do not think the Commonwealth will see cause to intervene if these proposals are given effect to.

NEW HEBRIDES.

Mr. RYRIE asked the Acting Minister of External Affairs, *upon notice*—

1. Under the mail contract of Messrs. Burns, Philp, and Co. is it not a fact that the company's ships have to call at Lord Howe Island and at Norfolk Island on the way to Vila, New Hebrides?

2. Is it not a fact that the contract compels the company's ships to remain on its calls at the above islands a minimum time of eight hours' daylight?

3. What is the distance from Sydney to Vila *vid* Lord Howe Island and Norfolk Island?

4. Is the Minister aware that the Messageries Maritimes Company's ships go from Sydney to Vila direct *vid* Noumea?

5. What is the distance from Sydney to Vila *vid* Noumea?

6. Is the Minister aware that Epi (Ringdove Bay) is the first port of call for Messageries Maritimes steamers after leaving Vila?

7. How far is Epi from Vila?

8. Is the Minister aware that Messrs. Burns, Philp, and Co.'s steamers, after leaving Vila, take the southern islands of the group first, calling at Epi last after completing the island calls?

9. Does the mail contract require Messrs. Burns, Philp, and Co.'s steamers to take this southern route?

10. If not, is the Minister aware whether this route is adopted owing to the fact that British interests are mainly in the southern islands, Epi being mainly a French centre?

Mr. FRAZER.—The answers to the honorable member's questions are as follow :—

1. Yes.
2. No.
3. Approximately 1,630 miles.
4. Yes.
5. Approximately 1,360 miles.
6. It is believed that, as a rule, the French steamer goes direct from Vila to Epi.
7. About 60 miles.
8. The usual course of the steamers is first to Vila, then to the southern islands, then again to Vila, and thence to Epi first among the northern islands. Epi is again called at after completing the round of the northern islands before the last call at Vila, which is the port of final clearance.
9 and 10. No route throughout the group is specified by the contract, but the local laws require that Vila, which is near the middle of the group, shall be the first port of call. The choice of going thence to the northern or southern islands is left to the contractor. British interests are understood to be predominant in the southern islands, and on Epi the majority of European settlers are French.

POSTMASTER-GENERAL'S DEPARTMENT.

POSTMASTER AT NEVILLE—CASUAL EMPLOYES, TASMANIA—LETTER CARRIERS' WAGES—WIRELESS TELEGRAPHY—PREFERENCE TO UNIONISTS.

Mr. RYRIE asked the Postmaster-General, *upon notice*—

1. Whether he is aware that at Neville, N.S.W., a potato-producing centre, a storekeeper who deals largely in this product is the telegraph master?

2. Does he not consider that it is an undesirable state of affairs that this man should get all first-hand information with regard to the market prices, and will the Minister take some steps to rectify it?

Mr. THOMAS.—The Deputy Postmaster-General, Sydney, has furnished the following information in answer to the honorable member's questions :—

1. The postmaster and telephone operator, Neville, is storekeeper, and, in common with other residents, deals in potatoes. During the last five years, occasional complaints have been made that the postmaster used telegraphic information obtained in his capacity as telephone operator, but inquiries by the inspector showed that the evidence elicited was insufficient to support the charges. The inspector reports that the office is well conducted, the management is acceptable to the majority of residents, and that any information obtained by the postmaster in his business of storekeeper in regard to the potato market is by means of paid telegrams sent to him by his agent.

The revenue received from the office, namely, £153 for 1910, is insufficient to justify its conversion to official status. The inspector points out that the majority of residents are buyers or sellers of local products, and that the removal of the office from the present postmaster to another resident would merely transfer the suspicion (which is held by a few residents) against the postmaster. In the circumstances it is considered that the removal of the office is not desirable or necessary.

2. In view of the information given in answer to question No. 1, it does not appear practicable to make better arrangements for the conduct of the Neville Post-office, as the circumstances do not warrant placing it in charge of a permanent official.

Mr. LAIRD SMITH asked the Postmaster-General, *upon notice*—

1. Is it a fact that the casual employés of the Telegraph Branch of the Postal Department in Tasmania are paid their wages monthly?

2. If so, will the Postmaster-General cause the employés aforesaid to be paid fortnightly?

Mr. THOMAS.—The answers to the honorable member's questions are as follow:—

1. It has been ascertained that casual linemen engaged by the Telegraph Branch are paid twice a month, and temporary telegraphists and telegraph messengers once a month, unless otherwise desired.

2. Instructions have been issued to pay the employés in question fortnightly.

Mr. PARKER MOLONEY asked the Postmaster-General, *upon notice*—

1. What has been the approximate increase in the remuneration paid to letter-carriers and the lower-salaried officers in the Postal Department during the past eighteen months?

2. How long have the regulations affecting the salaries of officers in charge of allowance post-offices been in vogue?

3. Upon what basis are the salaries of these officers fixed?

4. Is the Minister prepared to consider ways and means by which the salaries of those in charge of allowance post-offices can be raised?

Mr. THOMAS.—The answers to the honorable member's questions are—

1. The information is shown on the attached statement which has been furnished by the Public Service Commissioner.

2. A uniform scale of payment to allowance postmasters was brought into operation on 1st July, 1909, for new offices, and in cases where a change of postmaster occurred or where the then existing allowance would be increased under the new scale.

3. On a scale rate according to the amount of business transacted.

4. I purpose taking into consideration the whole question of the payment made by the Department for conducting allowance post-offices. The following table shows the increased cost due to alterations made in the rates of pay to the specified classes of General Division officers since 1st January, 1910.

	£
Telegraph Messengers	18,000
Telephonists	18,000
Letter Carriers	13,000
Mail Drivers	600
Assistants and Postal Assistants ...	17,000
Linemen	6,500
Mechanics	6,000
Monitors	600
Total	£79,700

Including £2,000 for special allowance to men in line parties.

NOTE.—The altered rates of pay took effect from 1st January, 1911, and from 1st March, 1911. The above figures show the additional cost for the first year of operation. The ultimate increased cost will amount to £107,000 for the above-mentioned classes of officers.

DETAILS.

Telegraph Messengers.—Minimum raised from £26 to £39. Maximum from £52 to £60.

Telephonists.—Minimum raised from £32 to £39. Maximum of £110 unaltered, but now paid to all officers on reaching 21 years of age, irrespective of service.

Letter Carriers and Mail Drivers.—Minimum raised from £60 to £72. Maximum of £150 unaltered, but period to reach maximum reduced by one-half. Minimum wage to adults raised from £110 to £126, and latter amount paid immediately upon reaching age of 21. Formerly requisite to have three years' service.

Assistants and Postal Assistants.—Minimum raised from £60 to £72. Maximum of £150 raised to £156. Period to reach maximum reduced by one-half, and greater reduction in cases of telegraphically qualified officers. Minimum wage to adults raised from £110 to £126, as in case of Letter Carriers.

Linemen.—Minimum raised from £114 to £126. Maximum raised from £126 to £150.

Mechanics.—Minimum salary for junior mechanics raised from £60 to £72. Minimum salary for adult mechanics raised from £114 to £132. Maximum of £156 unaltered.

Mr. KELLY asked the Postmaster-General, *upon notice*—

1. Did the letter covering the tender of the original contractor for the erection of wireless telegraphy installations near Sydney and Fremantle contain the following paragraph:—

> Our firm will endeavour to manufacture, as far as practicable, parts of the stations in Australia; in fact, we hope to manufacture in the near future the whole plant, with few exceptions?

2. What steps, if any, have been taken to insure the above undertaking being acted upon?

3. How far has it been acted upon?

Mr. THOMAS.—The answers to the honorable member's questions are as follow:—

1. Yes.

2. The Department took steps to ascertain that the company had opened work-shops in Australia for the manufacture of apparatus for wireless telegraphy, and has ascertained that at the present time many parts of the apparatus can now be manufactured in Australia. The stations at Sydney and Fremantle being, however, high-power stations, the engines therefore are of English manufacture, the wireless equipment, masts, guys, &c., of German manufacture, and only the auxiliary ladder masts are of Australian manufacture.

3. See answer to No. 2.

Mr. J. THOMSON (for Mr. McWILLIAMS) asked the Postmaster-General, *upon notice*—

Whether, as steamers trading to Tasmania are about to be installed with wireless telegraphy,

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it is the intention of the Government to erect stations in Tasmania, to enable communications to be made by wireless telegraphy?

Mr. THOMAS.—The question of the location of wireless stations throughout the Commonwealth is engaging the attention of the Engineer for Radio-Telegraphy, who has just arrived and taken up duty.

Mr. HEDGES asked the Postmaster-General, *upon notice*—

Can he give the House any information as to the progress being made with the Fremantle Wireless Telegraphy Station?

Mr. THOMAS. — The Australasian Wireless Company Limited were informed on the 22nd August that the foundation for the mast and the anchorage for the stays of the Fremantle station had been completed, and the clearing of the site had so far progressed that the work of erecting the station could be commenced at any time they wished, and they were asked to advise when the work of erection would be commenced. On the 16th September they reported that their tower specialist and assistant had left Sydney that day for Fremantle to make arrangements for starting operations; that unfortunately, through delay on the part of the New South Wales railways, the tools and sundries would not go forward until the end of the following week; and that all matters in connexion with the erection of the plant at that place were receiving their immediate attention.

Dr. CARTY SALMON asked the Postmaster-General, *upon notice*—

Whether he will define the expression "member of a recognised union" used in his reply to question No. 1 put to him on Friday, 6th October?

Mr. THOMAS.—The words used in my reply were "members of a recognised trades union," and my definition of the latter is any union formally recognised by trades unionism.

Dr. CARTY SALMON. — By way of personal explanation, I desire to state that I copied the words from the reply handed in by the Postmaster-General, and in that reply the word "trades" did not occur.

KALGOORLIE TO PORT AUGUSTA RAILWAY BILL.

In Committee (Consideration resumed from 6th October, *vide* page 1234):

Clause 5—

The gauge of the railway shall be four feet eight and a half inches.

Upon which Mr. GLYNN had moved—

That after the word "be," line 1, the following words be inserted, "five feet three inches or."

Mr. HEDGES.—I shall have to defer the continuation of my remarks because, owing to a severe cold, I have almost entirely lost my voice.

Mr. OZANNE (Corio) [2.55].—I have been struck by the fact that no one apparently questions the contention that the time has arrived for the adoption of a uniform gauge throughout Australia. At first I was under the impression that 4 ft. 8½ in. was sufficient, but, after listening to honorable members, after making diligent search, into the various theories on the matter, and after consulting the opinions of practical men, I have come to the conclusion that it is not wide enough to meet the growing traffic with which Australia will eventually have to cope. Many honorable members have referred to 4 ft. 8½ in. as the "standard" gauge; and it is very interesting to learn how that definition was arrived at. That gauge was adopted not because any body of experts had gone into the question and settled it on its merits, but in a rather haphazard way. In an able article in the *Atlantic Monthly*, we find the following—

The makers of the first locomotives thought only of putting their machines upon the tramways already in existence, and from that followed a very interesting and curious result. These tram lines naturally had exactly the width presented by the strength of one horse. By mere inertia the horse cart gauge established itself in the world, and everywhere the train is dwarfed to a scale that limits alike its comfort, power and speed. Because there is so much capital engaged, and because of the dead power of custom it is doubtful if there will ever be any change in this gauge. Still it might be worse. If the biggest horses had been Shetland ponies our railway carriages now would only be wide enough to hold two persons side by side, and would have a maximum speed of 20 miles an hour. There is hardly a reason, aside from this antiquated horse gauge, why the railway coach should not be 9 feet or 10 feet wide —the width of the smallest room in which people can live in comfort.

That writer has, in my opinion, placed his finger on the weak link in the chain. The 4-ft. 8½-in. gauge was simply adopted, as I say, in a haphazard way, because it represented the strength of one horse; otherwise what reason was there for not making the gauge 4 ft. 9 in.? Those who refer to this as the "standard" gauge are absolutely without any authority. It has become the most usual gauge, because as new lines were built it was necessary that the

rolling-stock should be able to run over those already in existence; and the gauge has remained because of the vast amount of capital invested in railways. In America there are hundreds of millions of pounds invested in railways built on the 4-ft. 8½-in. gauge; and the cost of conversion to 5 ft. 3 in. would be enormous. In 1897 the Premiers' Conference, at Adelaide, called on the Railway Commissioners of the various States to prepare a report, which was presented in the following August. Here, again, these railway experts, or Commissioners, based their recommendations in favour of a gauge of 4 ft. 8½ in., not on its merits as a gauge, but on considerations of £ s. d. As stated in the report of the Consulting Railway Engineer—

> The Railway Commissioners of Victoria, New South Wales, and South Australia met in Melbourne in the following August, and furnished a report in which it was pointed out that it would cost less to change the 5 ft. 3 in. lines to 4 ft. 8½ in. than those of the 4 ft. 8½ in. to 5 ft. 3 in.; that, therefore, the more favorable gauge was 4 ft. 8½ in.

To my mind, that was not the proper way to determine what was the best gauge to select in the interests of Australia as a whole. The Minister of Home Affairs, in order to secure the most up-to-date information in regard to the building of a Federal Capital—in order to insure that the work should be carried out in the best interests of the people—invited the experts of the world to furnish him with information on the subject. I should like to know why he did not take the same action with regard to this important question of railway gauge. It cannot be denied that the question is of vital importance, since the gauge selected for this line will eventually be the uniform railway gauge for Australia. So far as I have been able to ascertain, the only expert advice furnished by a body appointed specially to consider the question, is that contained in the report submitted by the railway experts of New South Wales, Victoria, and South Australia, who met in 1853, and who, having considered the matter on its merits, selected the 5-ft. 3-in. gauge as the most desirable. I am pleased to say that Victoria and South Australia honorably abided by the decision thus arrived at. New South Wales, however, changed its policy. It changed its engineers, and adopted a 4-ft. 8½-in. gauge. The decision arrived at by the experts in 1853 was based on the view that the consensus of opinion was tending in the direction of a wider gauge. They recognised that the working cost of a narrow-gauge line in proportion to its earning power was very much greater than in the case of a wider gauge of railways. On the other hand, the Railway Commissioners in 1897 reported in favour of a 4-ft. 8½-in. gauge, merely because it would cost less to change the 5-ft. 3-in. lines to 4-ft. 8½ in. than to increase the 4-ft. 8½-in. lines to 5 ft. 3 in. It has been said that Mr. Deane supports the construction of this line on the 4-ft. 8½-in. gauge, but I have not been able to find in his report any statement to support that assertion. He writes—

> The consensus of opinion among railway engineers and managers is that variations of gauge should be avoided; that in countries such as ours there should be one gauge, and that of a width suitable for running heavy and long freight trains, and comfortable and swift passenger trains.

There can be no doubt that the consensus of opinion is that the wider gauge conduces to the swiftness and comfort of passenger traffic, since the smaller the gauge the greater the oscillation. And so with freight trains. The heavy engines now being manufactured in some countries could not be run on a 4-ft. 8½-in. line. A line of such a gauge will only carry engines of a certain capacity, and if, as the honorable member for Parramatta said, we are to follow in the footsteps of America, and endeavour to introduce 3,000-ton loads, we ought not to adopt a 4-ft. 8½-in. gauge in this case.

Mr. JOSEPH COOK.—I did not say that we should imitate America in regard to the 3,000-ton load.

Mr. OZANNE.—The honorable member referred to the question.

Mr. JOSEPH COOK.—I did. In the United States they have single tracks; here we can have as many as we need.

Mr. OZANNE.—Mr. Deane has reported that it is a mistake to multiply gauges, and that—

> What is now looked upon as the standard gauge of the world, and which is adopted in New South Wales, or the Irish gauge, which is that of Victoria and part of South Australia, should have been the gauge of the whole of Australia.

He expresses the opinion that we should have either a 4-ft. 8½-in. or a 5-ft. 3-in. gauge. He does not state definitely, as has been asserted, that a 4-ft. 8½-in. gauge should be selected. At all events, if he does, I have been unable to find such a recommendation in his report.

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Mr. FINLAYSON.—He does in a supplementary report.

Mr. OZANNE.—Then I have not seen such a statement. This question is one that seriously affects every State, and more particularly Victoria, Queensland, and South Australia, since, if we select a 4-ft. 8½-in. gauge for this line, it will mean that those States will have to expend millions of pounds in order to bring about their uniformity. The Prime Minister, in discussing this question, said that Canada had built two transcontinental lines on a 4-ft. 8½-in. gauge, and that she was about to build a third on the same gauge; whilst it has also been said that the great railway systems of the United States of America are built on a 4-ft. 8½-in. gauge. There is, however, a reason for that preference, and it is given by the writer of an article in the *Atlantic Monthly*. He explains that there is so much capital involved that it is doubtful whether there will ever be a change of gauge. That is also the opinion of other railway magnates. Mr. Harriman—one of the great authorities on this question—has stated that, notwithstanding the duplication and quadruplication of the lines of the United States of America, traffic there is too congested. Then, again, his great rival, Mr. James J. Hill, in speaking before the Merchants Club, at Chicago, said that—

> The capacity of the 4-ft. 8½-in. gauge had been exceeded; that the new traffic offering could no longer be profitably handled; that a wider gauge would afford relief; that, as it is, before present requirements can be overtaken the lines of the States must be extended and duplicated; that the additions, upon a basis of 5 per cent. annual increase extending over five years, would involve a total expenditure of £1,100,000,000.

The secret of the whole trouble in the United States is that to convert the present system from a 4-ft. 8½-in. gauge to a 5-ft. 3-in., or a wider gauge, would involve an expenditure of £1,100,000,000. This American writer undoubtedly places his finger on the weak spot in the arguments of those who would retain the 4-ft. 8½-in. gauge. Mr. Harriman has also advocated very strongly the building of railways in America on a 6-ft. gauge. Mr. Deane states that he recognises the difficulties that confront the United States of America, but that—

> With us in Australia the day must be immensely remote when duplication and quadruplication are insufficient to provide the necessary increased facilities called for by the growing traffic.

Even assuming that that day is remote, the fact remains that, when it does come, the people of Australia will be faced with a problem infinitely greater than that which confronts them at the present time. At the present juncture, the alteration of America's main lines to a wider gauge would involve an expenditure of £1,100,000,000, and if we are going to reach the magnitude of the American railway service, it will ultimately be necessary for us to alter over 238,000 miles of railway. I differ from Mr. Deane in regard to the remoteness of the day when quadruplication will be insufficient to provide the facilities called for. Australia will advance far more rapidly than she has in the past. The more liberal legislation of recent years which has made it possible for the people to get on the land must tend to a greater and more rapid development, and as we develop our lands so our railway traffic must extend. The problem to-day is remarkably easy compared with that which will confront posterity fifty years hence. In 1854 the United States of America had a population of 26,000,000 and 17,000 miles of railway; to-day the population of the country is over 91,000,000, and there are 238,356 miles of railway. A similar advance is possible with Australia under the liberal legislation which is being introduced by this Government. Australia, like India, is a country of long haulages, and we find that in India the favorite gauge is 5 ft. 6 in. In South America most of the lines are of a 5-ft. 6-in gauge.

Mr. WEST.—What about Canada?

Mr. OZANNE.—I have pointed out that both Canada and the United States of America have invested so many millions in their railways that they cannot afford to convert to a wider gauge. We must avoid their error. The following table shows the lengths and gauges of the South American railways:—

	Miles.	Gauge.
Argentine Great Western ...	867	5 ft. 6 in.
Argentine North-eastern ...	560	4 ft. 8½ in.
Bahia, Branca and North-western	722	5 ft. 6 in.
Brazil Great Western ...	917	* metre.
Buenos Ayres and Pacific	3,184	5 ft. 6 in.
Buenos Ayres Great Southern	3,003	5 ft. 6 in.
Buenos Ayres Western ...	1,460	5 ft. 6 in.
Central Argentine ...	2,529	5 ft. 6 in.
Cardoba Central ...	796	4 ft. 8½ in.
Entre Rios	688	* metre.
Leopoldina	1,622	4 ft. 8½ in.
Nitrate Railways ...	359	* metre.

* The metre is 3 ft. 3⅜ in.

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Most of those lines are on the 5-ft. 6-in. gauge. For the proper development of this country cheap fares and freights are necessary, and it must not be forgotten that the smaller the gauge the greater the proportion of working expenses to receipts. It is essential to progress that the producers in the distant interior shall be able to send their goods cheaply to the coast for consumption in the centres of population, and for export to foreign markets. Mr. W. P. Hales, M. Inst. C.E., in a very interesting paper, says—

> The largest practicable locomotive on a 5-ft. 3-in. gauge would probably be 20 per cent. more powerful than the largest practicable locomotive on a 4-ft. 8½-in. gauge. Carriages and trucks could be made about 10 per cent. wider with a similar increase in carrying capacity. It may safely be affirmed that a railway of 5-ft. 3-in. gauge can handle fully 10 per cent. more traffic that a railway of 4-ft. 8½-in. gauge at a less cost per passenger mile and per ton mile, and the cost of construction per mile in an easy country like Australia will be little greater.

Mr. RILEY.—Then why do not the Victorian railways carry goods more cheaply than the New South Wales railways?

Mr. OZANNE.—I am not in a position to compare the Victorian and New South railway rates, but it is a generally accepted principle that freights and fares are proportionately higher on narrow gauge lines than on wide gauge lines. During a visit I paid last year to Oodnadatta, I went down a coal mine whose coal, though not so good as that from Newcastle, is superior to the Victorian brown coal, but the rates on the 3-ft. 6-in. line which serves the district are too heavy to allow it to be used. Similarly, some fine copper mines, with expensive plants, have had to close down because the rates were too high to allow their ore to be profitably sent to other places. The whole of the New South Wales lines are on the 4-ft. 8½-in. gauge. Australia has 3,983 miles of railway on the 5-ft. 3-in. gauge, 3,643 on the 4-ft. 8½-in. gauge, and 7,263 on the 3-ft. 6-in. gauge. If the only thing to be aimed at is the saving of expense on conversion to a uniform gauge, the 3-ft. 6-in. gauge should be made the standard. If the 4-ft. 8½-in gauge were made the standard, over 11,000 miles of lines would have to be converted from other gauges. New South Wales had an opportunity to bring about the unification of the gauges of Australia when railway construction was first commenced, but she broke her compact with Victoria. Our friends from that State want all the plums, and say to us when we wish for a fair deal that we are influenced by the *Age* or some other newspaper. When I think the *Age* correct, I support it, and when it is incorrect I oppose it. I am no more influenced by it than are New South Wales members by the *Daily Telegraph*, and am dealing with the question before us from the national, not the parochial, stand-point. It is unworthy of a member of the Labour party to say of a colleague that he is influenced by a newspaper. I am not bound hand and foot to the 5-ft. 3-in. gauge. What I ask for is the report of a body of experts. We have not had a definite statement on the gauge question from expert engineers, but I have seen it stated that the 4-ft. 8½-in. gauge is not wide enough, and gauges of 5 ft. 3 in., 5 ft. 6 in., and 7 ft. have been advocated. The proposed railway will have a length of 1,060 miles, and the distance from Brisbane to Adelaide is 1,800 miles. If the proposed railway were made on a 5-ft. 3-in gauge, there would be 1,700 miles of that gauge, leaving 1,100 miles to be converted to it. That is a problem that would be remarkably easy for us to solve to-day in comparison with the problem that will confront Australia in fifty or sixty years. That is the way in which I am looking at the matter. We have to accept the latest engineering advice as to the policy which will benefit Australia to the greatest possible extent. The New South Wales representatives appear to think the expenditure involved in converting railways to the 5-ft. 3-in. gauge would amount to millions of pounds. If in adopting a uniform gauge, we are to consider solely the ground of expenditure, let that expenditure be deferred so that posterity, which will share in the advantages, will also share in the cost. It is also urged that it will be easy to get rid of 5-ft. 3-in. rolling-stock. But I point out in answer to that argument that at the present time in Australia more money is invested in 5-ft. 3-in. railways than in lines of any other gauge. The total sum invested in rolling-stock for lines of 5-ft. 3-in. gauge is £8,001,588. The sum invested in stock for 3-ft. 6-in gauge lines is £7,436,600, whilst the amount invested in stock for 4-ft. 8½-in. gauge lines is £7,816,359. That is to say, the money invested in rolling-stock for 5-ft. 3-in. gauge lines is very much more than the amount invested in that for lines of any other gauge. I also point out to honorable members who advocate the 4-ft. 8½-in

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gauge, that as that gauge is more generally employed in the railways of the world than any other, it would evidently be easier to get rid of rolling-stock constructed for railways of that gauge than it would be to get rid of 5-ft. 3-in. gauge rolling-stock. Indeed, Mr. Hales points this out. He says in a document which has been circulated for the information of honorable members—

> If the 4-ft. 8½-in. gauge is discarded the superior saleability of its rolling stock, amounting to about £2,500,000, should more than counterbalance the additional cost of adopting 5-ft. 3-in. gauge.

I think it will be admitted that the statements which I have had the honour to make this afternoon in favour of the wider gauge are, at all events, definite. On the other hand, the authorities quoted by honorable members who favour the 4-ft. 8½-in. gauge are not definite. There is no finality about them. They seem to have selected the 4-ft. 8½-in. gauge and to have recommended its advantages from the financial standpoint alone. I feel compelled to oppose the clause as it stands, for the reasons which I have given. I do not say that I am pledged in favour of the 5-ft. 3-in. gauge, but I do say that the Minister ought to do in this case what he did when he called for plans in connexion with the building of the Federal Capital. He advertised throughout the world in order to obtain the best expert opinion. I want him to do exactly the same in connexion with this railway. I oppose the clause first because the only engineering authorities whom we have at our command have definitely advocated the 5-ft. 3-in. gauge. Secondly, the only Railway Conference which has considered this gauge question, and recommended the 4-ft. 8½-in. gauge, only recommended the narrower gauge in New South Wales because it was considered that it would be cheaper by £2,500,000. In America, however, as has been pointed out in connexion with the duplication and quadruplication of lines, both Mr. Harriman and Mr. James J. Hill have definitely stated that the congestion of traffic has not been overcome by means of the 4-ft. 8½-in. gauge. Furthermore, I consider that in our railway construction we must lay down as a definite principle that we must give to our people a swift service, cheap passenger rates, and cheap freight for produce, so as to permit them not only to compete in local markets, but also in the markets of the world. I recognise that this is a very serious question, and that the selection of a gauge by the Commonwealth in this instance will involve the adoption of the same gauge on trunk lines throughout Australia. It must be recognised here, as it is recognised in the United States and Canada, that in order economically to work main lines a uniform gauge is essential. I can see no other future for the railways of Australia than that a uniform gauge will have to be adopted. Because I think that a 4-ft. 8½-in. gauge is not suitable for that purpose, I must support the amendment.

Mr. GREENE (Richmond) [3.27].—The honorable member who has just resumed his seat has stated that one of the chief considerations in connexion with the adoption of any gauge on our railways is that we must have cheap freights and fares to enable our producers to carry their produce to the sea-board at the lowest possible rates. I thoroughly agree with the honorable member, and, if he will listen to what I have to say, I think he will be compelled to admit that Australian experience, at all events, is strongly in favour of the 4-ft. 8½-in. gauge, as compared with the 5 ft. 3 in. I do not know whether, if we were to alter the gauge to 6 feet, the result would be in the opposite direction, but I do know, and wish to emphasize, that Australian experience points strongly to the fact that the 4-ft. 8½-in. gauge gives us the cheapest possible fares and freights, and enables producers to send their produce long distances—and short distances as well—at lower rates than any other. The honorable member for Angas proposes to refer back to the engineering experts the question of what shall be the gauge for this railway. I can see very little use in adopting that course. During the last few months those in charge of defence matters have consulted with those in charge of our railways, and have gone into this question. They have recommended the 4-ft. 8½-in. gauge. As pointed out in Mr. Deane's report, the engineers and Commissioners of our railway systems—the very men to whom it is again proposed to refer once more the same question—also met in conference to deal with this gauge question, and recommended that the 4-ft. 8½-in. gauge should be adopted. I do not think those who are supporting the adoption of the 5-ft. 3-in. gauge have shown that in itself that gauge embodies any particular merit. True, they have quoted some opinions with a view to proving that a wide gauge is preferable to a narrow one, but they have not

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attempted to show that such a gauge is associated particularly with a 5-ft. 3-in. gauge. There is no doubt that the 4-ft. 8½-in. gauge was decided upon more or less by chance. But I hold in my hand an authority which shows that the 5-ft. 3-in. gauge was also decided upon entirely by chance, and not because in itself it possessed any special merit.

Mr. FENTON.—That remark does not apply to Australia.

Mr. GREENE.—Neither the 4-ft. 8½-in. nor the 5-ft. 3-in. gauge was adopted because of any particular merit. Both were adopted in quite a haphazard way. Peculiar as may have been the origin of the 4-ft. 8½-in. gauge, I think that the origin of the 5-ft. 3-in. gauge was still more remarkable. I hold in my hand a book entitled *Our Home Railways*, by W. J. Gordon, who, in speaking of the Irish railway system, which was the first to adopt the 5-ft. 3-in. gauge, Vol. 1, p. 57, says—

> The gauge battle was just the sort of thing in which Irishmen would revel, and they chose their gauges to please themselves. The Ulster, for instance, completed twenty-five miles of the road from Belfast to Dublin on a gauge of 6 ft. 2 in., which the Drogheda, which set out from Dublin to meet the Ulster, adopted 5 ft. 2 in. When this was complained of by the Ulster company, the Irish Board of Works replied that though it looked a bit awkward, yet, as there was little chance of the intervening part being finished, it really did not matter. This airy sort of thing, however, was not quite good enough for the Ulstermen, who appealed to higher powers, with the result that Sir Charles Pasley, the Inspector-General of Railways, was requested to look into the matter of these Irish gauges. That ingenious engineer, after trying persuasion in vain, solved the difficulty arithmetrically by adding up the width of gauge adopted by every Irish company, dividing the total by the number of companies, and thereby obtained an average of 5 ft. 3 in., which thus became the Irish national gauge.

Mr. GLYNN.—That writer is absolutely incorrect, because the 5-ft. 3-in. gauge had been adopted in Australia prior to that period.

Mr. GREENE.—I have simply quoted the author for what he may be worth.

Mr. FENTON.—A very good exhibition of Irish wit and humour.

Mr. GREENE.—At any rate, our experience in Australia—whatever may have been the experience elsewhere—is rather in favour of the 4-ft. 8½-in. as opposed to the 5-ft. 3-in. gauge. Mr. Hales, who was quoted by the honorable member for Corio, has doubtless written a very interesting paper, in the course of which he cited a number of figures in support of his advocacy of the 5-ft. 3-in. gauge—figures which are apparently taken from official sources. But he carefully omitted all those figures from the same sources which did not suit his argument. This, perhaps, was quite natural. I find, from Knibbs' *Year-Book*, that in New South Wales the total mileage of railways on the 4-ft. 8½-in. gauge is 3,644. Victoria possesses 3,491 miles of railway, including 107 miles of 2-ft. 6-in. gauge, which leaves a balance of 3,384 miles upon the 5-ft. 3-in. gauge. As evidencing the difference which exists between the cost of working the 4-ft. 8½-in. and the 5-ft. 3-in. gauges, I would point out that the estimated cost of conversion from the 4-ft. 8½-in. to the 5-ft. 3-in. gauge in New South Wales and Victoria is £4,260,000, whereas the estimated cost of conversion from the 5-ft. 3-in. to the 4-ft. 8½-in. gauge would be only £2,360,500. Thus there is a difference in favour of the 4-ft. 8½-in. gauge of £1,899,500.

Mr. OZANNE.—What would be the difference if we had to sell the 5-ft. 3-in. rolling-stock? We could not sell it.

Mr. GREENE.—Several honorable members have endeavoured to prove that the 5-ft. 3-in. gauge is being used to a considerable extent. If that be so, we could easily get rid of the 5-ft. 3-in. rolling-stock. But I am credibly informed by those who know something of the subject that, while it would be possible to alter a very great deal of the 5-ft. 3-in. rolling-stock to the 4-ft. 8½-in. gauge, it would be almost impossible to alter the 4-ft. 8½-in. rolling-stock to the 5-ft. 3-in. gauge.

Mr. OZANNE.—One expert says no.

Mr. GLYNN.—Neither could be altered very well.

Mr. GREENE.—The annual train mileage run in New South Wales at the present time totals 15,468,000 miles, as against 11,706,000 miles in Victoria—that is to say, that, although New South Wales possesses only 153 miles more of railways than does Victoria, she runs her trains 3,720,000 miles more per annum. It is perfectly clear, therefore, that her people have a better train service than have those of Victoria.

Mr. OZANNE.—She has more people.

Mr. GREENE.—But, proportionately, she provides a very much better train service for her people than does Victoria.

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Mr. FENTON.—Do those figures include the suburban traffic?

Mr. GREENE.—Yes.

Mr. FENTON.—What about the number of passengers carried?

Mr. GREENE.—The honorable member can obtain information as to the number of passengers carried by consulting the *Year-Book*. I come now to the volume of goods which is forwarded by rail. In New South Wales the railways carry 8,393,000 tons of goods annually, as against 4,468,000 tons in Victoria. In New South Wales the cost of construction and equipment has been £48,925,348, whereas in Victoria it has been £43,142,329. Anybody who knows anything of the railways in New South Wales and Victoria will readily recognise that the additional cost of construction in the former State is due to the very much more difficult country on the average which her railways have to traverse. Any one acquainted with the Blue Mountains line, the Great Northern line, and the line from Sydney to Albury, three of the longest lines in New South Wales, will be aware that for a great part of their length they run through very difficult country indeed. There are no railways in Victoria at present that for difficulties of construction, and consequent capital cost, can compare with them in this respect. Whilst at the present time the actual service rendered is distinctly in favour of New South Wales, the actual cost of construction is distinctly against that State. I am comparing now system with system in each State.

Mr. FENTON.—The New South Wales railways have cost nearly £1,000 per mile more to construct than the Victorian railways.

Mr. GREENE. — The New South Wales railways on the 4-ft. 8½-in. gauge cost an average of £13,480 per mile to construct, whilst the Victorian railways cost an average of £12,358 per mile. As an offset to a certain extent against the additional cost in New South Wales we find that that State owns 349 more locomotives, and 4,000 more waggons, than Victoria. When we come to consider the percentage of working expenses to gross earnings, what do we find? This percentage in New South Wales is 59.73, and in Victoria 63.41, distinctly against Victoria and the wider gauge. The working expenses per train mile run in Victoria is 57.77d., and in New South Wales 50.84d., again distinctly against Victoria and the wider gauge.

Mr. GLYNN.—The experience of South Australia is against the honorable member in that regard. Her railways pay nearly 6 per cent. with a large stretch of 5-ft. 3-in. gauge.

Mr. GREENE.—South Australia has just as great a length of railway on the 3-ft. 6-in. gauge as on the 5-ft. 3-in. gauge.

Mr. GLYNN.—Yes, but the lines on the 5-ft. 3-in. gauge have to carry a loss on some of the other lines.

Mr. GREENE.—I have shown that the working expense per train mile in Victoria is 7d. more than in New South Wales on the narrower gauge.

Mr. FENTON.—Surely the honorable member will not put that down to the gauge?

Mr. GREENE.—I am not putting it down to the gauge. I am dealing with the statement of the honorable member for Corio that what is desired is a thoroughly efficient and a thoroughly cheap service for the whole of Australia. What I am endeavouring to prove is that, so far as our Australian experience has gone, and according to the figures of our own official *Year-Book*, it is proved conclusively that, notwithstanding the additional expense that New South Wales has had to go to in the construction of her lines, and notwithstanding that she gives her people a very much better service than is given to the Victorian people——

Mr. FENTON.—That is questionable.

Mr. GREENE.—I have given the figures for the train miles run, and that is an indication of the efficiency or otherwise of the service. Notwithstanding these two facts, which are distinctly against New South Wales, we have absolute proof that per train mile New South Wales is conducting her railways more cheaply than is Victoria. The percentage of net revenue for capital expenditure is the next consideration I direct attention to. In New South Wales, it is 4.52, and in Victoria it is 3.77; again distinctly in favour of New South Wales.

Mr. WISE.—What has that to do with the question of the gauge? Is it not a question of management?

Mr. FENTON.—And of a thousand and one other things?

Mr. GREENE.—I am supposing that the management of the Victorian railways is just as good as that of the New South Wales railways. We have no evidence to

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the contrary. Both systems are State-managed, and under the control of Commissioners; and it is a fair presumption that the management is no better in New South Wales than it is in Victoria.

Mr. SAMPSON.—What about the long-distance haulage?

Mr. GREENE.—In respect of the long-distance haulage, the figures tell distinctly against New South Wales, and in favour of Victoria.

Mr. SAMPSON.—Has that not an influence in reducing the cost of working per train mile?

Mr. GREENE.—It has; but I do not think it would prevent the management being just as cheap in Victoria as in New South Wales. The net revenue per train mile run in New South Wales is 34.28d., and in Victoria, 33.34d. It must be said, in favour of the Victorian railways, that they do not carry as much mineral traffic as do the New South Wales lines. At the same time, we must remember that coal is carried at a very cheap rate indeed on the New South Wales railways. The percentage of profit to capital cost of construction and equipment in 1910 is again distinctly in favour of New South Wales. It was 1.07 as compared to .36 in Victoria. That is to say, we have a difference of profit of no less than .71 per cent. in favour of the New South Wales railways. Now I come to what is one of the most important points in favour of the New South Wales system, and that is the question of fares and freights charged. I have already shown that the capital cost of construction in New South Wales is very much greater than in Victoria, that the train mileage run is very much greater, and also that the profit is greater on the New South Wales system; and yet, when we come to consider the important matter of the actual freights and fares charged on the two railway systems, we find that fares and freights on the New South Wales railways are very much lower than on the Victorian railways. The first class single fares compare as follow:—For a journey of 50 miles, New South Wales 5s. 9d., Victoria 7s. 6d.——

Mr. WISE.—What on earth has that to do with the gauge question?

Mr. GREENE.—I think I have shown fairly clearly that the 4-ft. 8½-in. gauge provides a cheaper service than the 5-ft. 3-in. gauge in Australia at present.

Mr. WISE.—The honorable member means that the New South Wales Railways Commissioners are providing a cheaper service than the Victorian Railways Commissioners will provide.

Mr. GREENE.—I mean that the New South Wales Railways Commissioners can provide a cheaper service on a greater cost of construction, and show a bigger profit at the end of the year. If that is not a point in favour of the 4-ft. 8½-in. gauge I do not know what is. The first class single fares are:—For 100 miles, New South Wales 13s. 7d., Victoria 15s.; 200 miles, New South Wales 28s. 7d., Victoria 30s.; 300 miles, New South Wales, 43s. 2d., Victoria 44s. 6d.; 400 miles, New South Wales 56s. 4d., Victoria 58s. 2d.; 500 miles, New South Wales 65s. 8d., Victoria 72s.

Mr. GLYNN.—Recently, in New South Wales, they have refused to give return tickets for long distances.

Mr. GREENE.—I am quoting from *Knibbs*, at a time when return tickets were issued.

Mr. GLYNN.—They had to alter the system.

Mr. GREENE.—We have altered it, but for a very different reason.

Mr. FENTON.—Has the honorable member worked out the difference in the cost of fuel between the New South Wales and Victorian railways?

Mr. GREENE.—I have not, but there should not be any difference in favour of New South Wales, seeing that Victoria has a State-owned coal-mine supplying its railways. If that will not provide coal cheaper than private enterprise I do not know what will.

Mr. FENTON.—The honorable member is quoting from figures published prior to the opening of that mine.

Mr. GREENE.—No, these are figures for 1910, and the State coal-mine was open in that year. The second class single fares compare as follow:—For 50 miles, New South Wales 3s. 7d., Victoria, 5s.; 100 miles, New South Wales 8s. 3d., Victoria 10s.; 200 miles, New South Wales 17s., Victoria 20s.; 300 miles, New South Wales 25s. 4d., Victoria 28s. 9d.; 400 miles, New South Wales 32s. 11d., Victoria 38s. 10d.; 500 miles, New South Wales 39s. 8d.. Victoria 47s. 10d.

Mr. KING O'MALLEY.—Does the honorable member attribute the extra charge in Victoria to the difference in the width of gauge?

Mr. GREENE.—I am showing that, although the New South Wales railways cost more for capital construction than did

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the Victorian, the service rendered in New South Wales is better than in Victoria, taking the train mileage run over railways of almost similar length.

The CHAIRMAN.—Does the honorable member think this has anything to do with the question of gauge?

Mr. GREENE.—Yes, I am endeavouring to show that New South Wales can charge less on her narrower gauge railways for all these services, and yet show a bigger profit. Exactly the same state of affairs exists in the matter of freights. For agricultural produce, a matter of great importance to all farmers, the charges per ton in truck loads compare as follow:—For 50 miles, New South Wales 5s., Victoria 5s. 6d.; for 100 miles, New South Wales 7s. 6d., Victoria 8s. 9d.; 200 miles, New South Wales 9s. 6d., Victoria 11s. 6d.; 300 miles, New South Wales 10s. 6d., Victoria 13s. 4d.; 400 miles, New South Wales 11s. 4d., Victoria 15s.; 500 miles, New South Wales 12s., Victoria 16s. 8d. The figures in Queensland, with a 3-ft. 6-in. gauge, are lower than those in Victoria, although not lower than those in New South Wales.

Mr. SAMPSON.—There should be a great difference between Queensland and New South Wales if the narrower gauge means lower freights.

Mr. GREENE.—I think the figures tend to show that in the 4-ft. 8½-in gauge we have that mean between the two which gives the cheapest possible service to the people.

Mr. GLYNN.—It is the long-distance rate in New South Wales that pulls down the average, and Mr. Eddy said they all paid.

Mr. GREENE.—All I contend is that the 5-ft. 3-in. gauge has no great merit over the 4-ft. 8½-in. Those who have advocated the 5-ft. 3-in. gauge have not shown that it has any particular or peculiar merit, and if the figures which I have quoted prove anything at all they prove that it is possible to give on the 4-ft. 8½-in. gauge a cheaper service than on the 5-ft. 3-in. gauge. The whole question largely resolves itself into one of first cost. The first cost to the people of Australia—and I take it that the cost will have to be borne by practically every part of the Commonwealth—would be £2,000,000 more to convert the lines from 4 ft. 8½ in. to 5 ft. 3 in. than to convert from 5 ft. 3 in. to 4 ft. 8½ in. We shall have, in the 4-ft. 8½-in. gauge, a gauge that has proved itself over and over again to be perfectly capable of carrying any traffic that we can possibly suppose Australia will ever have to take over her railways. I do not think we shall ever be able to reach in Australia the enormous production of America, because we have not the same vast extent of rich territory.

Mr. SAMPSON.—That has yet to be proved.

Mr. GREENE.—We have already proved that, with our existing scientific knowledge, it is not possible for the continent of Australia to produce as largely as the American continent. If in time to come our scientific knowledge is extended, and Australia is enabled to produce as much as America is producing now, that same scientific knowledge will be available to America, and she will still produce then more than we will. In regard to the 4-ft. 8½-in. gauge, we have not reached anything approaching the possibilities of the development of our system on that basis. When we compare the rolling-stock in Australia with the rolling-stock in America—I have not the figures before me now, but I know that in America they have engines nearly four times as heavy as ours, and freight cars which carry five and six times more than do any cars we have in Australia to-day——

Mr. SAMPSON.—And still the principal lines are overtaxed.

Mr. GREENE.—That is a statement which I do not think has been borne out by any facts which have been brought before the Committee.

Mr. SAMPSON.—By one of the engineers.

Mr. GREENE.—When we remember that practically all our lines are single tracks, when we reflect that by the general duplication of those lines, and the quadrupling of some sections near the coast, we can add to the existing railway facilities and increase the usefulness of our railways by, I suppose, 2,000 per cent., and when we recognise that a vast portion of the interior will not produce very heavily at any time, it is not possible to conceive of a time when the 4-ft. 8½-in. gauge will fail to commend itself as the standard gauge for this great continent.

Mr. SCULLIN (Corangamite) [4.4].—I think it would be idle at this stage for the Committee to discuss entirely the question of what is the superior gauge. We cannot, simply because we are members of Parliament, pose as experts on a question which is absolutely one for experts to decide. And seeing that we have not had

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anything like a consensus of opinion among the experts, I fail to understand why there should be any debate as to the acceptance of the latter portion of this amendment. It does not settle finally which shall be the gauge; but it proposes a very short delay, possibly a delay of a few weeks, until we can have a proper inquiry into this question by those who are competent to decide it. The honorable member for Richmond has given us some very valuable information as regards the working of the different lines in each State. But I fail to see any application in them to the question before the Committee. By that kind of argument you could prove that the 3-ft. 6-in. or the 2-ft. 6-in. gauge is the better one. By that process of reasoning you could prove anything; but it does not touch the question of which is the superior gauge. The amendment proposes that the gauge shall be 5 ft. 3 in., instead of 4 ft. 8½ in., or, failing that, that the consideration of the matter shall be postponed pending an inquiry. Now, what is the case for an inquiry? We are here to consider whether the clause shall pass as it is, or whether a further inquiry shall be made. The case for an inquiry is, I take it, that there is considerable doubt in the mind of every member of the Committee as to which is the better gauge. There has been no definite opinion expressed even by the experts who have spoken. Consequently, I think that a good case for further inquiry is made out. One would imagine, from reading the reports of Mr. Deane, and particularly his supplementary report, that all that is to be done on this question is that he shall say the last word, and that the matter will then be settled. As a public man, I have not had very much experience, but I object to any person setting himself up as a dictator to this honorable House on a question of such vast importance to the people of Australia. At the very beginning of one paper, he says, "In my report on the gauge question, I thought I had said all that was necessary," that is, when I open my mouth, let every other dog be dumb. This report emanates from the gentleman who endeavoured to reply to Mr. Hales, another eminent engineer; and, in my humble judgment, it is about the weakest answer to a good case which I have ever read. I object to this final remark by Mr. Deane—"I have said all that can be said on the question."

Mr. GLYNN.—That is contradictory of the first paragraph.

Mr. SCULLIN.—Exactly. In one part of the paper, Mr. Deane said—

> I do not think that the opposers of the 4-ft. 8½-in. gauge, or, perhaps, I should say the favourers of the 5-ft. 3-in. gauge, would clamour for one of 6 feet.

How can he know? If it were practicable, and financially possible, I would favour a 6-ft. gauge in preference to either of the others. Having read the reports, I do not think that there is any doubt that the wider gauge is the superior one; and, therefore, I believe that there should be further inquiry into the matter. Lower down, Mr. Deane deals with one of the objections as regards the construction of the engines, namely, that the wider gauge was advocated because they wanted to build the cylinders inside. Then he points out that the American engineers solved the difficulty by building the cylinders on the outside, admitting that there was a big difficulty. But the point is that the larger the cylinders have to be built, in order to increase the haulage power, the bigger must be the overhanging on the narrower gauge. If this gentleman, as an engineer, did not want to put forward what I may call a partisan statement, surely he would have placed these things before us. I hold that when we have a consulting engineer, he should advise the members of this House. The whole case, and not one side of it, ought to be placed before us. For that reason, I think that the amendment should be accepted. I have said that there is some doubt about the different arguments which have been used. It is not for those who support the amendment to prove that the 5-ft. 3-in. gauge is superior to the 4-ft. 8½-in. gauge. It is sufficient for us to prove that the last word has not been said in favour of the latter gauge for this transcontinental railway. In this report, we are told that there have been considerable recommendations made. What do they consist of? As has been pointed out several times, the final question was solved, not on the merits of the gauge, but on the cost of converting a track from one gauge to the other. It has been said that the extra cost of converting the line from a 4-ft. 8½-in. gauge to a 5-ft. 3-in. gauge, as against converting the line from the latter gauge to the former, will be something over £2,000,000. In a very able criticism of that statement, Mr. Smith, who is also an engineer of standing, points out that it takes into consideration the re-sleepering of the whole, which will not be necessary.

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I asked the Minister, when he was submitting the measure, where the extra cost would come in, and for a short time I was satisfied with his answer that it represented extra sleepering, tunnelling, and widening of bridges. The question of the conversion of gauge is one which we need to inquire into more. I do not think that there is very much difference in the width of the railway carriages and rolling-stock on either gauge. The overhang is larger on the narrow gauge, as any one can see. Therefore, the question of widening the tunnels does not arise. Not one engineer in Australia has said that he has made a careful analysis of the cost. What he has said is that the amount stated is an estimate. We cannot expect any one to make a proper examination unless there is some proof that we are going to have a uniform gauge; at present it is mere conjecture. Consequently, we cannot accept the bare statement that it will cost so much more. Let us assume, however, that the estimate is correct, and that it will cost £2,000,000 more to convert from the narrower gauge than from the wider. Mr. Hales, another engineer, says that the extra loss on the rolling-stock by going from the narrower to the wider gauge would be £2,500,000. I am not saying that Mr. Hales is correct, or that Mr. Deane, or the Commissioners, are correct; but there are those differences, and if we accept all the estimates, then the saving on account of the rolling-stock will counterbalance the cost of the conversion of the permanent way. When there is so much difference of opinion, it is time to have the matter thoroughly threshed out by bringing these experts into touch with one another. At present, they are running in parallel lines; and, if they could be brought together so as to arrive at a consensus of opinion, I should be prepared to accept it. First of all, we are told that the loss on the rolling-stock by going from the wider to the narrower gauge will be obviated by the fact that we shall not immediately bring about a complete conversion. Then there is the argument that the uniformity of the trunk line gauge will not necessarily mean a uniform gauge on all the lines. There are those who contend, with some justice, that while the uniform gauge for defence and developmental purposes will mean the same gauge through all the States where the lines connect with main trunk lines, branch lines may be of a different gauge. Of course, there is no question that it would be better for Australia to have one gauge on all lines; but here we are faced with the question of cost. But the most important question arises—what will be the effect of this line from a defence point of view within the next ten or twenty years? Nobody will say that, in providing for defence, we should look any further ahead than ten years. We desire a line to connect the east and the west, and to enable the mobilization of troops and the carriage of guns and horses for the defence of the east or west as the case may be. If the line is built on the wider gauge, it will not be a big contract to convert the line from Port Augusta to Adelaide. Western Australia has promised to carry out her share of the work; and I believe that South Australia will also make the conversion. If a war broke out, and an attack were made on the west—which is where attack is most feared—or, otherwise, I do not see any strong case for the railway—we should be able to mobilize troops, horses, guns, and so forth right from Albury to Melbourne, and then on to Adelaide and Perth, thus connecting three capitals and three States. If it is necessary that we should, in the immediate future, connect with Sydney, the line to be converted would be less than 400 miles, whereas to bring the main lines of South Australia and Victoria into line with the New South Wales gauge would mean the conversion of 673 miles. Honorable members have said that we are not proposing a line to carry big freight loads, but, to my mind, that argument savours of lack of confidence in the future development of Australia. Supposing we do not ask those honorable members to look very far ahead, we are justified in asking them—seeing that we are building a line primarily for defence purposes, for, otherwise, it would not be a national concern—to look at the possibility of a war in the immediate future. Where is the man who will not say that, when war breaks out, the line will be taxed to its utmost capacity. There is no line in any part of the world that has ever proved capable, over a long distance such as this, of coping with the traffic in war time; and that is a fact that honorable members have not faced. Right through the discussion we have been told that this railway is for defence, and with that I agree. I realize that the case for this railway, and the expenditure of money on it, would lose more than half its strength were it not for the recommendations of military authorities. Yet we are

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told that we do not require the best gauge for a railway that will carry the biggest freight trains, because the country will not have sufficiently developed to require that in the next fifty or 100 years. As a matter of fact, everybody, with even an elementary knowledge of warfare, knows that this line would be taxed to its utmost as soon as war broke out.

Mr. BAMFORD.—Does the honorable member contend that the salvation of Australia depends on 6½ inches?

Mr. SCULLIN.—I do not; and nobody can read such a contention into my remarks, which, I believe, are a complete answer to the statement that it is not necessary to have a line of the fullest capacity. The wider the gauge the better. It is estimated by engineers that the extra 6½ inches will add 20 per cent. to the carrying capacity of the line; and that advantage is not to be ignored when it is a matter of life and death to the nation. I do not say that the salvation of Australia depends on this line; but the line will be a big factor in the defence of the country. I am not in the habit of making extravagant statements, and I do not contend that the salvation of the continent depends on 6 inches or 6 feet. In war time, however, the salvation of the country does depend on the promptitude with which troops, guns, and horses, and other requisites of war can be shifted. If it can be shown that, with the extra 6½ inches, the carrying capacity is increased by 20 per cent., we have a strong case made out for the wider gauge. I have not heard that any of the engineers contend that the first cost of constructing a 5-ft. 3-in. line is any more than that in the case of a 4-ft. 8½-in. line, particularly in countries such as this, where there are no engineering difficulties. A uniform gauge must come; but, as yet, we have arrived at no decision on the point. Both States and Commonwealth have to be consulted; and, in any case, there must be uniformity, quite apart from the construction of the line under discussion. Such a change may not come in our time; but if the 4-ft. 8½-in. gauge is adopted, there would be a break of gauge at Albury, and another one at Port Augusta, or at Adelaide, as the case may be. Here we have two breaks of gauge, instead of one; and yet we are professing to build a line by which troops may be quickly moved from one side of the continent to the other. We are told that 4 ft. 8½ in. is the standard gauge of the world; but, as already pointed out, the adoption of that gauge was purely accidental. If it were the most desirable gauge half a century ago, that does not prove it to be the better one for the requirements of to-day. We are further told that lines are being maintained and rebuilt on the 4-ft. 8½-in. gauge; but that is no argument. We all know that, where there are thousands of miles of existing lines on the narrow gauge, it would be madness to build other lines on a different gauge. But that does not apply to this country. If the argument that the majority of the lines are built on a certain gauge is a sound one, then I think a fairly strong case could be made out for the adoption in Australia of a uniform gauge of 3 ft. 6 in., inasmuch as the majority of our railways are of that width. All the engineers, however, reject that gauge. If, as the honorable member for Richmond has said, railways built on a 4-ft. 8½-in. gauge are more effective than are those on a 5-ft. 3-in. gauge, then it might be reasonable to say that a still narrower gauge would be even more effective. The honorable member for Richmond said that we had struck the happy mean. That is indeed a discovery.

Mr. MATHEWS.—A revelation!

Mr. SCULLIN.—I should call it an inspiration. I do not know what the happy mean is. I do not even say that a 5-ft. 3-in. gauge is wide enough. We have, however, to consider the question of practicability, and who will say that there are very big difficulties in the way of the adoption of a 5-ft. 3-in. as against a 4-ft. 8½-in. gauge for Australia? Even in his report Mr. Deane admits that there is a better case for the adoption of the 5-ft. 3-in. gauge. The only argument advanced by the Railway Commissioners in support of their decision of 1897 in favour of the adoption of a 4-ft. 8½-in. gauge was that it would cost more to convert the smaller into the wider gauge. The railroad development of Australia is as yet in its infancy. By constructing this transcontinental line we shall lay the foundation of the future railway gauge of Australia, and that being so, we ought not to rush to a conclusion. We should be prepared to study the matter carefully, and to have it fully considered, so that when the lines in existence to-day come to be increased twenty fold, aye, fifty fold, we shall be able to say that we have the best gauge that could possibly be adopted.

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Mr. WISE (Gippsland) [4.22].—It used to be the practice for the Minister in charge of a Bill on which an amendment had been proposed, to at once inform the Committee whether or not the Government intended to accept it. We have now been discussing this proposal for some hours, yet neither the Minister in charge of the Bill nor any other member of the Government has intimated whether or not it is to be accepted.

Mr. LAIRD SMITH.—The Prime Minister made it clear when he spoke that the Government favoured a 4-ft. 8½-in. gauge.

Mr. WISE.—The Prime Minister has not spoken since this amendment was submitted. I suppose that the Government have the numbers behind them, and that, therefore, the Committee is to be treated with contempt.

Mr. KING O'MALLEY.—There is nothing like that in our minds.

Mr. WISE.—What does this amendment really mean? As the honorable member for Corangamite has pointed out, it is simply a proposal that the gauge shall be either 5 ft. 3 in. or 4 ft. 8½ in., whichever both Houses of Parliament may by resolution approve of, after a report on the comparative merits of the two gauges has been obtained from the engineers-in-chief of the States and the consulting engineer for the Commonwealth. Unless the Government have the numbers behind them in support of the clause as it stands, what possible objection can they have to such an amendment? Its adoption would not delay by one day the construction of this railway. No one opposed to it dare say that it would. Before anything can be done in the way of building the railway, the Parliament of Western Australia must pass an Enabling Act. Then, again, the Government of South Australia must come to an agreement with the Minister of Home Affairs as to the extent of territory to be taken over. Whilst those negotiations were proceeding, this conference of experts could take place, and we could then be furnished with an authoritative expert statement of the position. Up to the present, however, we have nothing of the kind. There has been circulated among honorable members to-day a supplementary report by Mr. Deane, and I should like to know whether it was read by the Minister of Home Affairs before it was placed in our hands.

Mr. SAMPSON.—I do not think it could have been.

Mr. WISE.—Nor do I; because there has never been circulated a more misleading, contradictory, flippant, and, indeed, impudent official report.

Mr. KING O'MALLEY.—I am sure there was no such intention on the part of Mr. Deane.

Mr. WISE.—I am expressing the opinion of honorable members on both sides of the House—honorable members holding different views on this question—when I so describe this supplementary report. Has the Minister read it?

Mr. KING O'MALLEY.—I went through it very carefully.

Mr. WISE.—Then I do not know why the Minister allowed it to be circulated.

Mr. KING O'MALLEY.—I did not want to colour the report with my own opinions.

Mr. WISE.—This man says that he thought he had said all that was necessary on the subject. As a matter of fact, he had said practically nothing. In this supplementary report, dated 6th October, 1911, Mr. Deane writes—

> In my report on the gauge question I thought that I had said all that was necessary in the way of argument in favour of what is called the Standard gauge. I pointed out how unnecessary it was to adopt a gauge only 6½ inches wider, and I showed how the real experts in railway matters, namely, the State Railway Commissioners, in conference, had on four different occasions decided that the 4-ft. 8½-in. gauge was the one to adopt.

The only paper which has been circulated dealing with the question of gauge is that by Mr. Deane, entitled *The Gauges of Australia and their Unification*. I presume that that is the report to which he refers in this later document, in which he states that on four different occasions the States Railways Commissioners in conference had recommended the 4-ft. 8½-in. gauge. According to his only report on the subject the States Railways Commissioners have met in conference on only one occasion. Is not that misleading? Can the Minister defend the circulation of such a statement to mislead honorable members? And yet the honorable gentleman says that he carefully read the supplementary report. Let us see what appears in the first report, under the heading of "Historical." In the first place, we have the statement—

> In April, 1897, the Premiers, in Conference at Adelaide, decided to request the Railway Commissioners of the respective Colonies to report on the question. The Railway Commissioners of New South Wales, Victoria, and South Australia met in Melbourne in the following August, and furnished a report in which it was pointed out that it would cost less to change the 5 ft. 3 in. lines to 4 ft. 8½ in. than

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those of the 4 ft. 8½ in. to 5 ft. 3 in.; that therefore the more favorable gauge was 4 ft. 8½ in. The cost of reducing all lines of the wider gauge to 4 ft. 8½ in. was estimated at £2,360,500.

According to this historical sketch by Mr. Deane, that was the first and only conference of States Railway Commissioners. But let us go a little further. We are told in the first report by Mr. Deane that—

The question of the best uniform gauge again came to the front when the Engineers-in-Chief for Railways of the five States were called upon, in 1903, to report upon the selection of the route for the connexion between Port Augusta, South Australia, and Kalgoorlie, Western Australia, and its estimated cost. Here again the 4-ft. 8½-in. gauge was recommended.

That was a decision, not of the Railways Commissioners, but of the Engineers-in-Chief. Then we have the further statement—

At a meeting of the Railway War Council in February last, the Chief Commissioners of the States being present, the question of gauge was discussed, and it was unanimously decided to recommend the adoption of the 4-ft. 8½-in. gauge.

These are the only three occasions on which, according to Mr. Deane's first report, the matter was considered. It was considered once by the Railways Commissioners—and not on four different occasions, as he states—once at a meeting of the Engineers-in-Chief, and once by the Railway War Council. Mr. Deane conceals the fact that the Engineers-in-Chief, in their report of 1903, stated that they recommended the adoption of the 4-ft. 8½-in. gauge in recognition of the decision of the Railway Commissioners in 1897. We do not know the constitution of the War Council, or what knowledge and experience its members possessed to entitle them to make any recommendation, or to warrant us in paying any attention to their decisions. Is it not outrageous that a statement of this kind on the part of a public official should be circulated, after being carefully read by the Minister, to mislead honorable members? Further, Mr. Deane contradicts himself. He says—

Although in some respects it (the 4-ft. 8½-in. gauge) may be considered to be inferior to the 5 ft. 3 in., in other respects it is much better.

I emphasize the admission that "in some respects it may be considered to be inferior to it." He concludes his report by saying—

I think I have shown on all points the advantage lies with the 4-ft. 8½-in. gauge.

Are not the two statements contradictory? Then let me draw attention to the bad taste of the man, as displayed by his reference to the late Mr. Harriman. He says—

Except the opinion of the late Mr. Harriman, of the Southern Pacific Company of America, I have failed to come across any very definite statement, and that opinion was hazarded by a man who shortly afterwards succumbed to the fate of all humanity.

As if his recommendation of the wider gauge had anything to do with Mr. Harriman's death! Why should those who are opposing the 4-ft. 8½-in. gauge be told that they would not "clamour for one of 6 feet"? Is that the language which the Minister recommends his officials to use in papers to be laid before Parliament? Take the next paragraph of the report—

It has been said that the tendency in Europe is to ask for wider gauges; there *was* a wider gauge in Spain, and that, I believe, was converted to 4 ft. 8½ in.

Mr. Deane does not say that it was converted to 4 ft. 8½ in.—

In any case, if Spain had adhered to her 5 ft. 6 in. I do not think that the rest of Europe or America or Great Britain would be very much impressed by the opinions and practice prevailing in that country.

Is that a proper statement to be made by an official, and placed by the Minister before Parliament? Mr. Deane, in the last paragraph but one of his report, says—

One word as regards stability and steadiness of running. Stability does not depend so much on the extra few inches width of gauge as on length of sleeper with a well packed road.

Although he makes us believe that he intends to refer to stability and steadiness of running, he says nothing about the latter. I hope that before the Minister lays any more of these reports on the table, he will take the trouble to read them, and see that they are couched in the respectful language which should be adopted in addressing a deliberative assembly. The only consideration given to this question in the past was given at the Conference of Railways Commissioners in 1897, when the narrower gauge was recommended because it would cost less to convert to the narrow than to the broad gauge; but, as was pointed out by the honorable member for Angas, no details have been furnished to show how the cost of conversion is estimated. We have been told that it would cost less to convert to the narrow gauge, because it would not be necessary to re-sleeper the permanent way; but, as a matter of fact, it is stated, by Mr. Deane himself, that on the main

lines of New South Wales, 9-ft. sleepers are used, whereas, on our 5-ft. 3-in. lines, only 8-ft. 6-in. sleepers are used. The gauge question has never been considered by expert engineers solely from the engineering point of view. The adoption of the amendment would not delay the construction of the line. All we ask is the consideration of the gauge question by engineers from the engineering point of view. It staggers me to see Ministers sitting silent, and thus appearing to refuse to consent to this reasonable proposal. Mr. Deane's criticism of Mr. Hales' report is, as the honorable member for Corangamite has shown, a weak one. He says—

> There is, of course, no doubt that a comparison of two gauges, even where the difference is only 6½ inches, points to an advantage in hauling capacity in favour of the wider gauge, but the argument can be pressed too far.

He then refers to the late Mr. Harriman in a more respectful way than in the report from which I have just been quoting—

> Mr. Harriman's opinions were entitled to very great consideration, but his views of the inadequacy of the 4-ft. 8½-in. gauge to meet the exigencies of traffic were certainly exaggerated.

He continues—

> The capacity of the standard gauge for carrying traffic may be easily underestimated. Most of our lines are single track, but when duplicated the facilities for carrying traffic would be enormously increased.

Would not the facilities of a line on the 5-ft. 3-in. gauge be enormously increased by the duplication of the track? Of what use is it to compare a double track line on the 4-ft. 8½-in. gauge with a single track line on the 5-ft. 3-in. gauge? I should like the Minister to say, even now, what his attitude is towards the amendment; and, if he opposes it, why he refuses to Parliament the opportunity to consider the views of engineering experts on this engineering question.

Mr. BAMFORD (Herbert) [4.38].—I see no need for this battle of the gauges, as it has been termed, and am prepared to vote for the adoption of the 4-ft. 8½-in. gauge in this case, believing that it will amply serve our requirements, and will prove the best that we could have adopted. The 5-ft. 3-in. gauge may have advantages, but they have never been proved in practice, either in Victoria, or in other places where the gauge has been used. What surprises me is that, in none of the reports of the engineers is reference made to the two great factors of capacity in a railway line. Any one who knows anything about railway construction — and I profess to know a little—is aware that the amount of traffic which can be carried over a line depends, not so much on its gauge, as on its grades and curves.

Mr. SAMPSON.—Then, why not adopt the 3-ft. 6-in. gauge in this case?

Mr. BAMFORD.—That is a good gauge, which has been used in Queensland and elsewhere because of its cheapness to construct, and the facility with which it can be used for mountain climbing. The gradients of a railway control the haulage power, and the curves control the speed. There is no reason why we should not have flatter curves than are laid down in Mr. Deane's report. Gradients need not be so steep as are here provided for—1 in 80. There should be no gradient on this railway steeper than 1 in 100, and there should be no curve on a line where there are practically no severe engineering difficulties to encounter more severe than one of a 30-chain radius. The Minister should have provided for these things in the Bill, and not let them be matters for decision by the engineers. The 70-lb. rails provided for are not heavy enough. A 5-ft. 3-in. gauge line would mean not only additional expenditure in construction, but also additional cost in the necessity for providing heavier rails, larger sleepers, and more ballast. A 4-ft. 8½-in. gauge line is perfectly safe, as has been amply proved in the Old Country, where the traffic is undoubtedly greater than it will be in Australia on this railway for the next century. The consideration as to expedition in the carriage of troops is controlled by the factors that I have just mentioned. Speed is controlled by gradient and curves, and if there is one gradient on the 1,063 miles of a heavy character, it will dominate the whole railway, because no locomotive can haul anything over the remainder of the line which it cannot haul over that particular gradient. That, also, is a matter which should have been seen to in this Bill. I am not altogether influenced by what the engineers report.

Mr. MATHEWS.—Engineers, like lawyers and doctors, differ.

Mr. BAMFORD.—Who is to decide when they differ? The layman. I have here a document which illustrates the unreliableness of engineers' estimates. An estimate was made, not by one consulting engineer, but by the whole of the principal railway engineers in Australia in combination. Another engineer, having experience equal to any of them, then came forward

with another estimate, which was very considerably less. In a subsequent report, the combined engineers adopted almost the identical figures of the independent expert. What, then, is the value of their first report?

Mr. FENTON.—Does the honorable member say that engineers are influenced by their environment?

Mr. BAMFORD.—I do not say that; but the engineers in conference may not have given the same amount of attention to the matter as did the individual engineer.

Mr. GROOM.—The honorable member's complaint is that the engineers agree, not that they differ?

Mr. BAMFORD.—I am not complaining at all; I am simply pointing to the fact that the estimates of engineers may be erroneous. If erroneous in the one case, they may equally be so in another. Engineers in preparing estimates always leave a very large margin. In this case, they would have left a margin of £800,000, had it not been that an independent engineer submitted his own estimate to the Minister. At a subsequent conference the railway engineers brought their figures into consonance with his. I mention this fact to illustrate the point that the differences of engineers in regard to gauges do not imply that the one gauge or the other is necessarily right or wrong. The estimate which they may make regarding the capacity of a certain gauge may be just as far out as their estimates as to cost.

Mr. MATHEWS.—In this case, they say that the 5-ft. 3-in. gauge is the best.

Mr. BAMFORD.—They may; but that consideration does not bind me. If the railway engineers had another conference, and unanimously recommended us to adopt the 5-ft. 3-in. gauge, I should still vote for the 4-ft. 8½-in. gauge.

Mr. MATHEWS.—I am surprised that the honorable member is so dogmatic.

Mr. BAMFORD.—The honorable member for Corangamite has laid stress upon the fact that in war time we want the best possible facilities for carrying troops from one part of Australia to another. He also emphasized the conjecture that a difference of 6½ inches in the gauge of a railway would be a very important factor, if not in the salvation of the country, at any rate in the defence we could make against a possible foe. I say again, however, that gauge has nothing whatever to do with expedition in the transport of troops. One can travel just as rapidly in New South Wales on a 4-ft. 8½-in. gauge as in Victoria on a 5-ft. 3-in. gauge railway.

Mr. MATHEWS.—But in the former case one is shaken more.

Mr. BAMFORD.—The honorable member would shake anywhere. The travelling is just as speedy and as safe in New South Wales as it is in Victoria. There has never been a Sunshine accident in New South Wales.

Mr. WISE.—Was that due to the gauge?

Mr. BAMFORD.—Accidents are frequent in Victoria; whereas they are very few in New South Wales.

Mr. MATHEWS.—Is that due to gauge?

Mr. BAMFORD.—It shows, at any rate, that the 4-ft. 8½-in. gauge is perfectly safe.

Mr. MATHEWS.—What has gauge to do with a collision?

Mr. BAMFORD.—In Queensland trains travel very rapidly on 3-ft. 6-in. gauge lines, and accidents are fewer than is the case on 5-ft. 3-in. gauge railways in Victoria. The adoption of the 3-ft. 6-in. gauge is very often necessitated by the financial position of a country. It has to cut its coat according to its cloth. Queensland had borrowed very largely, and, consequently, had no money to spend upon a wider gauge than that which has been adopted there. Being short of funds, she had to be content to build cheaper lines than she might otherwise have built. As a matter of fact, there is in Queensland a railway with a 2-ft. gauge, upon which trains carry heavy loads at a good rate of speed. I myself have travelled over the line. But the main factors to be considered in the construction of a railway are its gradients and curves, and not its width of gauge. At the same time, I hope that the Minister will accept the amendment. It would be only a fair thing to do.

Mr. LAIRD SMITH.—It would delay the construction of the line until next year.

Mr. BAMFORD.—I do not think that it would delay its construction a week, and, in my opinion, it would confirm the Government in the attitude which they have adopted in regard to the width of gauge.

Mr. SAMPSON (Wimmera) [4.52].—There can be no doubt that an irresistible case has been made out for further investigation into this important matter.

Mr. THOMAS.—For delay.

Mr. SAMPSON.—There need be no delay. It is quite possible for the Minister of Home Affairs to call a conference of

the engineers of the various States to discuss the gauge question, and I am sure that such a body would arrive at a definite conclusion without any delay. I quite appreciate the views which have been put forward by those honorable members who have debated this question. In New Zealand, both passengers and goods are carried, for long distances, at reasonably cheap rates, over a 3-ft. 6-in. gauge. I believe that there is a good deal to be said in favour of narrow gauge railways for the purpose of opening up new countries before the traffic has attained certain dimensions. Viewing the matter from that stand-point, the arguments in favour of the adoption of the 4-ft. 8½-in. gauge are necessarily strong at this stage in the history of the Commonwealth. But I believe that we have in Australia a greater variety than—and probably as great a volume—of natural resources, as is possessed by the United States. There is nothing to show that this continent is not quite as capable of development as is the United States. Australia has a greater variety of climate, and that probably carries with it a greater variety of soils. We have supplies of water running through the centre of the continent which will cause our production to equal that of the United States, while the rainfall of Australia compares very favorably with the rainfall of that country. Under all these circumstances, the question which we have to consider is, "What gauge is best suited to our future development?" The tendency of the engineering faculty in all countries which have been laying down new lines of railway has been in the direction of a broader gauge. The only parallel which we can cite is that of the United States, where there has been an enormous development in railway traffic, and where the most eminent engineering manager, Mr. Harriman, has declared himself in favour of the wider gauge. The narrow gauge system has, in reality, ceased to carry the traffic on the main lines of railway in that country. Having that object lesson before us, and realizing as we do that the development of Australia must proceed largely on similar lines, we should profit by the example of the United States, and insist upon having in our possession the best information that is available before arriving at a final determination upon this question of the width of gauge. So far the Government have placed before us only the report of the consulting engineer in favour of a 4-ft. 8½-in. gauge, and that of Mr. Hales in favour of a 5-ft. 3-in. gauge. These reports constitute all the information which has been vouchsafed to us upon one of the greatest, if not the greatest, financial problems we have to solve respecting the future of this continent. It seems to me that it would be an act of the merest justice for the Government to afford honorable members an opportunity of satisfying themselves, from the opinions of the best engineering talent available, as to which is the best gauge to adopt. In our anxiety to link up Western Australia with the eastern States, I fear that we are likely to forget the larger question of what is the best gauge for the future. So far we have not had a straight-out opinion as to which is the superior gauge for Australia from an engineering stand-point. The whole question has been viewed rather from the stand-point of the expenditure that is involved. We have in Australia only about 16,000 miles of railway, as against 300,000 or 400,000 miles in the United States. It is evident, therefore, that we have only commenced the work of railway construction in the Commonwealth. So far, we have expended about £150,000,000 upon our railways, and yet we are going to decide the most potential factor in the development of our resources from the stand-point that by adopting the narrower, and, possibly, the inferior, gauge we shall save an expenditure of £2,000,000. I recognise that £2,000,000 is a very large sum to save in the early history of the Commonwealth, but it is a very small amount compared with that which we have already expended upon railway construction, and represents only a fraction of what we shall have to expend in that direction. The conversion of our lines to a uniform gauge must be a gradual process, so that, after all, the saving of £2,000,000 is scarcely worthy of serious consideration as compared with the necessity which exists for adopting the best gauge in view of future requirements. The question of the gauges adopted in different countries of the world has been so fully discussed that there is perhaps very little new to be said about it. The newspapers have taken the matter up, and valuable information regarding the gauges adopted in different countries has been published for the benefit of the electors and of members of this Parliament. We have the benefit of an article in the latest edition of the *Encyclopædia Britannica* on the gauges operated in different parts of the world. The writer of this article was the

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editor of the *Railway Gazette* of New York, and in view of his selection by the editors and compilers of the *Encyclopædia Britannica* as a man capable of dealing with this important question, we may accept his conclusions as those of an eminent authority. The article was written in 1900, and we all know that vast strides have since been made in railway construction. I direct attention to the fact that the writer in a footnote to the article in question states—

> Perhaps it would have been better if in all the countries of Europe and America the 5 ft. 6 in. or even the 6 feet had been made the standard, since the physical limits of the power of the locomotive and the ultimate carrying capacity of the cars would not have been reached so soon.

This is the opinion of an impartial and independent authority, after a close and exhaustive investigation into every system of railway construction in all the important countries of the world. Writing from New York, the capital of a great country which has adopted for the most part the 4-ft. 8½-in. gauge, the author of this article writes in favour of a wider gauge. This opinion should possess a value in the minds of honorable members which could scarcely be exceeded by the combined wisdom of the railway engineers of Australia. It is of sufficient importance, I think, to warrant honorable members in hesitating before they finally commit this Parliament to a blunder which cannot be rectified in the future, and which may have the effect of seriously retarding the development of the continent and injuring our future commerce. At this comparatively early stage of railway construction in Australia, we have a serious responsibility cast upon us to profit by these expert opinions. We should admit that we have not sufficient information, and should at least demand to be supplied with a definite opinion from the best railway engineers of the Commonwealth on this engineering question. I have said that in our anxiety to build this line to connect Western Australia, as it ought to be connected, by rail with the eastern States, we have lost sight of the paramount importance of the question of the future gauge for Australia. It has been stated over and over again that the building of this line will determine the future gauge of Australia. I am not in a position to say that the 5-ft. 3-in. gauge is better than the 4-ft. 8½-in. gauge. I believe it is essentially an engineering question, but we cannot be blind to the fact that in India, Argentina, and Russia, the engineers who have been intrusted with the construction of the most modern railway systems have adopted a wider gauge than 4 ft. 8½ in. as the best gauge to meet the future requirements of those great countries. We must not overlook the very serious difficulties in the way of altering the 4-ft. 8½-in. gauge adopted in some countries fifty years ago, though it is admitted that to meet the present necessities of traffic in those countries a wider gauge would be desirable. The proposal that is made is in no sense likely to jeopardize the Bill or to delay by an hour the construction of the railway. It is necessary that it should be given effect to if we are to be placed in a position to do justice, as we are expected as a National Parliament to do, not only to the present necessities of the Australian continent, but to the needs of the future. We require the fullest information on this subject if at this critical stage in our history we are to adopt the railway gauge which will be the most efficient, economical, and serviceable, and which will make for the speediest development of our immense resources.

Mr. HARPER (Mernda) [5.7].—It would be unfortunate if this important question were to be settled on grounds of political expediency, or because of State attachments to particular systems in vogue in the different States. It seems to me that this is a question pre-eminently for practical men to deal with after knowledge has been obtained as to the requirements of the great railway systems which in this continent are only in their infancy. I intend to support the amendment for two reasons. First of all, because it will not in any way delay the passing of the Bill or the construction of the railway. It is idle to contend that it will, because the inquiry proposed could be made during the next few months, and would enable men who are thoroughly acquainted with all the circumstances, and who would deal with the matter entirely from a scientific point of view, to supply us with such information as would enable the Government and the House to do what might ultimately be the right thing in this important matter. The second reason I have for supporting the amendment is that it is only prudent that before the Government and the Federal Parliament settle perforce the question of the future railway gauge of Australia there should be the fullest inquiry made into the best means of effecting the necessary alterations of gauge. The

honorable member for Herbert, at the close of his speech, laid down the dictum that the only two things to be considered in the construction of a railway are the curves and the grades, and that the width of gauge has nothing whatever to do with it. I dissent from that view. I think the width of gauge is a matter of supreme importance. The fact that in the United States and in England the 4-ft. 8½-in. gauge has been adopted does not appeal to me as a conclusive reason why we in Australia should adopt that gauge, now that the question of altering the varying gauges already in existence in Australia has been raised. About eighteen years ago I had the pleasure of travelling from Melbourne to Brisbane in company with Mr. Kitson, a brother of the late Sir James Kitson, head of the great locomotive manufacturing firm of Leeds, who have supplied many locomotives for Australia and elsewhere. Between Melbourne and Brisbane we travelled on three different gauges, and this led to a conversation which made a great impression on me, and which has influenced my mind now that this question has come up for consideration. I hardly thought it would come up in my time; but now that it has, I think I ought to mention that gentleman's opinion, because he was a thorough engineer. He said that a terrible mistake has been made in varying the gauges in Australia. I asked him whether, if he had to direct an alteration of the gauges, he would choose the wide gauge as it exists in Victoria or South Australia, or the 4-ft. 8½-in. gauge as it exists in New South Wales. He said he would change the gauge to the 5-ft. 3-in., or an even wider gauge. I was surprised, and asked the reason, and he gave me a reason which, from the practical stand-point, has, I think, only to be stated for its force to be recognised. It certainly made a great impression on my mind, having, as I had, some knowledge of mechanics and machinery. He said that the loads would be heavy in this country, the trains long, and the hauls ultimately of enormous length. He added, "In these days the difficulty which we locomotive manufacturers have is that we cannot get sufficient fire-box space to supply steam for the enormously heavy engines and trains that are now coming into force." It is not possible, for instance, to have a very heavy train, in the sense that heavy trains are understood in other countries, on the 3-ft. 6-in. gauge of Queensland, because that gauge necessitates a long narrow fire-box, and it is impossible to get the area of heating space to propel the locomotive and drag the train. To a certain extent that is also correct of the 4-ft. 8½-in. gauge, and to a less extent of the 5-ft. 3-in. gauge. The honorable member for Wimmera referred to the statement of Mr. Harriman, the railway expert, that it would have been better if the gauge in America had been made 5 ft. 3 in., 5 ft. 6 in., or 6 feet. The reason for that is the one which I have just given. When we regard the future of this country, that consideration is of enormous importance, because it means, possibly, a 5, 10, or even 20 per cent. difference in the cost of haulage over the enormous distances that we have to cover in Australia. It is estimated that the adoption of the 5-ft. 3-in. gauge would mean the spending of £2,000,000 more now. £2,000,000 is a great deal of money, but at 3½ per cent. it is only £70,000 a year, and possibly by adopting the wider gauge we may save the £2,000,000 in two or three years. That is, the whole principal and interest may be repaid by the saving to the public. Of course, it might not come into the accounts, but the cost to the public of the haulage of the enormous system which we shall have in Australia would make £2,000,000 look a very insignificant sum to spend to attain the object in view. I can see no objection to the question being fairly debated. It is not a question that particularly affects New South Wales or Victoria, because, although I have not been here to listen to the arguments, I understand that it is recognised by the Committee that the standardization of the gauge will have to be approached, not as a question for the States to be burdened with, but as an expenditure which must fairly and equitably be borne by the whole Commonwealth. If that is so, why should I, just because I am a representative of Victoria, be obliged to advocate the 5-ft. 3-in. gauge, if I thought the 4-ft. 8½-in. gauge the better, or why, if I were a New South Wales member, and thought the evidence showed that the 5-ft. 3-in. gauge was better than the 4-ft. 8½-in., should I support the 4-ft. 8½-in. against my own convictions? As a business proposition, the proposal of the honorable member for Angas is only prudent and reasonable. Personally, I believe that, for the mechanical reason I have stated, the 5-ft. 3-in. gauge will be found to be better. The fact that the gauge in America is 4 ft. 8½ in. proves

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nothing, because the American railway system was practically begun at the time that gauge came into vogue, and, having begun with it, they could not stop it. That is exactly the position in which we shall find ourselves. The Federal Government are now forcing the settlement of a question which ought to be settled only after the fullest and fairest inquiry. I am not an advocate of delaying the construction of the line, but I feel that there are more than the interests of the Western Australian line in question. The future of the whole of the railway system of this great continent is at stake, and that, I think, entitles us to act cautiously and carefully, and to take the fullest means to ascertain what is really the best gauge. It is not a political question. It is not a State question. It is a great question for the Commonwealth.

Mr. FENTON (Maribyrnong) [5.18].—The further the discussion proceeds, the more need it shows for a closer investigation of this very important subject. It is acknowledged, not only in this House, but by the experts and the public outside, that the fixing of the gauge from Port Augusta to Kalgoorlie means the fixing of the gauge for all Australia, at any rate, for many years to come. The question, therefore, should have our most serious consideration. The honorable member for Richmond this afternoon rather made light of the manner in which the 5-ft. 3-in. gauge was first decided upon. I have here a bound file of papers that have been read from time to time before the Institute of Engineers in Victoria. Among the gentlemen who have appeared before that very important body to elucidate certain engineering questions, was the late Professor Kernot, of the Melbourne University. I think that anybody who is acquainted with his history, and the very deep interest which he took in engineering and engineering works generally, will at once accord to him an exceptionally high place in the engineering world of our time. I propose to make a few quotations from either a paper which he read, or an address which he delivered before the Institute of Engineers. In giving a history of the different gauges, he said—

> The most popular and widely-adopted gauge has the somewhat odd dimension of 4 ft. 8½ in., and is now generally spoken of as the standard gauge. How it originated is somewhat doubtful. A certain ingenious gentleman finds it in the cart tracks revealed by the excavations at Pompeii, and one is inclined to suggest that Professor Piazzi Smyth, the author of "Our Inheritance in the Great Pyramid," might, had his attention been called to the subject, have found it a divinely inspired and absolutely perfect railway gauge, along with the British inch and other wonderful things laid down in that building of hoary antiquity.

Mr. FOWLER.—Did he say how the 5-ft. 3-in. gauge happened along?

Mr. FENTON.—I shall give my honorable friend some information on that point a little later. As Professor Kernot was an authority of undoubted ability and integrity, I think that his opinion can be taken without hesitation. On important occasions, the meetings of the Institute of Engineers of Victoria were attended by engineers from all parts of Australia, and, at times, from other parts of the world, and any information which Professor Kernot might give would be of the best kind—that is apart from the jocular side of the matter. In this paper, he went on to relate how the 4-ft. 8½-in. gauge came into existence; but I do not intend to quote what he said, as that is not necessary. Having quoted his preliminary remarks, I will read the following passage—

> Some people seem to think there is some magical charm, some peculiar virtue in this particular dimension to account for its prevalence and success. I cannot agree with them. I regard it as a mere accident, which, once established and being found tolerably satisfactory spread and occupied the field, compelling other gauges of later date to give way to it, the evils of break of gauge being found far greater than the benefits of the few extra inches that gauge reformers in numerous cases added. Had railway making started on a gauge anywhere between 5 and 6 feet I am convinced we should never have heard of the present peculiar standard. It is noteworthy that nearly all the attempts to break away from it in the early days of railway making were in the direction of increase, and not of diminution, showing plainly that even then it was found hardly ample enough for growing practical requirements. . . .

Evidently, he was indicating to his hearers that the error in selecting the 4-ft. 8½-in. gauge was a grave one. I think that in Ireland and India the question of gauge was discussed much more intelligently, if I may be excused for saying so, than it has been discussed in any other country, because there were two schools of thought. Wherever that condition obtains in respect to engineering questions, the best possible result is likely to be evolved out of a discussion. In the language of Professor Kernot, the 4-ft. 8½-in. gauge was accepted more by accident than as the result of a well-thought-out plan. It has no particular charm, and produces no great benefit—

> The other notable endeavour to enlarge the gauge was made in Ireland. With the complaints of restricted space on the English lines

before them, and with an insular country having no conceivable possibilities of connexion with the rest of the world except by sea, the engineers had *carte blanche*, an open field untainted by legacies of past errors.

That is, I think, a sufficient answer to the honorable member for Perth, who wanted to know under what peculiar circumstances the 5-ft. 3-in. gauge came into existence.

Mr. FOWLER.—I did not use the word "peculiar."

Mr. FENTON.—This gauge did not come into being under the same amusing circumstances as have been related by the honorable member for Richmond. Professor Kernot said that it was deliberately chosen, after full and careful inquiry.

Mr. RILEY.—By whom?

Mr. FENTON.—By experts of all kinds.

Mr. RILEY.—By how many experts?

Mr. FENTON.—I mentioned Ireland and India as two countries in which there was an intelligent discussion in reference to the merits of the various gauges prior to a gauge being fixed. According to Professor Kernot, after the greatest inquiry, research, and deliberation, the engineers decided that the best gauge for Ireland was 5 ft. 3 in. Continuing, Professor Kernot said—

They therefore adopted what they considered in view of all accessible experience the best possible gauge, and made it 5 ft. 3 in.

That is about the only reason which he could discover for the establishment of that which is now supposed to be the standard gauge of various countries. There is as much mystery about the birth of the 4-ft. 8½-in. gauge as there was about the birth of Topsy in *Uncle Tom's Cabin;* we can only suspect that it "grow'd."—

This, then, was a gauge deliberately chosen after full and careful inquiry, contrasting with the Standard or English gauge, which, like Topsy in "Uncle Tom's Cabin," had no known parents, but merely "specs she growed."

I wish to emphasize the fact that, before delivering his address, Professor Kernot had made a very great study of our railway problem generally, and particularly the engineering side of it. Some honorable members, including the Minister of Home Affairs, the Prime Minister, and other Ministers who have spoken, have asked, "Why should we seek for further information when we have already obtained all the information possible from the engineering talent of Australia?" A little while ago the railway experts of Australia, in combination with military experts, were formed into what is known as the War Council for the Commonwealth—I believe the Railways Commissioners have been made colonels on that account—and their attitude is that indicated by the question I have just quoted. But the last word has not been said. If the Victorian or South Australian Railways Commissioners assented to that opinion, all I can say is that, at the present time, those Commissioners have remitted a report to their respective Governments, the tenor of which is favorable to the 5-ft. 3-in. gauge.

Mr. LAIRD SMITH.—Would it be advisable for them to do otherwise?

Mr. FENTON.—The honorable member is suggesting that some pressure is being brought to bear on the Commissioners.

Mr. LAIRD SMITH.—I simply asked a question.

Mr. FENTON.—But in such a tone as to suggest a suspicion that the authorities have rather pressed these experts. Mr. Norman, a Victorian Railways Commissioner, is one of the best engineers we have; and, as I say, he and his colleagues, Mr. Fitzpatrick and Mr. McClelland have sent in reports strongly in favour of the retention of the wider gauge. I believe the South Australian Railways Commissioners have done the same; but, at any rate, I know that Mr. Kernot, the Engineer-in-Chief of the Victorian Railways, has sent in a report to that effect.

Mr. LAIRD SMITH.—He is a very wise man!

Mr. FENTON.—The honorable member is again making nasty insinuations. If I were to retaliate, I might say that other engineers have been rather influenced by their environment; but I have no desire to do so. These reports are a direct contradiction of the statement of the Minister of Home Affairs, and, I believe, the Prime Minister, that there is unanimity of opinion amongst the Railways Commissioners of Australia on this question.

Mr. THOMAS.—Why did the South Australian Government not build the line to Broken Hill on the 5-ft. 3-in. gauge?

Mr. FENTON.—The South Australian Government displayed considerable courage in building that line when it was not known that the resources at Broken Hill were so extensive as they have proved to be. No one is more pleased than myself that that field has lasted, and that, so far as we know, it will last for many years to come; at any rate, it would be a disaster if the Barrier constituency were wiped out, and

we were deprived of our Postmaster-General.

The amendment of the honorable member for Angas is in terms to which no one can take exception; and even the most ardent advocate of the 4-ft. 8½-in. gauge should readily assent to the request made. The amendment means further investigation, which will not result in any delay. I see no reason why the wires could not be set in motion to-morrow, and, before the end of next week, at any rate, the leading railway engineers of Australia should not meet in Melbourne to discuss the question. These engineers are practical men, and will not delay in arriving at a decision.

Mr. THOMAS.—I think they will come to a decision at once.

Mr. FENTON.—Then, all the more reason to accept the amendment. The Postmaster-General seems to think that the engineers will simply sit down at the table and say, "It is no use discussing the question further; undoubtedly the gauge of the world is 4 ft. 8½ in., and we all assent to it." If a decision can be arrived at so expeditiously, why should the amendment not be accepted?

Mr. THOMAS.—It is a mere waste of time.

Mr. FENTON.—The Postmaster-General says that there will be no waste of time in coming to a decision, and, yet, that it is a waste of time to refer the matter to the engineers.

Mr. FOWLER.—Would those engineers not agree to differ, as they did before?

Mr. FENTON.—Then there would be possible ground of complaint, and any request for another tribunal would be out of court. I previously complained of the lack of information; I am prepared to accept it, no matter whence it comes. More has, no doubt, been supplied to us; but it is small compared with the magnitude of the subject. In New South Wales it would seem that it was the accident of a change of engineers that caused the change of gauge; because we are told that at the outset 4 ft. 8½ in. was recommended by Earl Grey, Secretary of State for the Colonies, and New South Wales, Victoria, and South Australia all agreed to adopt it. In 1852, however, owing to the urgent representations of the Engineer-in-Chief, Mr. Shields, the New South Wales Government altered it to the Irish gauge of 5 ft. 3 in. Mr. Shields had evidently followed the discussion on the fixing of the gauge of the Irish railways, and, as an intelligent man, prepared to accept the verdict of intelligent men, realized that if the 5-ft. 3-in. gauge was admirably suited to the purposes of Ireland, it certainly ought to be a suitable gauge for the railways of Australia. The representatives of New South Wales, including the Postmaster-General, I believe, are very anxious that the 4-ft. 8½-in. gauge should be adopted. I would point out to them that the representatives of Victoria, where we have a 5-ft. 3-in. gauge, and also, I presume, of South Australia, where several of the main lines are built on the same gauge, are quite prepared, notwithstanding that fact, to accept the verdict of men who are competent to express an opinion upon this question. Our Railways Commissioners have not been consulted, as they ought to have been, regarding a great question of this kind.

Mr. THOMAS.—I understood that they had been asked for their opinion.

Mr. FENTON.—The Railways Commissioners of Victoria and South Australia have reported to their respective Governments that they favour the retention of the 5-ft. 3-in. gauge. That being so, how can it be said, as some honorable members, including, I believe, the Minister of Home Affairs, have urged, that the Commissioners have decided in favour of a 4-ft. 8½-in. gauge?

Mr. RILEY.—Does not the honorable member think that if the Victorian railway gauge were 4 ft. 8½ in., the Railways Commissioners of this State would be in favour of the retention of that gauge?

Mr. FENTON.—Not necessarily. The question we have to determine is which is the better gauge. Which will prove of the greatest service to Australia in the years to come? Even if a 4-ft. 8½-in. gauge were adopted, the Commonwealth would have to stand behind the State Governments in carrying out the conversion of existing lines, so that the State exchequer would not suffer, whether the 4-ft. 8½-in. or the 5-ft. 3-in. gauge were adopted. The Commonwealth will have to assist the States to convert their lines.

Mr. THOMAS.—To convert all their railway lines?

Mr. FENTON.—I do not speak of all their railway lines, but the Commonwealth will certainly have to stand behind the States in the conversion of their main lines. If 5 ft. 3 in. be adopted as the standard gauge, New South Wales will have to be compensated, and if 4 ft. 8½ in. be adopted, South Australia and Victoria will have to receive compensation.

Mr. FINLAYSON.—And Queensland will have a big say in it, too.

Mr. FENTON.—No doubt. The cost to Queensland—if the State Treasury had to bear it—would be almost the same, in the event of the adoption of a 4-ft. 8½-in. gauge, as it would be if that State had to alter its railways to a 5-ft. 3-in. gauge.

Mr. FINLAYSON.—There would be a difference of only £1,000,000!

Mr. FENTON.—No. Whilst laymen have to exercise their common-sense in dealing with all questions, they must depend, more or less, in a matter of this kind, upon the advice tendered to them by experts. Mr. Alex. Smith, president of the Victorian Institute of Engineers, who has taken a very great interest in this question, told me only yesterday that the difference between the cost of laying down a 5-ft. 3-in. and a 4-ft. 8½-in. gauge railway was infinitesimal.

Mr. FINLAYSON.—Nonsense. Why the *Age* says——

Mr. FENTON.—I do not care what the *Age* says. I was told to-day by an officer in our own Railway Department, who is competent to express an opinion, that the difference in cost is not worth haggling over. He informed me that the cost of constructing a 5-ft. 3-in. line would be only £50 a mile more than would be the cost of constructing a 4-ft. 8½-in. line.

Mr. RILEY.—The timber would cost more than that.

Mr. FENTON.—I am quoting the opinions of experts. One railway man, as I have said, told me that the difference in cost would not be £50 per mile, whilst Mr. Smith informed me that the cost of laying down a 5-ft. 3-in. line was not likely to be more than £50 or £60 more per mile.

Mr. LAIRD SMITH.—The additional ballast would cost that.

Mr. FENTON.—Neither the honorable member for Brisbane nor the honorable member for Denison happens to be an engineer.

Mr. LAIRD SMITH.—The gentleman to whom the honorable member refers will say, "Save me from my friends" when he reads this speech.

Mr. FENTON.—Not at all. I am very sure of my facts on this point. What is the use of honorable members disputing the statements of experts? I am giving the Committee the opinions of two engineering experts. If those who dispute them can quote, in opposition to them, the opinions of two other railway experts, I shall be prepared to listen to them; but I am not prepared to listen to an honorable member who thinks, merely because he has an aptitude for interjecting, that he has the necessary knowledge to express an opinion upon a very difficult engineering problem. Throughout Victoria, and practically throughout Australia—if the railway managers are looking to the future—every new bridge that is built is so constructed as to be capable of carrying a far greater weight than is likely to pass over it at the present time. All the clearings in respect of tunnels and railway platforms are also going to be wider. I have it from an authoritative source that, on the New South Wales lines, for greater safety, the clearings are to be widened, regardless of whether or not the gauge is altered. The bridges also, I am told, will need to be strengthened, and the culverts looked to, regardless of whether or not the railways there are converted to a 5-ft. 3-in. gauge.

Mr. FOWLER.—Would not those changes also be necessary in the case of a 5-ft. 3-in. gauge line?

Mr. FENTON.—To a certain extent. I am pointing out that, no matter what gauge is adopted, we must be prepared for heavier haulages. Consequently we must have heavier engines, with greater firing and steaming capacity, as the honorable member for Mernda has stated, so that they will be able to draw larger loads. A considerable expenditure will be necessary to make the present lines safer than they are.

Mr. FINLAYSON.—Each State Government is doing that now.

Mr. FENTON.—My point is that whatever gauge is adopted, there must be considerable expenditure to make the lines capable of dealing with heavier traffic. The New South Wales Commissioners will have to make their main lines capable of taking bigger loads, and, later, the Victorian Commissioners will have to do the same thing. In the making of all new lines, there is provision for heavier loads than have been provided for in the past. I have already pointed out that, in the first instance, New South Wales, Victoria, and South Australia decided to adopt the 4-ft. 8½-in. gauge, but on the arrival of Mr. Shields, whose views were influenced, I believe, by the decision in regard to the Irish railways, the 5-ft. 3-in. gauge was adopted. I am informed by an expert that——

The Act for this purpose received the Royal assent on July 27th of that year, and is to be

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found in No. V. of the Public Statutes of New South Wales, p. 2490, which the writer has consulted at the Melbourne Public Library. This Act is of an almost ferocious character in the stringency of its requests, stating that if any person shall make a railway for conveyance of passengers on any other gauge he shall be fined £10 per mile per day of running, and that the Surveyor-General shall have power to remove such railway and restore its site to its former condition.

I am quoting from a letter by Mr. Smith, who says further—

Meanwhile, strange and regrettable events were taking place at Sydney. A new Engineer-in-Chief, named Wallace, appeared on the scene, having arrived from England, according to Mr. Deane, on July 9th, 1852, or just before the passing of the Act making the Irish gauge compulsory under such enormous penalties. He was an intense partisan for the standard gauge, and left no stone unturned to bring New South Wales back to her first love, entirely regardless of keeping faith with the other colonies, whose railways were now progressing with comparative rapidity, and who had already reversed their policy once in order to keep in line with New South Wales.

Victoria and South Australia, on two occasions, deferred to the Mother State, but when finally New South Wales resolved to adopt the 4-ft. 8½-in. gauge, uniformity was impossible, because the other two States had already committed themselves. Victoria had constructed a short suburban railway, and the line from Melbourne to Geelong was under way. Rolling-stock for the 5-ft. 3-in. gauge had also been ordered. Similarly, South Australia had commenced to construct on a 5-ft. 3-in. gauge, and had ordered suitable rolling-stock. My correspondent continues—

The result was that on August 14th, 1855, the Act of 1852 was repealed, leaving the question of railway gauge in New South Wales absolutely open. See Public Statutes, No. VII., p. 2926. Six weeks later, on September 26th, 1855, the Sydney and Parramatta railway opened on the standard 4-ft. 8½-in. gauge, and the most lamentable engineering disaster in Australia was an accomplished fact.

I place that passage side by side with the statement of Profesor Kernot that a great mistake was made in not deciding on the 5-ft. 3-in. gauge.

Mr. LAIRD SMITH.—Is the honorable member's correspondent an independent expert?

Mr. FENTON.—He is President of the Institute of Engineers of Victoria, and quite independent. He has investigated railway matters in Australia, and is in touch with the best informed people on engineering subjects in America, Great Britain, and other parts of the world.

Mr. LAIRD SMITH.—Practically, he is the greatest authority in the world.

Mr. FENTON.—I do not say that, but he is in touch with the world's greatest authorities. What I have read is not an expression of opinion given five or ten years ago, but one obtained only the other day.

Mr. FINLAYSON.—Privately?

Mr. FENTON.—Yes; though I have no hesitation in using Mr. Smith's name, because his reputation extends all over Australia.

Mr. LAIRD SMITH.—Is he a railway engineer?

Mr. FENTON.—He is an engineer who understands railway matters. He could design a new locomotive, and is well informed regarding railway construction and everything pertaining to it. Further, I may say without fear of successful contradiction that to-day, in America, railway managers and engineers would be willing to pay millions if they could convert to the wider gauge. They realize the great difficulties with which they are confronted by reason of the narrowness of the present gauge. I cannot give authorities to support this statement, but, as honorable members know, professional men often make their opinions known to one another in confidence, because their business connexions often make it inconvenient to state them publicly.

Mr. GROOM.—It is difficult to weigh the value of evidence for which no authority can be cited.

Mr. FENTON.—I admit that, but the honorable member for Denison is so persistent that I have given him all the information at my disposal. The honorable member for Fremantle the other night spoke of the speed at which trains travel on the 4-ft. 8½-in. gauge, and mentioned a long distance journey on which an average speed of 41 miles an hour was maintained. That, I understand, is an exceptionally good average speed, even for a Harriman express. But I should like to point out that the express travels between Melbourne and Sydney at the average rate of 34½ miles an hour, including stoppages. These, as honorable members know, waste a good deal of time. For instance, there is twenty minutes delay at Seymour, another wait at Benalla, a third at Wangaratta, and a long stop at Albury, and several on the New South Wales side. Probably in all, two or three hours are consumed in stoppages. Where the grade is favorable, the trains in this country can

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travel at a very great rate. I advise the honorable member for Denison, the next time he travels down the Bendigo line from Woodend, to estimate whether a high rate of speed is not maintained. The gentleman whose opinion I have quoted is not financially interested. He is not now a servant of the Railway Department. He simply says that, having had experience, he is pleased to give his view for the benefit of the public. I consider that an honorable member who has access to information of that kind has a right to lay it before the Committee. He continues—

What shall we say as to responsibility? Who was to blame? Or is the blame to be divided? The facts are clear, vouched for by the official publications of the three States and the daily papers of the various dates, and they are these :—

1. All three States agreed originally to adopt the standard gauge.
2. New South Wales broke away, and gave her allegiance to the Irish gauge.
3. Victoria and South Australia at once fell into line with New South Wales, and commenced railway making actively.
4. When Victoria had one line open for public traffic for nearly a year—a country line of 40 miles long—well advanced, and much rolling-stock ordered and under construction, and South Australia was also actively progressing, New South Wales reversed her policy and went back to the then standard gauge.
5. Six weeks after the change of legislation New South Wales opened a line 13 miles long, with an English locomotive on the standard gauge.

There is a footnote to that statement, in which it is stated that it is believed that the result was largely influenced by the fact that engines and rolling-stock were being purchased from certain manufacturers in England. We must, of course, pay some heed to the consideration whether certain firms who were interested had not some effect upon the decision. Honorable members should remember that the Irish gauge, 5 ft. 3 in., was adopted after the most minute investigation for the three States, New South Wales, Victoria, and South Australia. Is it any wonder that progressive States like Victoria and South Australia proceeded with the construction of lines after that decision was arrived at? But New South Wales did not adhere to the determination. She afterwards proceeded to construct 4-ft. 8½-in. railways.

Another important consideration is that, as so many other countries have adopted the 4-ft. 8½-in. gauge, we should have no difficulty in selling rolling-stock constructed on that gauge if we determined to convert to a 5-ft. 3-in. gauge. On the other hand, we should have great difficulty in selling the 5-ft. 3-in. gauge rolling-stock. Probably the whole of the rolling-stock constructed on that gauge would have to be scrapped if we decided to convert to 4 ft. 8½ in.

Mr. McWILLIAMS.—The honorable member surely does not mean that seriously.

Mr. FENTON.—I do, indeed. If the honorable member can show me that there is a probability of 5-ft. 3-in. rolling-stock being sold to foreign countries, I shall be pleased to hear it. Mr. Hales, in his report, deals with this point. He says—

If the world-wide gauge of 4 ft. 8½ in. is discarded, the rolling stock should find a market in some of the following countries, viz :—Great Britain, France, Belgium, Holland, Germany, Austria, Italy, Norway, Denmark, Sweden, Switzerland, Canada, United States of America, Argentina, Egypt, and several minor countries.

Mr. FINLAYSON.—Do those countries all use the 4-ft. 8½-in. gauge?

Mr. FENTON.—I believe they do. In all probability that gauge was adopted in those countries on the recommendation of one set of engineers, because English engineers had a great deal to do with the construction of railways in foreign countries.

Mr. CHANTER.—Argentina has both gauges.

Mr. FENTON.—That is true; but I am informed by those who are in a position to know that the whole of the 4-ft. 8½-in. rolling-stock in New South Wales could be disposed of to Argentina. That country would probably be glad to get it. Mr. Hales, in his report, goes on to say—

If the 5-ft. 3-in. gauge is discarded, the only possible markets for the rolling stock are Ireland and Brazil, which have railways of that gauge. The rolling stock on 4-ft. 8½-in. gauge —cost £7,816,359—should be saleable at second-hand price—say, 50 per cent.

That means that we should get for our rolling-stock a sum of nearly £4,000,000 —almost sufficient to construct the proposed railway to Western Australia. Mr. Hales continues—

Most of the rolling stock on 5-ft. 3-in. gauge —cost £8,001,588—would only be saleable at scrap prices—say, 15 per cent.

That is the statement of an engineer.

Mr. HEDGES.—Of an engine-driver. He could not have been an engineer.

Mr. FENTON.—I am quite prepared to listen to the honorable member when he speaks of contracting work, of which he has had a large experience, but upon engineering matters I prefer to accept the evidence of an engineer. Mr. Hales has thirty-eight years of experience behind him.

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Mr. HEDGES.—I have a bit more than that.

Mr. FENTON.—Of engineering experience?

Mr. HEDGES.—I have been engineering in my own way.

Mr. FENTON.—I dare say that we have all done a little engineering in our own way.

Mr. FINLAYSON.—The authority whom the honorable member has quoted is certainly not a financier.

Mr. FENTON.—How is that?

Mr. FINLAYSON.—He says that we shall make money by selling our rolling-stock at half-price.

Mr. FENTON.—I would point out to the honorable member that he was discussing the difference between the disposal of our 4-ft. 8½-in. and our 5-ft. 3-in. rolling-stock.

It has been said over and over again that America has reached the highest degree of perfection in regard to the type of locomotives in use on her railways. In that country, engines weighing 425 tons are in course of manufacture. To attain that weight, certain risks must be incurred. For instance, when these huge locomotives are rounding curves, instead of the boiler part of them taking the curve, the undercarriage follows the rails, and the boiler projects outwards, only to swing into its proper position after the curve has been negotiated.

Mr. HEDGES.—Does not a waggon do the same thing?

Mr. FENTON.—No.

Mr. FINLAYSON.—Why, a tram-car does it.

Mr. FENTON.—I hold in my hand a sketch, which, I confess, is not drawn to scale, but which shows how far the boiler part of one of these locomotives protrudes over the side of the line while the undercarriage is following the rails. In America, the biggest engines in use are 100 feet long.

Mr. CHANTER.—There is more danger with the heavier weight.

Mr. FENTON.—Decidedly. In order to get the power for generating the necessary steam, the heaviest engines in use in the United States of America are 100 feet long. Consequently, the wheels cannot be joined together. The main wheels are attached to a bar. When rounding a curve, the boiler portion of any of these engines projects outwards, while the under-carriage follows the rails. Thus, if a bit of a jolt were experienced, the whole train might be wrecked.

Mr. SINCLAIR.—That remark might apply to any train.

Mr. FENTON.—No doubt the honorable member has travelled a good deal in the bush, and he knows perfectly well that very often an eighth of an inch may mean the difference between the capsize of a vehicle and safety.

Mr. SINCLAIR.—In engineering matters, one cannot go within an eighth of an inch.

Mr. FENTON.—I do not suggest that one can. I would remind honorable members that the engineers of England and India had a full-dress debate upon the width of gauge to be adopted in the construction of railways in India.

Mr. MCWILLIAMS.—Is the width of gauge which has been adopted in Victoria the reason why we never have accidents here?

Mr. FENTON.—The width of gauge has little or nothing to do with the number of accidents which occur. Accidents will happen in the best regulated families, and on the best regulated railways. In 1849, the Governor-General of India, Lord Dalhousie, who was a great statesman, and also a railway expert—he was a shareholder in some of the British railways prior to his advent in India—after making an investigation, and obtaining the advice of quite a number of engineers, recommended the adoption in that country of a wider gauge than 4 ft. 8½ in. Again, in 1851, the Gauge Commissioners, who were appointed in Great Britain to make inquiries into the merits of the various gauges, recommended that a gauge between 4 ft. 8½ in. and 7 ft. should be adopted.

Mr. MCWILLIAMS.—A very safe recommendation.

Mr. FENTON.—I come now to the recommendation of a noted railway engineer—I refer to Mr. Sims, consulting engineer, in India. There, as honorable members are aware, the 5-ft. 6-in. gauge was adopted. This gentleman went so far as to say that, in view of the nature of the country which the railways had to traverse, it would be dangerous to lay down a line with a lesser gauge than one in excess of 5 feet. Some districts of India are liable to be visited by hurricanes. If the honorable member for Swan were present, he might be able to tell us whether such atmospheric conditions were noted during his explorations in the country through which this line is to pass. I will not say that it is a treeless waste, but there is certainly a great portion of the country that is un-

protected by timber. I have not yet been across the Great Australian Bight; but I am told that it is one of the worst portions of the passage from the eastern States to Great Britain. I should like to know whether the serious atmospheric disturbances that are experienced when crossing the Bight are known to penetrate any distance inland. I direct attention to this matter, because Mr. Simms suggests that a 4-ft. 8½-in. gauge is unsafe where trains have to travel over long distances of exposed country, subject to hurricane conditions. He states that it is possible that, in such circumstances, a train on a narrow gauge may be toppled over by the force of the wind. I do not say that hurricane conditions would be met with on the route of this line; but I mention the matter to show that weather conditions have had some influence upon engineers in recommending the adoption of a wide, rather than of a narrow, gauge.

Mr. SINCLAIR.—The honorable member for Fremantle says that this railway will not cross the Bight.

Mr. FENTON.—That is so; but its construction will involve a big bite out of our finances, and we should see that it is constructed on the best possible lines. The railway, in some places, will not be more than 60 miles from the coast; and it is, therefore, important to know whether the severe storms that are met with in the Great Australian Bight extend so far inland as to be a source of danger to travellers on this railway, if it be constructed on the narrow gauge.

The honorable member for Herbert, and other honorable members, referred to the use of this line for the transport of troops. My military experience is very limited, and I cannot pose as a military expert; but I am convinced that if this line is to be considered as a means of transporting troops in the most expeditious way from the east to the west, according to the testimony of some of the most eminent engineers in the world, the wider gauge is preferable to the narrow gauge for this particular purpose. It stands to reason, because, on the wider gauge, we can have wider and larger waggons, and can place larger and more powerful engines on the track than we could if the narrower gauge were adopted. It has been said that 3,000 tons is now recognised as a train load in America, and that seems to me to be an immense weight for any engine to haul. I believe that the increased haulage power which may be obtained by the adoption of the 5-ft. 3-in. gauge, as against the 4-ft. 8½-in. gauge, is equal to about 15 per cent. If a train load be estimated at 3,000 tons, this would represent a difference of between 200 and 300 tons in the load which could be drawn on the wider gauge, as compared with the narrower gauge. The difference in the expense of haulage would therefore be very considerable. If, by the use of the 5-ft. 3-in. gauge, we could carry in one train load an additional number of soldiers equivalent to 200 tons in weight, it is clear that, from the military transport point of view, the wider gauge must be preferable. I believe that some complaint has been made about the capacity of the Siberian line in connexion with the transport of troops during the Russo-Japanese war; but we are told that if that line had been constructed on a narrower gauge, it could not possibly have done the work it did. Engineers say that if the gauge had been a few inches less, troops could not have been carried over the railway as successfully as they were during that war. The opinion of those who have studied the matter is that troops were carried more expeditiously over the Siberian railway with a 5-ft. gauge than they could have been had the gauge been 4 ft. 8½ in. That is the only modern experience, in a big way, that we have of the movement of troops by rail during a war.

Mr. FINLAYSON.—Magnificent work was done in South Africa in the same direction on the 3-ft. 6-in. gauge.

Mr. FENTON.—Some relatives of my own took part in the South African war; and they have said that the most tedious part of their experience was the time it took to travel from the sea ports to the front on the South African railways. The railways of South Africa are yet in a somewhat primitive condition; and it is perhaps hardly fair to speak adversely of the work it was possible to do in the movement of troops during the South African war. I have given the opinion of engineers that, in the transport of troops, better work was done on the Siberian railway with a 5-ft. gauge than could possibly have been achieved if the gauge of that line had been 4 ft. 8½ in.

Sitting suspended from 6.30 to 7.45 p.m.

Mr. FENTON.—An engineer writing about the gauge question says, with reference to bridges, that before the full capacity of the present gauges—meaning either

gauge—can be reached, locomotives as heavy as those in use, or contemplated, in America—between 300 and 400 tons—must be used. He adds that the present bridges throughout the States are being actively strengthened to carry the increased weight of locomotives now in use here, although those weights do not exceed 110 tons. The strengthening of all the bridges must, he says, be effected apart altogether from the question of gauge, but their strengthening and the removal of wooden bridges will progress naturally with the increasing traffic which justifies it. The same expert, referring to the transition, or conversion, costs, says—

The transition costs must not be confused with future construction costs. The transition or conversion costs, which are the basis of the published estimates, include the rectification of all the errors of the past—the widening of tunnels, which are already too narrow and are considerably narrower than those on the main lines of America. Sidings, platforms, bridges, &c., come into the same category.

That means that, although the 4-ft. 8½-in. gauge is used in America, there are, in that country, greater clearances in connexion with tunnels, cuttings, &c., than is the case here, and that in order to carry the heavier traffic, the Australian States will find it necessary to increase the strength of their bridges, widen their tunnels, and so on. He also says—

The present attitude of the various States clearly contemplates this work altogether apart from the gauge change. All future works are by mutual agreement on a much more ample scale.

This means that provision is being made for the carrying of heavier loads, and that, whether the gauge is altered or not, considerable expense must be incurred to put the lines in a proper state of safety when heavier engines are used, and heavier loads hauled. I wish to quote some comments that have been made as to how the experts arrived at their decision on the standard gauge question. They are as follows—

In the early part of this year the South Australian Commissioner for Railways made a strong fight for the broader gauge in the Railway War Conference. He nearly succeeded in gaining the support of a majority of the railway experts in that Conference for a gauge which would have continued from Perth to Albury, allowing the standard gauge of 4 ft. 8½ in. to continue from Albury to Brisbane.

Evidently, the South Australian Railways Commissioner found that he could not get the main body of the Conference with him for the adoption of the 5-ft. 3-in. gauge from Brisbane to Perth, and thought that, by proposing two gauges, he might obtain sufficient support to leave the Victorian and the South Australian gauge undisturbed, the new line from Port Augusta to Kalgoorlie being built on the 5-ft. 3-in. gauge, and Western Australia to have the line from Kalgoorlie to Perth on the 5-ft. 3-in. gauge. Personally, I believe in having only one gauge throughout, but, according to the authority I am quoting, the South Australian Railways Commissioner very nearly converted the majority of his co-delegates at the War Conference of railway and military experts to his way of thinking. It is further stated—

At the time he reckoned on the support of the Victorian railway experts, who, even if they were persuaded about the narrower gauge being best, could hardly stand out for an alteration which affected Victoria adversely. The balance in the railway war councils was held by the Western Australian Commissioner, who also might be expected to fall in with the broader gauge, seeing that in any circumstances the trans-continental line means a special set of rails between Kalgoorlie and Perth. Nothing is said about this extra mileage at present, but it is well understood in railway circles, and was fully understood in the Railway War Conference, that the trans-continental line starts at Perth and not at Kalgoorlie. The Western Australian Commissioner is a strong believer in the "standard" gauge; and, as Victorian railway men are more anxious about the Riverina trade than they are about the trans-continental line they were easily persuaded that the "standard" gauge would be best.

I do not know that that is so. I doubt it very much. If the Victorian experts did vote for the 4-ft. 8½-in. gauge, simply for the purpose of annexing the Riverina trade, they scarcely acted on national lines. If the representatives of any State went into that Conference simply to get an advantage for their own State out of it, I do not see how we can take very much notice of the result. I believe that Victoria will participate, to a very large extent, in the Riverina trade, whatever the gauge may be.

Mr. LAIRD SMITH.—From what newspaper is the honorable member quoting?

Mr. FENTON.—From a newspaper published yesterday. I shall give the name of it when I have finished the quotation, as is usually the case in journalistic practice, which proceeds—

In a way the Riverina trade is the key of the situation, because it turned the scale in the Railway War Conference.

That is a serious statement, and further investigation may prove whether it is true or not. All that the amendment of the honorable member for Angas asks for is further investigation—

The Ministers are resting on that decision. It may seem strange to say so, but the question of gauge was settled by the railway experts

apart from the main issue. Riverina trade affected the Victorian judgment, and the new line between Kalgoorlie and Perth affected the Western. Agreeing to the narrower gauge brought New South Wales into line with Victoria and Western Australia, and left South Australia and Queensland in a minority.

The writer of that article has evidently been taken into the confidence of somebody who was in the counsels of the Railway War Conference.

Mr. KELLY.—Does the honorable member know the name of the writer?

Mr. FENTON.—I forgot to inform the honorable member for Denison that the paper from which I have been quoting is the South Australian *Register*.

Mr. KELLY.—What is the name of the writer of the article?

Mr. FENTON.—The writer of this particular portion of the journal has, somehow or other, obtained inner knowledge of the working of things.

Mr. KELLY.—And we cannot know his name.

Mr. FENTON.—The honorable member may have the use of the newspaper afterwards, and if he, with his detective ability, can discover the writer, I shall be glad to know his name.

Mr. KELLY.—So would we all.

Mr. FENTON.—I would like to know the names of the writers in every newspaper, especially the writers of leading articles. It appears from the information gained by this writer, and the impression which he wished to convey, that the gauge for this line was determined altogether apart from the great national reasons which should animate every man in arriving at a decision. The Premier of Victoria has recently returned from Great Britain, where he inquired into the question of the electrification of railways. I understand that one of the chief objects of his mission, apart from his attendance at the Coronation, was to investigate the working of railways and tramways by electricity and steam in the United Kingdom and other countries. Almost the first intelligence which he conveyed to the public on his arrival in Western Australia was that, in discussing the gauge for railways, he found that the preponderance of expert opinion in Great Britain was in favour of the wider gauge. I appeal to the Prime Minister, in all earnestness, to agree to the amendment moved by the honorable member for Angas. It is one of those reasonable propositions which usually emanate from that quarter, and is deserving of the kindliest consideration. I, as a supporter of the Ministry, urge that further investigation be made before we are called upon to fix the gauge of this railway. Our decision will really determine the railway gauge of Australia for practically all time. The Government would suffer no inconvenience by assenting to our appeal, and no time would be wasted. I have no desire to defeat the measure, but I wish to have all possible information before I am called upon to give a vote. Suppose that the amendment were agreed to, the wires could be set in motion to-morrow, and before the end of next week the railway experts of Australia could be in conference. They should not need more than a fortnight to come to a decision. Therefore, within three weeks, the House would be in possession of the facts on which to decide the question of the gauge. I commend to the earnest and kindly consideration of the Government the proposition submitted by the honorable member for Angas.

Mr. KELLY (Wentworth) [7.58].—The honorable member for Maribyrnong admitted that the proposed railway was essential for national purposes. He also admitted that it had a grave connexion with the defence problem, which made it imperative on this Parliament to deal with the subject at no very distant date. He went on to say, however, that the importance of the question of gauge was so great that it was necessary that we should know exactly which was the best gauge, in the national interest, to adopt before we proceeded further with the project, and the evidence he produced as to the necessity for the delay he desires was that of the anonymous writer of a paragraph in a South Australian newspaper!

Since honorable members who urge the advantages of the 5-ft. 3-in. gauge profess indignation when they are told that they are sinking national considerations for selfish State interests, we are entitled to wonder why its advocates come only from the two States which have a 5-ft. 3-in. gauge.

Mr. AGAR WYNNE.—That cuts two ways.

Mr. KELLY.—No. Tasmania is not concerned in this question at all. The establishment of a particular gauge does not affect that State, because its system cannot be linked up with the other systems.

Mr. SCULLIN.—And we are getting support from Tasmania for the amendment.

Mr. KELLY.—For the delay. Honorable members who have always been opposed to this proposal, and who are still opposed to it, intend to vote with the honorable gentleman who has interjected for further delay.

Mr. SCULLIN.—We will get support from an honorable member who believes in the construction of the line.

Mr. KELLY.—Why do honorable members who come from South Australia and Victoria exhibit such an extraordinary unanimity in dealing with this proposal? The honorable member for Maribyrnong put his political arms round the neck of the honorable member for Angas, and said that all proposals which emanated from that quarter were wise and beneficial. How often in the past has he so caressed my bashful friend on the front Opposition bench? We see most extraordinary bed-fellows on this question, and all come from States which have a 5-ft. 3-in. gauge. The question with me is which gauge is most suited for Australia and will best serve the traffic to be carried over the line. I confess that if honorable members can prove that a 5-ft. 3-in. gauge is best suited to the general requirements of Australian railways, they will have made out a case against adopting a 4-ft. 8½-in gauge for the transcontinental railway, even although it can be proved to demonstration that, so far as the traffic that line will handle is concerned, the narrower gauge will be ample for all possible requirements. But when we begin to examine the arguments placed before the Committee by the advocates of a 5-ft. 3-in. gauge, we find that they are all based on the allegation that lines built on the 4-ft. 8½-in. gauge are unequal to handling the transcontinental traffic across the United States. On what is that statement based? It is based on no solid foundation of fact. For passengers, the transcontinental service of America is more than adequate to all requirements; for freight, on the other hand, it is alleged that with a wider gauge longer freight trains could be run, and would carry heavier loads. I wonder what length of train would be required to carry the freight across our transcontinental line!

Dr. CARTY SALMON.—Very long trains will be required for defence purposes.

Mr. KELLY.—The new argument is that long trains will be required for defence purposes. Are we to saddle the people of Australia with the enormous expense of building an unnecessarily wide line, because, when war comes, we shall have to send long trains over it.

Dr. CARTY SALMON.—The primary reason is defence, surely.

Mr. KELLY.—Yes. Let us examine the matter a little further. We are asked, not only to incur the increased capital cost of constructing this heavier line, but also to saddle the people of Australia with the increased charge of converting the State services to a 5-ft. 3-in. gauge. That is really the corollary of this proposal emanating from the representatives of this noble State of Victoria, where national sentiment abounds, and of South Australia, where they have a 5-ft. 3-in. gauge, that the States of Queensland and Western Australia, which have a 3-ft. 6-in. gauge, shall be required to have a 5-ft. 3-in. gauge; although the cost of conversion to that gauge, as opposed to a 4-ft. 8½-in. gauge, will run into many additional millions. Now, for a percentage of these many additional millions I think that you could more than buy the extra rolling-stock that would be required to transport to Western Australia on the 4-ft. 8½in. gauge all the troops which you are ever going to send across the continent. You could do it more cheaply, if that is your proposal, on a 4-ft. 8½-in. gauge, by saving the capital cost, and putting the money so saved into rolling-stock, than by laying the line on a 5-ft. 3-in. gauge in the first instance. On that point, the proposition of the honorable member for Laanecoorie is put out of court.

The interest of the Committee must undoubtedly be attracted to the peculiar difficulty in which Queensland will be placed after the line is completed. If we have our trunk railway running through from Brisbane to Fremantle on a 4-ft. 8½-in. or a 5-ft. 3-in. gauge, the Railways Commissioners of every State through which it passes will, if they do not convert all their lines to that gauge, find it necessary to maintain and keep in running order two sets of rolling-stock, two sets of ordinary freight locomotives, and two sets of express locomotives. Considerations of economy in running will require them, in their own interests, to convert their other lines to whatever gauge is established on the main trunk line. We have to look beyond this Bill, in the interests of the Australian people, to find out which is the most feasible proposition—to convert the gauge of the whole of the railway services to 5 ft. 3 in. or to 4 ft. 8½ in. When

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honorable members ask themselves whether it is fair to place on the backs of the taxpayers of Queensland the cost of conversion to 5 ft. 3 in., when purely national considerations require only a railway of 4 ft. 8½ in., they will, I think, find that beating the provincial drum of the Melbourne and Adelaide press does not fulfil all the requirements of participation in the deliberations of a national Chamber. The first question we have to determine is whether the 4-ft. 8½-in. gauge is adequate to Australian requirements. In considering this problem, we have to remember that the question of the expense of converting our railways to one or other of the gauges is intimately connected with it. I am satisfied, after examining the precedent set to us in America, that the 4-ft. 8½-in. gauge is ample for our requirements. In the first place, for the passenger traffic across America the 4-ft. 8½-in. gauge has been found to be ample, and more than ample. The large volume of freight carried on the railways there is due to the fact that it is almost impossible for sea carriage to seriously compete with the railways, owing to the immense length and difficulties of the voyage around Cape Horn. In Australia, the sea route is practically as short as the land route, and the freight difficulties of the sea route are only one-tenth the freight difficulties of the land route. Consequently, in Australia, in normal times, when there is the opportunity to transport goods by sea, there will undoubtedly be 999 of every 1,000 tons sent by sea after the line is completed. That being so, what is the use of saddling the taxpayers with millions of additional taxation in order to satisfy the mere provincial exigencies of Victoria and South Australia?

Dr. CARTY SALMON.—What about the political exigencies of New South Wales?

Mr. KELLY.—It would, no doubt, suit Victoria excellently to have this expenditure placed on the Australian taxpayer, while that State would not have to convert a single railway.

Mr. SAMPSON.—The amendment only asks for further inquiry.

Mr. KELLY.—It only asks for delay. I can remember the honorable member asking for further inquiry with regard to the Federal Capital, and how every site but the right site was advocated enthusiastically by both the Melbourne newspapers and Melbourne members, excepting, perhaps, one or two. However, I have no desire to go into that matter; and only touch on it as another instance of that spread-eagle Victorian nationalism which, when analyzed, seems always to find its birthplace behind the inkpots of the Melbourne *Age*. I sincerely trust, however, that my Victorian friends, and their South Australian colleagues, will endeavour to look on this question with broad Australian eyes; for, if they do, they will vote for 4 ft. 8½ in., and not for 5 ft. 3 in.

Dr. CARTY SALMON.—And then the honorable member will talk of them as he did of the Victorians who supported the Capital site!

Mr. WISE.—And without whose support that site would not have been selected.

Mr. AGAR WYNNE.—Hear, hear!

Mr. KELLY.—Three Victorian representatives have interjected, and the honorable member for Gippsland pleads with me to remember what some Victorians did in the matter of the Capital site.

Mr. WISE.—I asked no such thing!

Mr. KELLY.—From three such colleagues, in any national movement, God forbid—however, I have no desire to be offensive. I shall only say that the interjections are singularly unfortunate when coming from those three honorable members. I am afraid that, in the present case, they are adopting no more national outlook than the one they adopted on a previous occasion. That outlook, like the exigencies, are just the same. There is an endeavour to keep, as far as possible, the selfish interests of this particular State in the ascendant, however much that may affect the ultimate welfare and progress of the Australian people. I am satisfied that the 4-ft. 8½-in. gauge is adequate to meet all passenger requirements; and I am more than satisfied it will meet all freight requirements. A line of 4 ft. 8½ in. is infinitely the cheaper and easier to complete; and, as those gentlemen confess that this line is necessary for Defence purposes, I ask them to be honest and straightforward, and to vote for the Bill on the basis of that gauge without further delay.

Mr. LAIRD SMITH (Denison) [8.10].—It was not my intention to speak, and I should not have done so, but for the interjection of the honorable member for Corangamite. I desire to state, distinctly, that I do not happen to be the member for Tasmania who is going to support the amendment. In my opinion, we should be involving the Commonwealth in vast unnecessary expenditure if we adopted

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the 5-ft. 3-in. gauge. We are told that the adoption of that gauge would involve an extra expenditure of about £2,000,000; and why should we saddle the taxpayers of the Commonwealth—not only of Victoria and New South Wales—with such an additional burden, merely in order to delay the construction of the railway? One honorable member has stated that, within a week, we could obtain expert advice on which we could rely. Did the Committee ever before hear such an argument?

Mr. FENTON.—I said three weeks!

Mr. LAIRD SMITH.—I am sorry if I misquoted the honorable member; but even in three weeks we could not possibly obtain better advice than we have already. The Prime Minister, when he introduced the Bill, told us that expert advice had been obtained.

Mr. SAMPSON.—There is no evidence that the question of gauge has been seriously discussed, but only the question of expense.

Mr. LAIRD SMITH.—What more expert evidence do we require? I regret very much that honorable members on this side should have attacked a civil servant, who did not descend to the level of Uriah Heep, but gave a straight-out, honest opinion. I hope the day has gone past when civil servants are to be muzzled.

Mr. BRENNAN.—He has not made the matter very clear.

Mr. LAIRD SMITH.—I think he gave a very clear opinion, and that he hit the nail on the head when he said that stability and steadiness in running do not depend so much on the extra few inches of gauge as on the length of the sleepers and a well-packed road. Why are such good results obtained on the New South Wales railways? Because of the length of the sleepers, just as similar results are obtained on the British railways. Recently, in Great Britain, I travelled on a time-table of 76 miles an hour, and the train was much steadier than was that on which I travelled last night from Adelaide.

Mr. KELLY.—What was the average rate of speed from Adelaide?

Mr. LAIRD SMITH.—I do not know; but I do know that we were half-an-hour late. There were two engines hauling the train the whole distance; yet it was found to be impossible to arrive here on time. The slow speed was due, not to the gauge of the line, but to the long climb over Mount Lofty, and other steep gradients. It is the grade to be accomplished, rather than the gauge of the line, that controls the speed. So far as speed is concerned, there is very little difference between a 4-ft. 8½-in. gauge and a 5-ft. 3-in. gauge line. The one slight advantage which the 5-ft. 3-in. gauge possesses over the 4-ft. 8½-in. is that engines built on the wider gauge have their cylinders on the inside, whilst those of the smaller gauge have their cylinders on the outside.

Mr. AGAR WYNNE.—Where did the honorable member learn that information. Did he read of it this morning?

Mr. LAIRD SMITH.—No. I learned it from the late Mr. Batchelor—a man who knew as much about a locomotive as does any one in this House.

Dr. CARTY SALMON.—Does the honorable member know which gauge he preferred?

Mr. LAIRD SMITH.—I am surprised that the honorable member, in view of his long parliamentary experience, should have asked such a question. Inasmuch as the deceased gentleman was a member of the Government which introduced this Bill, is it likely that I should have asked him what gauge he favoured? I should not insult a Minister by putting such a question to him. The views of Mr. Harriman have been quoted at length during this debate; but will any honorable member say that he ever advocated a 5-ft. 3-in. gauge? As a matter of fact, he favoured a 6-ft. gauge.

Mr. KING O'MALLEY.—A 7-ft. gauge.

Mr. LAIRD SMITH.—A 6-ft. or a 7-ft. gauge.

Mr. WISE.—What about the steadiness of the running on the narrower gauge?

Mr. LAIRD SMITH.—I travelled at great speed on a 4-ft. 8½-in line in Great Britain, and found the train much steadier than was the Adelaide express last night.

Dr. CARTY SALMON.—Was that because of the gauge?

Mr. LAIRD SMITH.—No. The greater steadiness was due to the superior permanent way of the British railway. Why should we incur an additional expense of something like £3,000,000 by adopting the 5-ft. 3-in. gauge when, by raising our permanent ways to the high state of efficiency prevailing in connexion with the railways of Great Britain, we can make trains travelling on a 4-ft. 8½-in. gauge line in Australia equally as steady and effective for all purposes as are those of the Old Country? The railways of Great Britain carry more passengers in one day than are carried on our railways in a month; and they serve the people most effectively. If

they are capable of coping effectively with such a passenger and goods traffic as that of Great Britain, surely railways of a like gauge should be good enough for Australia. Why should the Commonwealth be involved in the great additional expense which would follow the adoption of a 5-ft. 3-in. gauge? The Victorians do not care one iota for that consideration; they have an axe to grind. Why should the Commonwealth suffer because of a difference between New South Wales and Victoria? In the United States, at the present time, engines three times as heavy as those we are using are running on 4-ft. 8½-in. lines. Even if the railways throughout Australia were converted to the 5-ft. 3-in. gauge heavier engines could not be run, because the existing bridges and culverts would not support them. That is why heavier engines cannot be run on the New South Wales lines at the present time. If engines three times as heavy as those at present in use in Australia can be run on a 4-ft. 8½-in. line, why should we incur the enormous additional expenditure which the building of a 5-ft. 3-in. line would involve? It has yet to be proved that long trains are advantageous. My experience in Australia is that, to secure increased speed, the railway managers, as in Great Britain and elsewhere, have to use additional engine-power, and that the only way to secure the engine-power is to put on two locomotives.

Mr. FENTON.—Oh!

Mr. LAIRD SMITH.—I thought we had heard enough from the honorable member when he spoke of engines in negotiating curves overhanging till they lost their centre of gravity and toppled over. I have here a plan of a railway engine constructed on the principle of all locomotives, and find that the bogie is underneath the boiler and as far forward as possible. If there is anything projecting at all, it is the cow-catcher; and the honorable member's friend, to whom he referred, must have mistaken the cow-catcher for the boiler. I wish to emphasize the point made by the Prime Minister in regard to the Canadian railways. The right honorable gentleman said that the Canadian-Pacific Railway Company, in the first place, constructed a 4-ft. 8½-in. line. They acted, no doubt, on the best expert advice available, and since they have constructed another long length of line on the same gauge, and are about to construct yet another, surely a 4-ft. 8½-in. line should be sufficient for our requirements. I find, by reference to the *Commonwealth Year-Book*, that, although the New South Wales railways cost a little more per mile to construct than those of Victoria, they give a better return on the capital expended, and carry passengers and freight at lower rates. Why is this? Because a railway on a 4-ft. 8½-in. gauge can be run more cheaply than a railway on a 5-ft. 3-in. gauge. In New South Wales, for a distance of 50 miles, a second-class passenger is charged only 5s. 9d., whereas in Victoria he is charged 7s. 6d., a first-class passenger being charged 13s. 7d. in New South Wales, as against 15s. in Victoria. There are a number of members opposing the adoption of the 4-ft. 8½-in. gauge who represent the poor farmers, of whom we hear so much, and I wish them to note these figures. The rate per ton for a distance of 50 miles is only 23s. in New South Wales, as against 26s. in Victoria. Despite figures like those, representatives of Victoria tell us of the superior advantages of the 5-ft. 3-in. gauge. For a distance of 100 miles, the New South Wales rate for the carriage of a ton of goods is 44s. 11d., and the Victorian rate 51s. The difference may not appear of much account to honorable members opposite, but it means a great deal to the farmers who have produce to send to market. No doubt those who are opposing the adoption of the standard gauge are sorry that they compelled me to use these figures. They are making a great noise about it. When travelling through Ireland recently, a certain animal under a gate was squealing very loudly, and I was told that it was squealing because it was being squeezed. Probably my figures are squeezing honorable members, and that is why they are squealing. For a distance of 300 miles, the rate for the carriage of a ton of goods is 99s. 1d. in New South Wales and 134s. 6d. in Victoria.

Dr. CARTY SALMON.—Tell us about the Tasmanian rates. There the gauge is only 3 ft. 6 in.

Mr. LAIRD SMITH.—Being a Tasmanian, I can speak on this question without bias. It is not necessary for me to read certain morning newspapers before making up my mind as to the attitude to be adopted towards this proposal. One honorable member spoke of the great loss which would be incurred by scrapping 5-ft. 3-in. engines and rolling-stock. He forgot that, if a conversion of gauge from 5 ft. 3 in. to 4 ft. 8½ in. were commenced, a third rail would be laid in the first instance, so that

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both 4-ft. 8½-in. and 5-ft. 3-in. rolling-stock could be used until the latter was worn out Whatever rolling-stock had to be dispensed with, whether 5-ft. 3-in. or 4-ft. 8½-in., would practically be unsaleable. Second-hand rolling-stock could not be sent from Australia to other parts of the world to be sold. I shall vote for the adoption of the 4-ft. 8½-in. gauge, because I think that that is the best gauge to adopt, and that nothing is to be gained by delay. The Railways Commissioners have already recommended that gauge. Of course, experts can be got to give different opinions, but when expert opinion differs, it is for the layman to make a decision. In this case, it is our duty to ask whether the 4-ft. 8½-in. gauge has given satisfaction in Great Britain, in Canada, the United States, and Europe, as well as in New South Wales. If it has, and is the standard gauge of the world, it is surely the gauge which we should adopt for the line under discussion. There might be reason for proposing a change to a 7-feet gauge, but nothing can be said for a 5-ft. 3-in. gauge, as opposed to the 4-ft. 8½-in. gauge, on the score of greater capacity for dealing with traffic. I understand that the break of gauge which we now have was due to the fact that in the early days the State authorities failed to come to an arrangement, but that is no concern of ours now. The 4-ft. 8½-in. gauge is cheaper to construct, to maintain, and to work than the 5-ft. 3-in. gauge. Furthermore, it would cost more to convert the 5-ft. 3-in. gauge than the 4-ft. 8½-in. gauge. The enlargement of tunnels for the conversion from the 4-ft. 8½-in. gauge to the 5-ft. 3-in. gauge would in itself be very difficult and expensive. Tunnels once altered are not so safe as they were before, and it is dangerous and difficult to keep traffic going through them while they are being altered. I hope that the Government will stand by the Bill, and that a division will soon be taken. We have been here for five weeks, and have not yet done anything.

Mr. SINCLAIR (Moreton) [8.34].—The honorable member for Angas is perfectly sincere in his attempt to get as much light as he can on the important question of gauge, but I cannot support his amendment, because I think that the Committee has sufficient data upon which to come to a decision, and that nothing would be gained by a delay of two or three weeks. For purposes of defence, and in the national interest, it will be necessary within the next few years to connect the proposed transcontinental line with the New South Wales system by way of Broken Hill and Cobar. If we want to make short cuts through Australia, we must take steps to link up the existing railway systems. Taking the railways already in existence, we find, in the first place that, between Albury and Sydney, there are 392 miles of 4-ft. 8½-in. line. The Queensland Government made an arrangement with the New South Wales Government some time ago, that as soon as the North-Coast railway was pushed through to Tweed Heads, they would widen the rails from Tweed Heads to Brisbane. As a matter of fact, the cuttings, tunnels, and bridges between Southport and Tweed Heads have been constructed on the basis of the 4-ft. 8½-in. gauge. I hope that before long the New South Wales Government will have completed the North-Coast line, and that we shall then have a clear run through from Sydney to Brisbane on the 4-ft. 8½-in. gauge. That will give us 1,117 miles of 4-ft. 8½-in. railway running from Albury to Brisbane. The main trunk line from Albury to Adelaide totals 674 miles. I believe that there are 130 miles of additional 5-ft. 3-in. railway between Adelaide and Port Augusta. Consequently, from the aspect of mileage, the cost of unifying the gauges on a 5-ft. 3-in. standard must be enormous as compared with the cost of conversion from 5 ft. 3 in. to 4 ft. 8½ in. I find that New South Wales, which has a railway mileage approximating in length to that of Victoria, is carrying 8,000,000 tons of freight per annum; whilst the Victorian railways are carrying only about 4,500,000 tons per annum. I can approach this question as one who has very little local interest in it. Like the honorable member who has just sat down, I can take an outsider's view-point, because Queensland will have to alter her gauge whatever the gauge of this line may be. I point out, however, that the 3-ft. 6-in. gauge in Queensland has enabled us to do splendid work. I have travelled over some of the branch lines in Victoria where the gauge is 5 ft. 3 in., and can bear witness to the fact that the service in this State is not one whit better than the service in Queensland with a 3-ft. 6-in. gauge. I admit that, on the trunk lines in Victoria and New South Wales, the service is better than on Queensland trunk lines. But, for general purposes—for tapping the country in particular—the narrow gauge has done good work at less cost than has been

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incurred in Victoria. With regard to carrying capacity, I think that a 4-ft. 8½-in. gauge will meet all the requirements of Australia for very many years to come. In Scotland, the Caledonian Company owns a line of railway 1,100 miles long, which carries 34,000,000 passengers per annum and 28,000,000 tons of produce. Even in his wildest dreams, the Minister of Home Affairs scarcely imagines that the proposed transcontinental railway will carry a larger traffic. In speaking just now, the honorable member for Denison either did not hear or declined to answer an interjection by the honorable member for Laanecoorie, who wished to attribute the extra cost of working the Victorian railways, as compared with the cost of working the lines of New South Wales, to the increased price of coal.

Dr. CARTY SALMON.—My statement is undoubtedly true.

Mr. SINCLAIR.—I do not know what is the cost of coal in New South Wales, but I do know that the Victorian Government is hewing its own coal. Indeed, we are given to understand that at Wonthaggi there is sufficient coal in sight to last Victoria for another 100 years. This coal is being hewn, I repeat, by the Government of this State, and thus the middlemen's profits are eliminated, whereas the coal used upon the New South Wales railways is hewn by private enterprize. Consequently, if there be anything in the argument we so frequently hear that the State can do things better than can private enterprise, the existing position is certainly in favour of Victoria. I was very much interested in the remarks of the honorable member for Maribyrnong. I do not blame him for endeavouring to put forward a good case for his own side. It has been said that the Victorian representatives have to do that. I would not like to say that. But I admire the energy with which the honorable member attacked this subject to-night. At the same time, I think his reference to the trans-Siberian railway was rather unfortunate. There is no doubt that the Russians made a pretty good show in getting back from Port Arthur after the Japanese had given them a fright, but their transport of troops to that port did not reflect credit upon their railway management. Shortly after the return of Lieutenant-Colonel Flewell Smith from South Africa, that officer spoke very highly of the conduct of the Railway Department of that country, and of the facilities which were provided for transporting troops and horses from one portion of it to another, even on a 3-ft. 6-in. gauge. He assured me that he had arrived at the conclusion that for the transport of horses, at any rate, any wider gauge was unnecessary, and merely a waste of space. Personally, I think that a 4-ft. 8½-in. gauge is quite sufficient for all our requirements. One sometimes derives information from the advocates of an opposite cause, and I learn from a paper which has been published by Mr. W. P. Hales, who is, I think, a Tasmanian, and who, I believe, advocates a 5-ft. 3-in. gauge—although I have not read his report in its entirety——

Mr. WISE.—Therefore the honorable member is able to criticise it!

Mr. SINCLAIR.—I am not going to criticise it, and my honorable friend will have an opportunity of reading anything in it that I may omit. Mr. Hales says—

> If the world-wide gauge of 4 ft. 8½ in. is discarded, the rolling-stock should find a market in some of the following countries, namely:—Great Britain, France, Belgium, Holland, Germany, Austria, Italy, Norway, Denmark, Sweden, Switzerland, Canada, United States of America, Argentine, Egypt, and several minor countries.

These are all countries to which we may sell our 4-ft. 8½-in. rolling-stock rather than scrap it. Now, if these countries have adopted that gauge, I take it that they have done so after very careful consideration. Mr. Hales continues—

> If the 5-ft. 3-in. gauge is discarded, the only possible markets for the rolling-stock are Ireland and Brazil, which have railways of that gauge.

I think that those statements condemn the rest of Mr. Hales' arguments, however magnificent they may be.

Mr. SCULLIN.—Why does the honorable member suggest that they condemn Mr. Hales' arguments?

Mr. SINCLAIR.—Because he has shown here that about ten countries have adopted the 4-ft. 8½-in. gauge to every one which has adopted the 5-ft. 3-in. gauge, and if there be wisdom in a multitude of counsellors, there must be wisdom in the course which these other countries have followed. I find, too, that the London and North-Western Railway Company owns 2,000 miles of railway, which are earning £8,000 per mile per annum. The average use of the American railways is 4,568 times per annum. That is to say, every foot of railway is used that number of times. The same volume of traffic would give us fifteen trains per day

over the transcontinental railway. I think that number of trains would be sufficient to transport all the passengers and produce that are likely to require transportation. I wish now to point out that the arguments which have been used on the present occasion by the honorable member for Angas, in regard to the country along the route of the proposed line, were not those which were urged by him upon a former occasion. On Friday last he spoke in a disparaging way of the land along the route of the proposed line.

Mr. GLYNN.—I was not speaking on the gauge question then. Those remarks were made on Tuesday of last week. I then said that there were 40 or 50 miles of difficult country on which to widen the gauge.

Mr. SINCLAIR.—I understood the honorable member to condemn the whole of the country.

Mr. GLYNN.—Not from the point of view of the country.

Mr. SINCLAIR.—I wish to place on record what Mr. David Lindsay has said in this connexion.

The CHAIRMAN.—I would point out that the honorable member would not be in order in discussing the nature of the country at this juncture. The question before the Chair is the width of gauge which ought to be adopted.

Mr. SINCLAIR.—The line will run through the country.

The CHAIRMAN.—The honorable member will not be in order in debating the nature of the country.

Mr. SINCLAIR.—I merely wish to reply to the statement of the honorable member for Angas.

The CHAIRMAN.—The honorable member for Angas made that statement in speaking upon the motion for the second reading of the Bill, and consequently the honorable member will not be in order in replying to it at this stage.

Mr. SINCLAIR.—Perhaps I shall be in order in pointing out that the enormous difference between the cost that would be incurred in laying down a 5-ft. 3-in. instead of a 4-ft. 8½-in. gauge—seeing that the proposed line will traverse very poor country—can scarcely be justified. Mr. Lindsay, in his lecture on the transcontinental railways of Australia, said—

> How unsatisfactory it is for Western Australia cut off from Adelaide or Melbourne, by 1,000 or 1,500 miles of ocean! How easy it would be for any foreign ship to intercept any of the mail steamers or men-of-war and prevent the communication which is so necessary for our very existence! Therefore, the first railway that I shall refer to is the one from Kalgoorlie to Port Augusta, 1,080 miles in length. Now, a great many people consider this country a desert. It is not a desert.

The CHAIRMAN.—I must ask the honorable member not to continue on those lines.

Mr. SINCLAIR.—If you, sir, rule me out of order, I will not persist, although I should like to be allowed as much latitude as has been permitted to other honorable members who have discussed the subject.

Mr. FINLAYSON.—The honorable member is imputing motives to the Chair.

Mr. SINCLAIR.—I have no wish to prolong the discussion, and I shall have no hesitation whatever in voting against the amendment.

Mr. CHANTER (Riverina) [8.54].—I certainly deplore in the National Parliament the strong provincial feeling that has been evidenced during this discussion. I take it that what we now have to consider is the width of gauge which will be best suited to the requirements of Australia for all time. We have to think, not merely of to-day, but of the future. Although we can readily recognise that it would be less costly to lay down a narrow than a wide-gauge railway to Western Australia, we have to recollect what is in the minds of the great engineers of the Old World in regard to the conversion of such a line to a wider gauge. We have to consider whether in Australia we shall not finally reach a stage of railway construction when it will be necessary, if we do not deal with the matter now, to consider the cost of converting the gauge, not of a few thousand miles of railway, but of perhaps ten times the number. The expenditure then might be, not £2,000,000 or £3,000,000, but £100,000,000. I am not going to blame the representatives of one State more than another for the exhibition of provincialism to which I have referred, though I am afraid that if I were to lay the rod on the shoulders of any for that exhibition, I should have to lay it more heavily upon the representatives of my own State than upon those who represent the other States. I am one of the seniors of this House, and witnessed the first trains run in Victoria and in South Australia. I had the privilege and honour of riding in the first train that left Adelaide for Port Adelaide. At that time there was a short railway in Victoria in the hands of a private

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company, known as the Hobson's Bay Railway Company. Though my memory does not serve me so well, my reading enables me to say that a little later an attempt was made to agree to a particular gauge for railway construction throughout Australia. No one can contradict the statement of the honorable member for Maribyrnong, that at one period in the history of Australia there was a unanimous agreement on the part of the whole of the States, arrived at after full consideration of the best engineering evidence it was possible at the time to obtain, that the best gauge to adopt for Australia was the 5-ft. 3-in. gauge. That agreement was departed from, as the honorable member for Maribyrnong also pointed out; but there should be some honorable members present who can recollect that it was not financial considerations alone that led to that departure. Provincial considerations were allowed to have great weight in compelling traders in remote portions of one State to trade with the commercial centre of that State rather than with the commercial centre nearest to them. I know that that was so, and I am not satisfied that we are yet in a position to determine finally so gigantic a problem as the laying down of a universal gauge for Australian railways. Whilst I still have an open mind on this question of the gauge, I want some more evidence to enable me to come to a conclusion. I have known Mr. Deane, the consulting engineer of the Commonwealth, for a great many years, and I respect and admire him. I have studied his report very carefully, and I find in it an admission that the 5-ft. 3-in. gauge is superior to the 4-ft. 8½-in. gauge. It is said that arguments may be pressed too far; but Mr. Deane makes that admission candidly, whilst he goes on to give a number of reasons to show that it is advisable to maintain the 4-ft. 8½-in. gauge, lay down an additional rail on the existing 5-ft. 3-in. lines, with the idea of converting them in about five years to the narrower gauge. I have to consider also the constituency I represent in the State of New South Wales. I have to consider the requirements of the people of that district, which has not so far been blessed with any railway, because of the strong provincial feeling on the part of the authorities of the senior State, and their desire to prevent the people of that district trading with Victoria. Though they have not yet decided me as to the course I should adopt, the communications I have from my constituents are in favour of the wider gauge as against the 4-ft. 8½-in. gauge. The honorable member for Angas has submitted an amendment for the consideration of the Committee. Like every proposition we get from that honorable gentleman, it is moderate, without any party significance, and proposed with a sole desire to do what is best in the settlement of the question. All that the honorable gentleman asks for—and I am surprised that the Government did not see their way to accept his proposal without hesitation—is that, as we have not yet sufficient light, and there is a conflict of testimony between engineers on this subject, we should bring the consulting engineers of the different States together to discuss this matter with our own engineer, and so acquire technical information which we cannot hope to obtain from members of this House, to enable us to decide what gauge shall be adopted as the standard gauge for Australia. What reasonable objection can be taken to that course? The honorable member for Maribyrnong pointed out that the wires could be set to work tomorrow, and the engineers assembled at some convenient place within the Commonwealth within a week, and within the next two or three weeks or a month they could report to this House which is the best gauge to adopt. I am not approaching this question from any party or State point of view. I wish to see the best course followed. It will not affect me personally; but I have to look to those who, when I go, will be left behind, and must consider how the settlement of the question will affect Australia in the future. No matter what gauge is adopted, money will have to be spent in the conversion of existing lines, and my desire is that the railways of Australia should be established on a uniform gauge as rapidly as possible. I wish to do my duty to my constituents and my country by adopting what is recommended as the best course after the most mature and reliable evidence is submitted to honorable members. I appeal now to the Prime Minister not to continue to oppose the amendment. The delay which would be involved upon its acceptance would be infinitesimal. We might go on with the consideration of the rest of the Bill, and we should, and I believe would, have the report of the engineers before the measure could be finally dealt with in another place. So that the charge made against some honorable members of voting for the amendment because they desire to bring about delay, and are antagonistic to the line, cannot

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possibly be sustained. I am not antagonistic to the line; quite the reverse. I wish to see it, and also the line through the Northern Territory, constructed as rapidly as possible. Besides the 2,000 or 3,000 miles of railway now in existence in the more largely populated States of New South Wales and Victoria, we must consider the hundreds of thousands of miles of line that will be laid down in the future in and around the vast territories that we have taken over. I therefore feel compelled by a sense of justice to myself, my constituents, and my country to support the amendment of the honorable member for Angas.

Dr. CARTY SALMON (Laanecoorie) [9.6].—I am sorry to find that into a question of this sort there has been imported so much of that old Inter-State jealousy and parochialism which many of us hoped had almost succumbed to sweet reasonableness. This question ought to be regarded strictly from the national stand-point, and those honorable members who are endeavouring to set State against State by repeating that those who are opposed to them are taking a parochial view, and that those on their side are taking a national view, should have kept such assertions entirely in the background. We are dealing with the question from a strictly non-party point of view. Honorable members on either side of the House are on either side of the question, and we should, therefore, be able to claim that it is a matter in which the interest of Australia bulks most largely, and has the most influence upon our votes as well as our voices. I wish, at the outset, to complain of the manner in which information has been sent to this House, and through it to the country. The Minister has done a great deal to simplify procedure in his Department, and for that we all owe him a debt of gratitude, but I am afraid that in abolishing the ordinary polite methods of communication he has given opportunity for an officer to exhibit a superiority which should not be exhibited towards this House, or the Minister, or the electors. No unbiased individual reading the supplementary report of the consulting railway engineer would take it to be the report of a subordinate to a Minister. He would rather take it as the statement of an autocrat to a body which was bound to accept his decision.

Mr. KING O'MALLEY.—The honorable member surely would not wish me to edit the report? I want Mr. Deane to be free to say what he thinks.

Dr. CARTY SALMON.—I ventured to express the opinion that the Minister had never read the report.

Mr. KING O'MALLEY.—Oh, yes, I had.

Dr. CARTY SALMON.—Then, evidently the Minister takes the responsibility for it?

Mr. KING O'MALLEY.—Certainly.

Dr. CARTY SALMON.—Then I would tell the Minister that it is not couched in the terms which we would have expected from him, because, although we know that he is liable to certain flights of fancy, we realize that no one is more courteous to the members of this House than he is. It is, therefore, with pained surprise that I find him justifying the form in which the report is presented—I am not, of course, alluding to its substance. I have a shrewd idea that the Minister is supported by the honorable member for Wentworth in the attitude he is adopting in this matter. No one knows better than he the value of words, and of the form in which words are put, but he surely cannot approve of such a statement as the following, made after speeches have been delivered in this House by honorable members, and made also for the purpose of influencing the votes of honorable members—

> I do not think that the opposers of the 4-ft. 8½-in gauge, or, perhaps, I should say the favourers of the 5-ft. 3-in. gauge, would clamour for one of 6 feet.

An expression that honorable members are "clamouring" in this House for a particular gauge should not be used by a servant of the public.

Mr. KING O'MALLEY.—He is replying to the engineers.

Dr. CARTY SALMON.—I know the category which the Minister has in his mind, but that is not the way in which a responsible officer of education and experience should address a Minister in a memorandum.

Mr. FENTON.—I think he is replying more to Mr. Hales' report.

Dr. CARTY SALMON.—He does not say so. He uses the words "opposers" and "favourers." The honorable member for Wentworth, who showed an amount of earnestness, as well as a desire to get to the bottom of things, which we are always glad to see evidenced by any honorable member, claimed that those who intended to support the amendment were only endeavouring to postpone the question. That was the great argument he used against it. What a change has taken place in the honorable member in the brief period since this

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question was previously before the House! The lofty attitude which he then took up was expressed in the following words:—

> My opposition to the measure is not prompted by any disregard for the people of the great western State, but my first duty, I conceive, is to the Constitution which I am sworn to uphold—

and then, as a sort of afterthought, he puts in—

> and to the electors who have sent me here. I cannot forget that I am one of the trustees of the public purse of the Commonwealth, and that the proposed railway would not constitute a fair charge upon the Commonwealth exchequer.

Does it lie in the mouth of the honorable member who made those statements to accuse other honorable members of desiring to delay the construction of the line, when they are asking for only three weeks' delay in order that they may get further information, of which they admit, as laymen, they are urgently in need, and of which they believe that those who favour the 4-ft. 8½-in. gauge are still more in need? When such information should be, and can be, obtained, within that short period, it is not fair to accuse the supporters of the amendment of wilfully attempting to delay the question, especially in view of the attitude which the honorable member for Wentworth and others adopted only a little while before. How can those honorable members possibly reconcile their present with their previous attitude, when they said all sorts of hard things about the whole proposal, bitterly opposing the expenditure of money even for a survey, and adding that when the survey was completed, they would use all their endeavours to prevent the construction of the line? The explanation in the case of the honorable member for Wentworth lies, I feel sure, in that second part of his first duty. His first duty was to the Constitution, and then he put in, as a sort of mental parenthesis, "and to the electors who sent me here."

Mr. Kelly.—That is where we differ. You are not thinking of that.

Dr. CARTY SALMON.—The honorable member is doing in this case what he has done so consistently and so effectively for a considerable period. He is dealing with the question as one which will affect his own electors, and leaving out of sight its effect upon the Commonwealth as a whole. With regard to placing the cylinders on the outside of the wheels, and so on, the engineer uses an expression which I want the Minister who has accepted full responsibility in the matter to explain. It occurs at the end of this paragraph—

> Seeing that this can be done, and power gained without widening the gauge for a few inches, it must be clear to any one who looks at it properly, that the standard gauge is actually better than the 5-ft. 3-in. gauge, because it does not require the same width between platforms.

What is meant by the words "because it does not require the same width between platforms?" I have read the paragraph over and over again, and endeavoured to ascertain what is meant.

Mr. Hedges.—On a double line.

Dr. CARTY SALMON.—One of the strong anti-parochial national supporters from Western Australia tells us that the answer is that this is to be a double line. I am talking about the width between the platforms. Has the honorable member for Fremantle any authority for supposing that the Minister intends to construct a double line from here to Fremantle?

Mr. King O'Malley.—I hope that some of these days we will.

Dr. CARTY SALMON.—Does the report really mean that the Minister intends to construct a double line?

Mr. King O'Malley.—Oh, no!

Dr. CARTY SALMON.—Then the honorable member for Fremantle will pardon me if I refuse to take further notice of this self-constituted interpreter of the Minister's ideas on this subject. If the Minister can tell us what is meant by the words I quoted, he will, I feel sure, remove a great deal of doubt from the minds of a number of honorable members besides myself, who feel that we are placed in a greater difficulty by this supplementary report than we were previously. Before I read the second last paragraph, which refers to stability and steadiness of running, I want the Committee to realize that it was prepared by an expert, and brought here for the purpose of informing us with regard to a most important but vexed question on which the writer knew we desired light. What does he say in regard to the matter of stability and steadiness of running? He begins with the phrase "One word." Any one would think that he was a member of the House, so fond is he of using the phrase "one word" when he wants to use a number—

> One word as regards stability and steadiness of running. Stability does not depend so much on the extra few inches width of gauge as on length of sleeper with a well-packed road. It is the practice on the main lines of New South Wales to use sleepers 9 feet long, and the 4-ft.

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8½-in. gauge, with 9 feet sleepers, is really better than the 5-ft. 3-in. gauge and 8-ft. 6-in. sleepers.

Stability does not depend, he tells us, on the extra few inches in width, but he does not give us one word in regard to steadiness of running. We want to know what his opinions are in that regard. It is a matter which he himself brought up, but he has not told us one word about it. I ask any reasonable man on which of two railway lines running parallel, one with a 4-ft. 8½-in. gauge, and the other with a 5-ft 3-in. gauge, both with the same length of sleepers, namely 9 feet, and an equally well-packed road, will you get the greatest steadiness of running? I think that there can only be one answer to the inquiry. To use an expression which the Minister thoroughly understands—"all things being equal," with the road, the length of sleepers and the maintenance, the steadiness of running would always be in favour of the 5-ft. 3-in. gauge. It does not need an expert to tell us that; but the consulting engineer has not told us anything about steadiness of running which he desired to say "one word" about. We have not got that word. He wound up by saying—

> There can be no doubt whatever that the so-called standard gauge is the one to adopt for Australia.

Maintaining right to the very end the superiority which he adopted in the beginning, he told us, and told the Minister, who adopted the report, in very definite terms that there is no doubt whatever—where? in his own mind, I presume—that it is the gauge to adopt for Australia.

Mr. CHANTER.—The preceding part of that paragraph shows that his mind was on finance, and that the question he asked was—which was the cheapest gauge.

Mr. SAMPSON.—Hear, hear! The question of gauge has not been considered on its merits.

Dr. CARTY SALMON.—I really believe that that is so. I am entirely disappointed with the report as a whole, and with its tone; and I am more than disappointed with the fact that the Minister has taken the whole responsibility of it. In regard to the gauge, it has been said that this is a national work, because it is only justified on the ground of defence; that we must have means of carrying troops from the populous eastern States to defend the less thickly-populated western State; also, that we might require to have something brought from the western State to assist the eastern States, which I readily admit. We will require their gold, on which, I think, the Minister has his eye, for purposes of another character. The railway, if used for that purpose, will have to be run with long trains. There is no doubt about that. It is not a line that should be constructed on a narrow gauge, because the survey shows that there are no mountainous tracts to be traversed; and, in addition, seeing that time is to be the essence of the contract, and that we are anxious to save the expenditure of money, there will not be any sharp curves to be turned. In these circumstances, it will be a straight railway. It will be required for rapid running and for carrying long trains of either trucks or ordinary rolling-stock. In these circumstances, how can any one possibly say that it will be a distinct advantage, nay, more, that it will be defensible, for us to construct the line on a gauge narrower than 5 ft. 3 in. If it was to be used only for bringing produce to market, then I would say that a 3-ft. 6-in. gauge might be ample. But we know that it is not to be used for that purpose. The country is against that, and the very idea for which it is to be constructed is against it. What we require is a gauge which will give us speed and security. We shall sacrifice both speed and security by every inch that we narrow the gauge below 5 ft. 3 in. We shall sacrifice both those very much to be desired things, and the Minister takes upon himself a very great responsibility when he swallows the whole of such a memorandum as that of Mr. Deane. He is so enamoured of the proposal that he is prepared to adopt the cryptic utterances of his own officer, and take the responsibility of saying that he will have no further inquiry, even from those who have been in the railway services of the continent for a considerable number of years, and know local conditions.

Mr. JOSEPH COOK.—Does the honorable member mean to say that the Minister cannot "run" a little matter of this kind?

Dr. CARTY SALMON.—I believe the Minister is "running" this on his own. He has captured the Government and the majority of his party, and he has also captured, by means I do not like to indicate, certain honorable members on this side. We are pleading for further information, and not for delay. I know that this railway is to be constructed; and I believe the gauge will be 4 ft. 8½ in.; but

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I contend that there is not sufficient information available to enable the whole of the members of the Committee to come to a proper decision. The Minister is not dealing fairly with honorable members when he refuses a reasonable request, which has come from a quarter we acknowledge at all times to be reasonable. The honorable member for Denison surprised me by quoting what is done in other parts of the world, and using it as a reason for following the example there set. I was under the impression that the very reverse idea animated him—that he held and declared, "We lead, let others follow who can." I am astonished to find him referring with approval to other portions of the earth, which he, and others with him, describe as "old, played-out quarters of the globe," as guides, philosophers, and friends. The honorable member reminded us of the passenger and freight charges made on certain railways in order to prove that the 4-ft. 8½-in. gauge is the cheaper, and gives cheaper facilities to the public. But the honorable member was scarcely accurate in his illustrations; and, with reference to the fares on the railways of New South Wales and Victoria, he left out one important factor. In New South Wales, the return-ticket concession has been withdrawn.

Mr. RILEY.—Only quite recently; the figures of the honorable member for Denison refer to a former period.

Dr. CARTY SALMON.—The honorable member did not say so; and he did not quote the year. Fares have been reduced in New South Wales, because of the abolition of the return-ticket concession.

Mr. FRANK FOSTER.—There are return tickets on the suburban railways.

Dr. CARTY SALMON.—The honorable member for Denison was speaking particularly of the farmers, and appealing to them to carefully note the honorable members who voted for the 5-ft. 3-in. gauge. I know that we, as members of Parliament, do not have to pay fares, but we have to pay for those who accompany us. I have recently had to pay fares in New South Wales; and I was then astonished to find that the return-ticket concession had been abolished. I shall, however, leave that fact out of account, because the honorable member may have quoted figures relating to times anterior to that abolition. He ought to remember, however, that the cost of coal at the depôts in New South Wales is many shillings lower than it is in Victoria.

Mr. LAIRD SMITH.—The State coal mine in Victoria is producing coal at 11s. a ton.

Dr. CARTY SALMON.—Does the honorable member know what is paid by the New South Wales Government for their railway coal? I am certain the price is lower than 11s. a ton.

Mr. FRANK FOSTER.—I think it is something over 10s.

Dr. CARTY SALMON.—I presume the honorable member means something under 11s. In any case, it is only quite recently that the Victorian Railways Commissioners have taken over the mine; and they have still to pay for the production of the coal. These circumstances, and not the difference in the gauge, are, in a large measure, responsible for the difference in the charges made on the railways. I ask any honorable members who have been accustomed to travel on ordinary country lines of 5-ft. 3-in. gauge, to travel on the New South Wales narrower gauge, and see how they will enjoy themselves.

Mr. WEST.—The Victorian carriages are like bullock-drays compared with the carriages in New South Wales!

Dr. CARTY SALMON.—Here we have a sample of that blind prejudice which arises only from ignorance. I have recently travelled in the interior of New South Wales; and, although I admit that the railways in Victoria are not all that could be desired in the matter of speed, they suggest aeroplanes when compared with those in the adjoining State. I can well understand the attitude of the honorable member for Denison, as a little incident will show. In Tasmania, there is a narrow gauge; and for a time, on the score of economy, wood and coal were used together. One day, an engine-driver said to his fireman, as the train was going down a steep gradient, "Bill, I have lost control of the engine," to which Bill replied, "What is going to happen to the passengers?" The driver said, "I do not know about the passengers; I think we had better jump." Bill, however, was a man of resource and presence of mind. He seized the tomahawk which was used for splitting the wood, jumped off the engine, and, having chopped down a sapling, stuck it in between the wheels of the engine, and saved the lives of the passengers.

Mr. LAIRD SMITH.—Will the honorable member tell us when to laugh?

Dr. CARTY SALMON.—I do not expect the honorable member to laugh at that

story. It is too true a picture of the antiquated methods adopted on what are called railways in the southern State. Honorable members from Tasmania are doubtless prepared to accept any gauge a couple of inches in advance of that to which they have been accustomed for many years; and for them to come here and, with their limited experience, to talk about a gauge for the whole of Australia, would be a farce if it were not a tragedy. Those honorable members are invested with the power to decide on a point of this sort with little personal information or knowledge—with nothing to guide them but their love and affection for the Minister of Home Affairs, whom they regard as the embodiment of all that is just and proper, and whom they are prepared to follow. I guarantee that if the Minister had said that the gauge was to be 9 feet, those honorable members from Tasmania would be just as enthusiastic.

Mr. WEST.—The honorable member is very amusing!

Dr. CARTY SALMON.—I do not feel in an amusing frame of mind when I see what I deem to be a national injustice being perpetrated by those who ought to be the custodians of the national rights and privileges of the people of Australia. The people of Australia ought not to have foisted on them, in this way, a gauge which, if adopted, will prove, I venture to predict, a grievous disappointment to those who are so earnestly advocating it, and will not fulfil in any degree the anticipations of those who, for selfish or parochial reasons, are supporting it.

Mr. MATHEWS (Melbourne Ports) [9.36].—I should like to secure your assistance, Mr. Chairman, in an effort to open the Ministerial oyster in order that we may discover whether or not it contains a pearl. Member after member has appealed to the Minister of Home Affairs to say why further information should not be given to us in order that we may be in a position to properly determine which is the better gauge to adopt. One would imagine, from his silence, that the honorable gentleman had something to fear from a reconsideration of this question—that he was apprehensive that the conclusions arrived at by his expert officers, upon further inquiry, might lead to the adoption of a 5-ft. 3-in. gauge. The Minister sits at the table with an angelic expression on his countenance, and resists all appeals for further information. He pays no heed to our request that this amendment should be accepted so as to give the Parliament an opportunity to obtain additional information. I wish to impress upon the Committee that, in supporting this amendment, we are not asking that the construction of the railway shall be delayed. Whether it be accepted or rejected, we may be sure that it will be many a long day before you and I, Mr. Chairman, are invited to the banquet that will mark the turning of the first sod. The fear of those who oppose the amendment is that further information may cause the proposal to build this line on a 4-ft. 8½-in. gauge to be forsaken for one that it shall be built on a 5-ft. 3-in. gauge. Of all the authorities to whom reference is made in the reports presented to us, not one, from the Railways Commissioners and the Engineers-in-Chief, to the Railway War Council, gives any other reason for the adoption of the 4-ft. 8½-in gauge than that of economy.

Mr. RILEY.—Is not that a good reason?

Mr. WEST.—It is the standard gauge of Canada.

Mr. MATHEWS.—In reply to the honorable member for South Sydney, I would say that false economy is, at all times, a bad thing. As to the statement that the 4-ft. 8½-in. gauge is the Canadian standard, the same remark might be made of the position in England. But will honorable members say that, if a fresh start could be made tomorrow in either Great Britain or Canada, the 4-ft. 8½-in. gauge would be adopted? We have an unbroken gauge of railway from Albury to Terowie; and there is no reason why the line from Port Augusta to Kalgoorlie should not be built on the same gauge. The Government of Western Australia have agreed to bring their railway lines into uniformity with the gauge adopted on the transcontinental line; and the adoption of a 5-ft. 3-in. gauge would mean no more to them than would the adoption of a 4-ft. 8½-in. gauge. The construction of this railway has been talked of in this House for ten years, and we are now asked to take a hurried vote on this question, when much might be gained by obtaining further information. Many curious statements have been made during this debate. Some honorable members have sought to show that the 4-ft. 8½-in. is better than the 5-ft. 3-in. gauge by contending that there are more accidents on the 5-ft. 3-in. railways of Victoria than there are on the 4-ft. 8½-in. lines of New South Wales.

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They are so unfair that they would even have us believe that a railway collision is due to the width of gauge. One honorable member referred to the Richmond railway accident; but every one knows that the question of gauge had nothing to do with that disaster. It was due either to the heavy fog prevailing at the time or to some remissness on the part of the railway management. If those who favour the 4-ft. 8½-in. gauge would say that the railway management of New South Wales is better than that of Victoria, I could understand their position. The statement might perhaps be correct; but it is absurd for them to urge that the railway accidents of Victoria are due to the width of gauge. If we cannot induce the Minister of Home Affairs to speak, we ought to appeal to the Prime Minister to allow the Committee time to secure further information before this question is finally decided. The amendment simply asks that an opportunity shall be afforded us to obtain fuller information; and upon that information we may decide to adopt, either a 4-ft. 8½-in., or a 5-ft. 3-in. gauge. This has not been made a party question; and I certainly think that our request is a fair one. The sphinx-like attitude adopted by the Minister throughout this debate is not fair to the Committee. If he has any reasons to give in support of his proposal, he ought to put them before us. If he has no reasons other than those already advanced, I can only say that they are useless; but if he has other reasons, and refuses to place them before us, he is not doing his duty to the Committee. I do not intend to delay the taking of a vote. The numbers are up; and I suppose we shall have to accept defeat. If the Minister of Home Affairs will not give us more information, we must ask the Prime Minister to do so; and if he, too, refuses, we must make the best of the situation. The only reason advanced in favour of the adoption of the 4-ft. 8½-in gauge is that of economy; and we all know that that which may seem now to be cheap, may prove, in the long run, to be most costly. That, I believe, will be our experience if the Committee decides in favour of the 4-ft. 8½-in. instead of the 5-ft. 3-in. gauge, and we make the narrower gauge the standard for Australia.

Mr. SPENCE (Darling) [9.46].—The unanimous support which the railway project is receiving is very pleasing. All that remains to be done is to come to a decision regarding the gauge to be adopted. I congratulate the Government on having fixed the gauge in the Bill, and can imagine the speeches which we should have heard from the honorable member for Laanecoorie, and others, if that had not been done. They would have wanted to know what the gauge was to be, and why the Government had not the courage to declare its policy. The construction of the proposed line will virtually force a settlement of the unification of gauge question. I ask those who oppose the adoption of the standard gauge, where they think further information on the subject is to be obtained.

Mr. FENTON.—Does not the honorable member know that two of the States ask for further information?

Mr. SPENCE.—I am not troubling about the States; the matter is one for the Committee. If honorable members know of any secret source of information which lies buried, they should declare it. A great deal is in print about the merits of the various gauges used in railway construction throughout the world, and the works on the subject are available to us. Further, we have the opinions of the Railways Commissioners of the States, of the military authorities, and others. From whom, then, are we to ask for further information? Where do they live? We have been told that the amendment does not mean delay. Consequently those who support it must know of experts near at hand whose opinions should be sought. Surely they overlook the fact that we already have the opinion of the best railway engineers, the Commissioners being guided in their recommendation on a matter like this largely by expert advice. The honorable member for Corio told us that there is some connexion between the standard 4-ft. 8½-in. gauge and the size of a horse; that the size of a horse regulated the width of the ordinary cart, and that when railways first came to be built their wheels were placed the same distance apart as ordinary cart-wheels. That story was very interesting, but I found in it no condemnation of the 4-ft. 8½-in. gauge. It does not matter what the origin of a thing was so long as the thing itself is good. We have been told, too, that some American experts are beginning to think that railways capable of carrying heavier loads than can be carried on a standard gauge are coming to be necessary, but it must be borne in mind that America has a population of 91,000,000, and before Australia is so thickly peopled many changes in transport arrangements

may be expected. Before then, we may have air carriage, mono-railways, and other improved means of transport which are not now thought of. As a matter of fact, it is doubtful whether at the present time we use more than a fourth of the power latent in coal. The most modern steam-ship engines use 60 per cent. of the power latent in coal, but they are more economical than locomotive engines, and even than stationary engines. Improvements in machinery are constantly being effected, and for this reason alone we may expect that our railways will become capable of dealing with much more traffic than they carry now. Some honorable members have condemned the proposal before us, as if it were wise to spend money lavishly on one proposal because the reason urged for another course was its economy. It has been objected that the 4-ft. 8½-in. gauge has been advocated on the score of economy, but that seems to me a great thing in its favour. Opinions have been read which, at the best, show only that experts differ. It has not been proved that the 5-ft. 3-in. gauge is better than the 4-ft. 8½-in. gauge, though it has been said that it may be the better gauge for us some day. In dealing with the cost of conversion, some honorable members have contended that to convert the New South Wales lines to the 5-ft. 3-in. gauge would not cost much, because those lines are already equipped with 9-feet sleepers, and Victoria uses shorter sleepers for the 5-ft. 3-in. gauge. They overlook the fact that if the New South Wales gauge were widened, the lines would have to be reconstructed. New tunnels might be necessary, and new cuttings. Alterations of curves, especially in rough country, would mean entirely new tracks. On the other hand, the Victorian lines could be converted to a 4-ft. 8½-in. gauge merely by altering the position of the rails on the sleepers. The Government obtained expert information before the measure was framed. This railway proposal has been before us for the last ten years, and in that time a great deal of information on the subject of gauge has been collected. I remember on one occasion, before this line was in contemplation, asking a very experienced New South Wales officer which, in his opinion, was the better of these two gauges. I said that I understood that it was claimed that the 4-ft. 8½-in. gauge was superior to the 5-ft. 3-in. gauge, and I asked him in what respects it was better. His reply was that experience proved that running costs were less with the 4-ft. 8½-in. gauge, the rolling-stock lasting longer and needing fewer repairs. Where wear and tear is least, the line is safest. He gave me a great deal of detailed information about length of axles, vibration, and other points that convinced me that a case was made out for the 4-ft. 8½-in. gauge. We must choose one or the other, and, in my opinion, the Government have done right in selecting the 4-ft. 8½-in. gauge. The supporters of the amendment are really asking for delay.

Mr. FENTON.—No delay whatever.

Mr. SPENCE.—Those who say that there will be no delay should take the Committee into their confidence, and tell us where the experts, whose opinion they desire to have, are to be found.

Mr. FENTON.—The information we want can be obtained in less than three weeks.

Mr. SPENCE.—We want a more definite statement than that. The mere assertion that information can be obtained is of no use to us. Of course, we know that the varying opinions of engineers can be obtained readily enough; but if we are to have delay we shall want some more authoritative evidence than they would afford us. Can any opinion be obtained which will be superior to the advice upon which the Government have acted? Is it not reasonable to assume that the Railways Commissioners consulted the Engineers-in-Chief when they advised in favour of the 4-ft. 8½-in. gauge? There is a great deal in what the honorable member for Herbert says, that when experts differ laymen should settle the question at issue. I was, therefore, very much surprised when the honorable member wound up his speech by saying that the amendment might well be accepted. I contend that the situation is one which should be settled by laymen after availing themselves of the best evidence. I have no doubt that the Railways Commissioners, when they made their recommendation, were guided by the consideration that it is a far more costly matter to make the narrower gauge wider than to make the wider gauge narrower. As to stability, every one who has inquired into the question knows that that does not depend on width of gauge, but on the condition of the permanent way. There have been times in connexion with our railway systems in Australia when Governments have been stingy in respect of the number of men employed in looking after permanent ways. In New South Wales, in times of economy, railways were allowed to run

dangerously close to a condition that was unsafe. I remember occasions when, travelling over the line from Adelaide to Melbourne, one could tell perfectly when one had crossed into Victorian territory, although there was no break of gauge, because the permanent way was not so well maintained. Comfort in travelling is affected by the condition of the track, the weight of the rails, and a number of other considerations which railway men understand. In all probability, there is very little to choose, on the ground of merit, between a 5-ft. 3-in. and a 4-ft. 8½-in. gauge. But conversion to 4 ft. 8½ in. will be much cheaper, and a railway of that gauge is more economical to work. As such a line will serve our purpose perfectly, I am in favour of what the Government have proposed. Economic reasons and the evidence of experts support the same conclusion.

Mr. GLYNN (Angas) [10.3].—I shall not delay the Committee more than a few minutes; but I desire to call attention to one or two points. One of them will enable me to cite the authority of a man whose name ought to be respected in connexion with railway matters. The question of railway communication was discussed at the Federal Convention, and I remember that the opinion of Mr. Eddy, then Railways Commissioner for New South Wales, was solicited on the question of gauges. I do not know whether any honorable member has referred to what Mr. Eddy said. In 1889 I tabled a motion in South Australia in favour of the assimilation of the gauges of the Colonies. The fact that I did not then advocate the South Australian, but the New South Wales, gauge ought to be sufficient to show honorable members that there is no provincialism about my attitude. The mere fact that there happen to be over 500 miles of 5-ft. 3-in. gauge railway in South Australia does not affect my attitude on this question, as is amply shown by what I did on the occasion to which I am now referring. From 1886 to 1896 Mr. Eddy repeatedly advocated that assimilation of gauge should be deliberately entered upon. The first quotation which I shall make from his remarks on the subject is from the appendix to the minutes of the Adelaide Convention. The extract is from a paper which Mr. Eddy handed to Sir Henry Parkes in 1886. In this document he advocated that a meeting of experts of the Colonies should be called to consider which of the gauges —5 ft. 3 in. or 4 ft. 8½ in.—should be adopted; and he said, on the general question, that the present was undoubtedly the right time to grasp the problem and determine what should be the universal gauge of the future. Mr. Eddy went on to say—

> I would therefore recommend that the question should be at once taken up by the Government as a great national question of far-reaching importance for the future of the country, and, as neither colony will be disposed to alter its gauge because of the consequent expense, I would recommend that after it has been agreed which gauge—the 5 ft. 3 in. or 4 ft. 8½ in.—shall become the gauge of the future, the cost of making the change shall be borne by a special fund created for the purpose, and that the colonies shall contribute the annual interest in agreed proportions, and also set aside an annual sum to act as a sinking fund for the extinguishing of the debt in, say, fifty years.

Mr. WEST.—He did not condemn the 4-ft. 8½-in. gauge.

Mr. GLYNN.—All he asked was that the experts should be called together to determine once and for all what should be the standard gauge. In another of his reports he mentions the merits of the 5-ft. 6-in. gauge for example. He says—

> A very similar change has taken place in Canada and the United States. In the former country a large mileage was originally constructed on the 5-ft. 6-in. gauge, which confessedly permits the employment of more powerful and durable engines than the standard, or 4-ft. 8½-in. gauge.

He fairly admits the superiority of that gauge from a haulage stand-point, and points out that the reason underlying the change in America was based, not on the merits of the 4-ft. 8½-in. gauge, but upon the fact that it was not economic to have these breaks of gauge. He also acknowledged that the third rail had been found futile for some of the purposes for which it was intended. In 1889 he indicated the lines upon which the experts should consider this matter of the unification of the gauge. After vain efforts to get the Railways Commissioners of the States to confer with each other, he declared in 1896 that an attempt ought to be made to induce Victoria to alter its gauge so that there might be traffic on the standard gauge between New South Wales and this State. One of the reasons why he advocated the adoption of a 4-ft. 8½-in. gauge was somewhat provincial, because it emphasized the greater cost which would be involved by the adoption of the 5-ft. 3-in. gauge in the alteration of stations in New South Wales. He said—

> As a question of cost, too, it will be much cheaper to adopt the 4-ft. 8½-in. gauge than the

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Victorian gauge of 5 ft. 3 in., as no works would require widening; whereas if the 5-ft. 3-in. gauge were adopted the cost of altering stations like Sydney, the suburban lines, &c., would be exceedingly great. The axles of the rolling stock would in nearly all cases be available for the 4-ft. 8½-in. gauge, whereas if the 5-ft. 3-in. gauge were adopted all would have to be abandoned. The permanent way change would also be cheapened and simplified by adopting the narrower gauge.

Mr. Eddy's efforts for years were devoted to an endeavour to secure an investigation of the merits of these two gauges. His idea was that when the superiority of one had been determined, an alteration to that gauge should be made at a specific period. In a somewhat clever speech, the honorable member for Richmond has pointed out that in New South Wales better paying results are obtained from the 4-ft. 8½-in. gauge than are secured in Victoria from a 5-ft. 3-in. gauge. But he omitted to mention that it is always possible to obtain better results from the same mileage of railway with a much greater traffic. In this connexion, I find that the traffic which is dealt with on practically the same mileage in New South Wales is double the traffic which is dealt with in Victoria. I would further point out that the lower freights in New South Wales are due to the fact that the long-distance rates there are less than those which are charged in Victoria. In giving evidence before the Inter-State Committee which was appointed in connexion with the Adelaide Convention, Mr. Eddy showed that the long-distance rates operative in New South Wales enabled the Railway Department there to carry goods at very low freights. At this late hour I do not propose to traverse the arguments which have been advanced by honorable members who differ from me. Such a speech as that which was delivered by the honorable member for Maribyrnong, replete as it was with information, ought to have sufficient weight with the Committee to induce it to grant us the few weeks of inquiry necessary to enable us to determine what gauge we ought to adopt. The report of Mr. Deane, which was laid upon the table of the House to-day, is scarcely worthy of a man who had previously given us such an admirably balanced statement. His first report was that of an engineer, whereas that which was presented to-day seemed to be inspired by necessity.

Mr. KING O'MALLEY.—His liver was bad.

Mr. GLYNN.—In that report, Mr. Deane refers to Mr. Harriman, and mentions that it is only Mr. Harriman, of the Southern Pacific Company, who had recently emphasized the necessity for changing the American gauge to a wider one. He neglected to add that Mr. James Hill, who is also a very great expert in America, takes the same view, and he also omitted to mention that in a book published by Messrs. Carter and McPherson—McPherson being the lecturer on railway economics in the John Hopkins University—the following passage occurs—

Allen also recommended that a gauge of 5 feet should be adopted. He also tried to get the "Erie" to adopt that gauge. Probably there are few railroad officials to-day who do not regret that Allen's recommendations were not followed. The addition of 3½ inches to the width of the track would be of material advantage now. Only a year ago James J. Hill gave out a statement for publication in which he deplored the error in judgment that had prevented the adoption of a broader gauge for railroads. The enormous cost would render a change at this date impossible.

I understand that Mr. Smith has estimated the cost of the suggested change in America at something like £1,100,000,000, which practically prohibits the adoption of the recommendation of this high expert. Upon a line such as that which we are now considering, it is desirable that the difference in favour of freight charges, represented, perhaps, by 10 or 20 per cent., should be a determining factor, because we may have to handle very heavy freights of low intrinsic value. The result will be that a very small difference—such a difference as is represented between the adoption of the 4-ft. 8½-in. and the 5-ft. 3-in. gauge—may prove of vital importance in the development of the country through which the line will pass. I ask the Government to afford us an opportunity of having a conference of engineers to determine the relative merits of these two gauges before definitely committing us to one of them. If time permitted, I could show that some of the best engineers in Australia who have recently had to inquire into railway management at Home believe in the 5-ft. 3-in. gauge. I heard yesterday that Mr. Roberts, who was locomotive engineer in South Australia for many years, until he retired a few years ago and went to England to make inquiries into railway matters, says that he has no doubt as to the superiority from the modern point of view of the 5-ft. 3-in. gauge. I have here a letter which I received this morning from an English engineer who was the engineer for one of our early South

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Australian railways, and recently was engaged on a private line at Broken Hill in an engineering capacity. He writes to say that he has no doubt of the superiority, from a modern point of view, of the 5-ft. 3-in. gauge. These experts may be wrong, or they may be right; but all we ask is that by accepting the amendment, the Government will give us an opportunity of making an inquiry which, I think, would be completed within three or four weeks.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.16].—Though I do not at all question the *bona fides* of the honorable member for Angas, the amendment he has moved is undoubtedly ingenious. I wish to say that every information that could be secured from the Engineers-in-Chief of the Railway Departments of the States has already been embodied in the reports of the different Railways Commissioners, whose subordinates they are, and in whose name they speak when they make their recommendations. We have, in addition, the decision of the military experts, who have given their opinion that the 4-ft. 8½-in. gauge is the better of the two gauges. I submit, also, that this is not a proposal to unify the gauges adopted in the different States. It is a proposal by the Federal Government to construct an Inter-State line between South Australia and Western Australia; and in the light of the best information at their disposal the Government say that the 4-ft. 8½-in. gauge which they propose is not only the best gauge, but the most economical. I go further, and say that every expert authority states that if there is to be a re-arrangement on the basis of the 4-ft. 8½-in. gauge rather than of the 5-ft. 3-in. gauge, there will be a saving to the people of the Commonwealth of at least £2,000,000—no estimate on the subject is under £2,500,000—while in my opinion we shall secure equal utility by the adoption of the 4-ft. 8½-in. gauge for this line. In view of these considerations, I ask honorable members who favour the adoption of the 4-ft. 8½-in. gauge to deal with the matter now, and let us abide by what the majority of this House and Parliament declare, and what the Government pin their faith to as the best gauge for Australia, namely, the 4-ft. 8½-in. gauge.

Mr. DEAKIN (Ballarat) [10.18].—I shall not detain the Committee more than a moment. It is a misfortune that a considerable section of the members of the Committee will vote as the Prime Minister desires for this line, simply as a great local line connecting two States and through them the rest of Australia. The merits and demerits of that particular proposal have been canvassed, and will be responsible for a great many of the votes cast in favour of the clause before us. Still the real issue decided by this vote, which is not being submitted, but is in fact before us, is the gauge now to be forced upon us fixing the uniform gauge for the whole of Australia. It is a great misfortune that, in order to get this line, which has been long necessary, will become more and more necessary every year, and requires to be constructed without delay, this local proposal is brought forward in such fashion as to commit us finally upon that far greater national question—the Federal gauge for the whole Commonwealth.

Mr. FRANK FOSTER (New England) [10.20].—Before we go to a division on the amendment I wish to ask the Government if in the construction of this line they intend to make provision for an alteration of gauge if that should afterwards be decided to be necessary. I understand that the Queensland lines are capable of alteration to the 4-ft. 8½-in. gauge without the necessity of altering bridges or tunnels.

Mr. FISHER.—Only one; the line from Brisbane to Southport.

Mr. FRANK FOSTER.—I wish to know if the Government are willing, in making arrangements for the construction of this line, to make provision in the construction of bridges and tunnels for a wider gauge if that should be shown to be necessary.

Mr. FISHER.—There will be no tunnels on this line.

Mr. FRANK FOSTER.—It is a fortunate line on which no tunnels have to be made. I saw some of the Western Australian lines being constructed, and it struck me that it should be an easy matter to construct railways over such flat country. I ask the Government whether they will, in letting contracts for the construction of this line, make provision in the width of bridges and culverts to permit of the alteration of the gauge to 5 ft. 3 in. if that should subsequently be shown to be necessary. The day may come when we shall see fit to have a wider gauge, or it may be a narrower gauge, because we may yet have the monorail, since no one can say what developments will take place in railway construction. I congratulate the Government on the stand they are taking in connexion with

the financial aspect of this question. They are evidently giving it serious consideration. I have always supported the proposal for the Northern Territory line, and I hope the Government have it in mind, and will propose its construction at some time in the near future. In considering the financial aspect of this line, we have to bear in mind also the construction of the Northern Territory line.

Mr. GROOM.—On what gauge?

Mr. FRANK FOSTER.—Certainly, on the gauge adopted for this line. I hope that the same gauge will be adopted for the line to connect the Federal Capital with its port. The Government would lose the confidence of many of their friends if they did not seriously consider the financial aspect of this matter. I must say that in my opinion the request made by honorable members for further information on the 5-ft. 3-in. gauge is not an unreasonable one. We have not been overwhelmed with information on that subject. The evidence before us so far is almost entirely on the 4-ft. 8½-in. gauge. That is practically the only gauge upon which we have any information. I do not wish to detain the Committee, but I should like to say that I was highly amused at some little incidents of the debate. There has been some talk, for instance, of the sale of our rolling-stock to foreign countries in the event of the conversion of the gauge of some of our lines. Those who talk in that way can have no faith in Australia. What is to become of the branch lines we are to construct to feed the great trunk lines? Could we not find use for our rolling-stock on those lines? I hope that no honorable member will advocate the sale of our rolling-stock to foreign countries because of any alteration of the gauge of our railways.

Dr. CARTY SALMON.—It was one of the experts who mentioned that.

Mr. FRANK FOSTER.—The proposal, I hope, is too absurd for politicians to take any serious notice of. I urge the Government if it will not seriously hamper their arrangements, or delay the construction of the line, to postpone the consideration of the clause until honorable members who favour the 5-ft. 3-in. gauge can obtain more information on the subject.

Mr. KELLY (Wentworth) [10.25].—I am in somewhat of a difficulty. I was hoping to be able to take part in a division on the amendment after the Prime Minister spoke.

Mr. FISHER.—I hoped so, too.

Mr. KELLY.—Since then, perhaps, arising out of the honorable member's speech, we have had new matter introduced by the honorable member for New England, which I think deserves careful scrutiny. The honorable member implored the Government—whom with one voice he appeared to be supporting, and with another apparently desired to injure as much as he could—to be very careful, after it has been decided that the gauge of this railway shall be 4 ft. 8½ in., to leave the way open for the adoption of some other gauge. I hope that the honorable member, on whichever side he may find himself in the division, does not intend that the Government shall act as they like, in spite of what this clause lays down as the gauge for the railway. The honorable member professes himself in favour of delay.

Mr. FRANK FOSTER.—No funniosities! Be serious.

Mr. KELLY.—I am as serious as the honorable member's speech will permit me to be; and, so far as I understood it, it was certainly in favour of delay.

Mr. FRANK FOSTER.—For a whole three weeks, after waiting on the procrastination of the Opposition for years.

The CHAIRMAN.—Order!

Mr. FRANK FOSTER.—The Opposition failed to deal with the question, and now object to three weeks for inquiry.

The CHAIRMAN.—I must ask the honorable member for New England to pay some attention to the Chair.

Mr. FRANK FOSTER.—If the honorable member ceases to act the goat, I will do so.

Mr. KELLY.—Our new Chesterfield takes exception to the way in which I am addressing myself to the Committee. I do not wish to offend him personally; but those who heard him had considerable difficulty in knowing what he really proposed doing in regard to the amendment. He claims that there should be a delay for three weeks, which I understand is all the honorable member for Angas asks for. At the same time, the honorable member for New England highly commended the Government he supports for adopting the 4-ft. 8½-in. gauge, on the ground that that would undoubtedly safeguard the revenues of the Commonwealth. He, therefore, appears to be in favour of the 4-ft. 8½-in. gauge, and yet in favour of delay to inquire

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into the 5-ft. 3-in. gauge. Whilst in favour of that delay, he apparently wanted the Prime Minister to spend a lot of unnecessary money on so making the line on a 4-ft. 8½-in. gauge that afterwards, in spite of the authority of this House, they would be able to convert it to a 5-ft. 3-in. gauge if that appeared to be necessary.

Mr. FRANK FOSTER.—Is not the chief expense in the alteration of gauge involved in the alteration of the rolling-stock?

Mr. KELLY.—I understand from his interjection that the honorable member wants us now to build a 4-ft. 8½-in. railway and 5-ft. 3-in. rolling-stock. The two will not go very well together. If the Prime Minister decides on a 4-ft. 8½-in. gauge, he ought to build it as economically as it can be built, consistent with sufficient ballasting and sufficient sleepering to enable it to be a fast through-traffic line. That, I think, is all that we could ask. But if he is going to put down the sleepering required for a fast through-traffic 5-ft. 3-in. line, he will be wasting so much of the public revenue.

Mr. FRANK FOSTER.—Would not the same sleepers carry the extra 6 inches of gauge?

Mr. KELLY.—Not necessarily. If we are to have equal facilities, and an equally fast service, we shall require a longer sleeper and more ballasting for the 5-ft. 3-in. than for the 4-ft. 8½-in. gauge.

Mr. WISE.—Mr. Deane says the very opposite.

Mr. KELLY.—He does not. What he says is that the sleepering and ballasting largely control the speed of the line. But if equal traffic facilities are sought on both gauges, undoubtedly the broad gauge will require more money to be spent on sleepering and ballasting. That is a self-evident proposition. I hope the Prime Minister will not accept the proposal of the honorable member for New England. I see that the Prime Minister nods his head.

Mr. FISHER.—I wish to get home.

Mr. KELLY.—I am anxious to get home also. I was very puzzled by the speech of the honorable member for New England, but now that the Prime Minister realizes that it would be foolish to adopt the honorable member's suggestion, I can resume my seat with the knowledge that the finances of the Commonwealth are safe.

Mr. WISE (Gippsland) [10.30].—The honorable member for Wentworth has tried to be funny at the expense of the honorable member for New England, but if he had listened to the speech of the Prime Minister he would have seen that the suggestion of the honorable member for New England was not at all ridiculous. The Prime Minister distinctly said that this Bill did not necessarily settle the question of gauge for Australia for all time. The honorable member for New England then suggested that the bridges and earthworks on this line might, in that case, even if the gauge adopted was the 4-ft. 8½-in., be made in such a manner that they would permit of alteration to the 5-ft. 3-in. gauge. The only stupid remark in the matter came from the honorable member for Wentworth, from whom we often get stupid remarks.

Mr. AGAR WYNNE (Balaclava) [10.31].—I did not intend to speak on this question until I heard the Prime Minister. He said that the Government had considered the question, and obtained all the necessary information. If they have done so, they have not given it to this House. The Minister of Home Affairs has told us from time to time that he is not a rubber-stamp, but in this case he has allowed an officer of his Department to virtually insult members of Parliament, by printing to-day a report from that officer commenting on what has been said in this House, and answering honorable members. If any reply was to be made to honorable members, it should have come from the Minister, and not from an officer. That was not a proper or fair way to treat the House. This question, which the Prime Minister wishes to make a party one, is going to decide for all time what is to be the standard gauge for Australia.

Mr. FISHER.—It is not a party question.

Mr. AGAR WYNNE.—It was virtually put that way by the Prime Minister.

Mr. FISHER.—I assure the honorable member and the Committee generally that it is not a party question. I had no intention of saying that it was.

Mr. AGAR WYNNE.—If I have misrepresented the honorable member, I apologise. I evidently misunderstood his remarks. The honorable member for Angas has shown that it is a moot question as to which is the proper gauge to adopt, and one that seems to be engaging the attention of the best talent in the engineering world. Yet we are about to take on ourselves the responsibility of deciding which is the best, without making any inquiry worth considering. The passing of this Bill means the adoption of 4 ft. 8½ in. as the future gauge of Australia. The Government would have

acted wisely if they had accepted the suggestion of the honorable member for Angas in the spirit in which it was meant. They should have taken three weeks to make inquiries, and after those inquiries were made, I should not have been at all surprised if the Government had changed their opinion. Mr. Eddy, the greatest railway man we have had in Australia, raised this very question over twenty years ago. His opinion and suggestions are quite as worthy of the consideration of this Parliament as they were of the Convention to whom they were submitted.

Mr. KELLY.—Did not Mr. Eddy merely ask for consultation and decision?

Mr. AGAR WYNNE.—Certainly; and that is all the honorable member for Angas asks for. We are taking a retrograde step by deciding without sufficient knowledge what is to be the future railway gauge of Australia, and the passing of this clause means that, and nothing else.

Mr. FRANK FOSTER (New England) [10.35].—I am very sorry that I have to detain the Committee from proceeding to a division. If I had known that we had in this Chamber an expert on railway gauges and so forth so distinguished as the honorable member for Wentworth, I would not have been misled by the opinions of a gentleman of the calibre of Mr. Deane. Unfortunately, I was somewhat misled by this paragraph in his report—

> One word as regards stability and steadiness of running. Stability does not depend so much on the extra few inches width of gauge as on length of sleeper with a well-packed road. It is the practice on the main lines of New South Wales to use sleepers 9 feet long, and the 4-ft. 8½-in. gauge, with 9 feet sleepers, is really better than the 5-ft. 3-in. gauge and 8-ft. 6-in. sleepers.

I may say, as a bushman with a little experience of timber matters, that the cutting a little additional length in a sleeper entails no more expense in the cutting.

Mr. KELLY.—It costs more to buy the sleeper, though.

Mr. FRANK FOSTER.—The quantity of timber would, no doubt, affect the cost.

Mr. KELLY.—And the ballasting of the line, too.

Mr. FRANK FOSTER.—But the cost of cutting is so small that the New South Wales Government use a little longer sleeper, although a smaller one would suit the purpose. In these matters, in future, I shall certainly interview the honorable member for Wentworth as an expert. I regret that I did not know before that he was an expert on anything but motor cars.

Mr. FENTON (Maribyrnong) [10.36].—I desire to have a couple of points cleared up. It has been stated, and the statement has just been repeated by the Prime Minister, that the whole of the experts in Australia are favorable to the adoption of a 4-ft. 8½-in. gauge. If that be so, I want to know, and I think that the Committee should know, whether the Government have received any reports from the Governments and the experts of South Australia and Victoria in reference to the adoption of a 5-ft. 3-in. gauge.

Mr. FISHER.—Of course, I did not use the words which the honorable member has used. I understand that a communication has been received from the Premier of Victoria.

Mr. FENTON.—I understand that the Premier of South Australia came over to Melbourne in order to discuss this matter with either the head of the Commonwealth Government or with the Minister of Home Affairs. But I am in a position to say that the Railways Commissioners, the Engineer-in-Chief, and, I understand, the Government of Victoria, are adverse to the question of gauge being decided without further investigation. I also understand that the Railways Commissioners, the Engineer-in-Chief, and the Government of South Australia are of that opinion. I do think that even at this eleventh hour the request made by honorable members on each side of the Chamber should be acceded to. I do not believe it is in the heart of any honorable member to seek to delay the passing of the measure, nor will an investigation delay its passage. It seems to me most ungracious that, when solicitations come from each side of the Chamber, the Government should refuse to afford us an opportunity to obtain further information.

Mr. FRANK FOSTER (New England) [10.38].—I asked the Prime Minister a question in regard to the construction of the railway, and I trust that he will make some reply. I do not care to take an answer through a deputy like the honorable member for Wentworth. I would rather have a word from the Prime Minister himself on the matter, if he cares to give us some information.

Mr. FISHER (Wide Bay—Treasurer and Prime Minister) [10.39].—The intention of the Government is clearly to construct this line as a safe, fast, economic 4-ft. 8½-in. line, if Parliament so desires and directs.

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Question—That the words proposed to be inserted be so inserted (Mr. GLYNN'S amendment)—put. The Committee divided.

Ayes	...	19
Noes	...	27
Majority	...	8

AYES.

Brennan, F.	McWilliams, W. J.
Chanter, J. M.	Ozanne, A. T.
Deakin, A.	Roberts, E. A.
Fenton, J. E.	Salmon, Dr. Carty
Glynn, P. McM.	Sampson, S.
Irvine, Hans	Wise, G. H.
Irvine, W. H.	Wynne, Agar
Livingston, J.	*Tellers:*
Maloney, Dr.	Foster, Frank
Mathews, J.	Scullin, J. H.

NOES.

Bamford, F. W.	O'Malley, King
Cann, G.	Riley, E.
Catts, J. H.	Ryrie, G. de L.
Charlton, M.	Sinclair, H.
Cook, Joseph	Smith, Laird
Finlayson, W. F.	Spence, W. G.
Fisher, A.	Thomas, J.
Forrest, Sir John	Thomson, J.
Fowler, J. M.	Tudor, F. G.
Frazer, C. E.	Watkins, D.
Greene, W. M.	West, J. E.
Hall, D. R.	*Tellers:*
Hedges, W. N.	Johnson, W. Elliot
Johnson, W. J.	Kelly, W. H.

PAIRS.

Moloney, Parker	Brown, Thomas
McDougall, J. K.	Lyne, Sir William
Palmer, A. C.	Hughes, W. M.
Harper, R.	Smith, Bruce
Best, Sir Robert	Anstey, F.
Archibald, W. O.	Howe, R.
Quick, Sir John	Fuller, G. W.
Atkinson, L.	Edwards, R.
Fairbairn, G.	Groom, L. E.

Question so resolved in the negative.

Amendment negatived.

Mr. FOWLER (Perth) [10.46].—I rise to move an amendment on behalf of the honorable member for Fremantle. I move—

That the following words be added:—"and the weight of each rail not less than eighty pounds to the yard."

This is to secure a safe weight of rail in connexion with the gauge on which we have decided. It is a common understanding that the weight of rails shall be stated, and it is stated in nearly every Railway Construction Act. We know that when the cost is mounting up the tendency is to put in rails of a weight which makes a line insecure and ineffective for heavy and express traffic. The weight of 80 lbs. is only an ordinary minimum weight, and, as a matter of fact, there are lines in Australia in which rails of over 100 lbs. are used. There can be no objection, I think, to a minimum weight of 80 lbs. being stipulated.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.49].—I ask the Committee not to pass this amendment. The weight of the rails is a question for experts, and the weight may vary in different parts of the line.

Mr. GROOM.—Has the point been considered?

Mr. FISHER.—It has; but if we pass this amendment, we shall bind ourselves to have rails of not less than 80 lbs. in every part of the line, sidings as well. The Government have stated their intention to make a substantial and economical line, and I think this matter may be left to the experts, because the question can from time to time be raised in Parliament.

Amendment negatived

Mr. BAMFORD (Herbert) [10.50].—I think it is as absolutely necessary to arrange for the gradients and curves as it is to specify the gauge, and I desire to move an amendment with that object. It has been laid down that there shall be a 20-chain radius and no gradient of more than 1 in 80, and I desire that the curves shall not be less than 30 chains radius and the gradients not less than 1 in 100.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.52].—The Government policy is to make this line with the lowest possible gradients, so that the load shall be large and the speed great, and on those grounds there must be a liberal radius and no high grades. I ask the honorable member not to move this amendment, as we propose to go no further to-night.

Mr. DEAKIN.—I assume these details will be settled as soon as possible by experts, and, of course, immediately communicated to Parliament?

Mr. FISHER.—Yes; they will be subject to review.

Clause agreed to.

Progress reported.

ADJOURNMENT.

SUGAR COMMISSION—PREFERENCE TO UNIONISTS.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.53].—I move—

That the House do now adjourn.

I ask honorable members to permit Supply to be taken first to-morrow.

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Mr. GROOM (Darling Downs) [10.54].—Will the Prime Minister lay on the table of the House the exact terms of the Sugar Commission?

Mr. FISHER.—Yes.

Dr. CARTY SALMON (Laanecoorie) [10.55].—In asking a question to-day I expressed some doubt on the statement of the Postmaster-General that he had used the words "members of a recognised 'trades' union." I had a copy of the answer given by the Postmaster-General at the time I wrote out the notice of my question, and I was perfectly certain, from memory, that the word "trades" did not occur. I have since seen the original reply, and found that the word "trades" does occur, and, therefore, in justice to the honorable gentleman, I make this statement.

Question resolved in the affirmative.

House adjourned at 10.55 p.m.

Senate.

Thursday, 12 October, 1911.

The PRESIDENT took the chair at 2.30 p.m., and read prayers.

PAPERS.

MINISTERS laid upon the table the following papers—

Northern Territory: Summary of Report of Preliminary Scientific Expedition.

First Annual Report of the High Commissioner of the Commonwealth in the United Kingdom.

Naval Defence Act 1910—

Regulations (Provisional) for the Naval Forces of the Commonwealth—Cancellation of Regulation 200, and substitution of new Regulation in lieu thereof.—Statutory Rules 1911, No. 149.

Defence Act 1903-1910—

Regulations (Provisional) for the Military Forces of the Commonwealth—Cancellation of Regulations 92 and 93, and substitution of new Regulations in lieu thereof.—Statutory Rules 1911, No. 155.

Regulations (Provisional) for Universal Training—Cancellation of Regulation 16, and substitution of new Regulation in lieu thereof.—Statutory Rules 1911, No. 150.

Financial and Allowance Regulations (Provisional) for the Military Forces of the Commonwealth—

Amendment of Regulation 82.—Statutory Rules 1911, No. 151.

Amendment of Regulation 161.—Statutory Rules 1911, No. 152.

Amendment of Regulation 152.—Statutory Rules 1911, No. 153.

Amendment of Regulation 176.—Statutory Rules 1911, No. 154.

Shale Oils Bounties Act 1910—Regulations.—Statutory Rules 1911, No. 137.

Excise Act 1901—Beet Sugar Regulations.—Statutory Rules 1911, No. 156.

Spirits Act 1906—Amendment of Schedule (standard for industrial spirits). — Statutory Rules, 1911, No. 160.

The Railway Gauges of Australia and their Unification — Supplementary Report by H. Deane, Consulting Railway Engineer. Dated 6th October, 1911.

Public Service Act 1902—Repeal of Regulations 114, 115, 116, and 116A, and substitution of new Regulations in lieu thereof.—Statutory Rules, 1911, No. 159.

Census and Statistics Act 1905—

Trade, Shipping, Migration, and Finance of the Commonwealth of Australia for the months of—

September, 1910.—Bulletin No. 45.
October, 1910.—Bulletin No. 46.
November, 1910.—Bulletin No. 47.
December, 1910.—Bulletin No. 48.
January, 1911.—Bulletin No. 49.
February, 1911.—Bulletin No. 50.
March, 1911.—Bulletin No. 51.
April, 1911.—Bulletin No. 52.
May, 1911.—Bulletin No. 53.
June, 1911.—Bulletin No. 54.
July, 1911.—Bulletin No. 55.

Population and Vital Statistics of the Commonwealth for the quarters ended—

30th September, 1910.—Bulletin No. 23.
31st December, 1910.—Bulletin No. 24.
31st March, 1911.—Bulletin No. 26.

Population and Vital Statistics of the Commonwealth for the year 1910.—Bulletin No. 25.

Production—Summary of Commonwealth Statistics for the years 1901 to 1909.—Bulletin No. 4.

Finance—Summary of Australian Statistics 1901 to 1910.—Bulletin No. 4.

Social Statistics as to Education, Hospitals and Charities, and Law and Crime, for the year 1909.—Bulletin No. 3.

Official Year-Book of the Commonwealth of Australia: No. 4.—1901-1910.

Transport and Communication—Summary of Commonwealth Statistics for the years 1901-10. Bulletin No. 4.

Meteorology Act 1906—Amendment of Regulation No. 1.—Statutory Rules 1911, No. 164.

NEW SOUTH WALES CADETS.

Senator McDOUGALL. — I desire to ask the Minister of Defence whether the following part of a paragraph in the *Age* of this morning was brought under his notice—

Strongly commented upon was the action of the Minister of Defence, who completely ignored the presence of the boys. They had travelled 30,000 miles since they left Australian shores, and a welcome from the head of the Department would have well fitted the occasion. But neither the Prime Minister nor the Minister of Defence, although they were in the buildings, acknowledged the return of the long absent lads. The Prime Minister has not recovered from his cold,

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but Senator Pearce's discourtesy was unexplained. It was felt that Senator Pearce was carrying too far the friction which occurred between himself and Major Wynne in London over the official recognition of the cadets.

I desire to know if the honorable senator wilfully ignored the presence of the cadets, or whether any discourtesy was intended?

Senator PEARCE.—I read the paragraph referred to by the honorable senator, and the only reply I desire to make is that I was neither asked nor invited to meet the cadets when they came to Parliament House, nor was I notified by anybody that they were coming here.

Senator FINDLEY.—The discourtesy was on the other side.

CUSTOMS LEAKAGE, TASMANIA.

Senator KEATING.—I desire to ask the Vice-President of the Executive Council if the Government have observed that the House of Assembly of Tasmania has approved unanimously of the recommendations of the Royal Commission on Tasmanian Customs Leakage which recently reported to His Excellency the Governor-General; whether it is their intention to take any action during the session to give effect to the recommendations in full, or to any extent, and, if so, or if not so, whether an early opportunity will be afforded to the Senate to discuss the report?

Senator McGREGOR.—This matter is under consideration.

ORDER OF BUSINESS.

Senator MILLEN.—Is it intended by the Government to follow the order of business which is set out on the notice-paper for to-day?

Senator McGREGOR.—Certainly.

Senator MILLEN.—It is a very unusual one, that is all.

REPORT ON RAILWAY GAUGES.

Senator RAE. — Referring to Mr. Deane's report on railway gauges which was laid on the table of the Senate this afternoon, I desire to ask the Minister representing the Minister of Home Affairs whether the paper will be printed and circulated amongst honorable senators prior to the consideration of the Port Augusta to Kalgoorlie Railway Construction Bill?

Senator FINDLEY. — I think I can safely promise that copies of the report will be supplied to honorable senators before the Bill comes on for consideration.

DESTROYERS: TRAINING.

Senator CHATAWAY asked the Minister of Defence, *upon notice*—

1. How many petty officers and seamen were sent to England to be trained for work on the destroyers?
2. How much was the cost per head?
3. How many left the service without completing the full term for which they engaged?
4. Why were they not compelled to complete the term of their agreement?

Senator PEARCE. — The answers to the honorable senator's questions are—

1. Sixty-four petty officers and men were sent to England to bring out the destroyers.
2. The cost per head over and above what it would have cost if these men had remained in Australia is, approximately, £25, including £15 passage money.
3. Fifteen left the service without completing the full term for which they engaged.
4. Of the fifteen one was invalided, one discharged in England, three were dismissed; the other ten were allowed to go at their own request, as they appeared to be dissatisfied with their prospects in the Australian service.

Senator MILLEN.—I desire to point out that the Minister has not given an answer to the first question.

The PRESIDENT.—The honorable senator may ask a question arising out of his reply.

Senator MILLEN. — I am sure that there has been an inadvertence on the part of somebody. To the first question—

How many petty officers and seamen were sent to England to be trained for work on the destroyers?

the answer was that a certain number had been sent to bring out the destroyers.

Senator PEARCE.—If I had been bound down to answer the question as it was put, I should have had to reply, "None."

Senator MILLEN.—Say so, if that is the correct answer.

Senator PEARCE.—It would not have been quite correct, because they were sent not merely to bring out the destroyers, but so that they might be in England a few weeks before the destroyers were to leave, and during that time might be given a certain amount of training.

Senator CHATAWAY.—Arising out of the answer just given, I should like to ask the Minister whether sixty-four was the maximum number of officers and seamen sent to England to be trained at the expense of the Commonwealth?

Senator PEARCE.—On that occasion, yes.

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TREASURY NOTES.

Senator ST. LEDGER asked the Vice-President of the Executive Council, *upon notice*—

1. What are the amounts of the Treasury notes issued to the respective banks in the Commonwealth?
2. Have the total amounts so issued to these banks been paid for at their face value in gold by these banks to the Treasury?
3. If the whole amounts have not been paid in gold, what amount in notes remains so unpaid?
4. Under what conditions or terms of contract is the amount of notes unpaid in gold used or held by the banks?
5. If any contract or conditions do exist, to what extent will that contract or the conditions be affected or altered owing to the fact of the Commonwealth Treasurer having lent money to the States through the banks?

Senator McGREGOR.—The answers to the honorable senator's questions are—

1. This information will be given in the form of a Return.
2. Yes, except where the Treasury preferred bank credit in current account.
3. No amount remains unpaid.
4. See preceding replies.
5. No contract or special conditions exist.

Motion (by Senator ST. LEDGER) agreed to—

That there be laid on the table of the Senate a return showing the amounts of the Treasury notes issued to the respective banks in the Commonwealth.

PETHERICK COLLECTION BILL.

Bill read a third time.

NAVAL AND MILITARY DECORATIONS BILL.

In Committee (Consideration resumed from 6th October, *vide* page 1205):

Clause 4—

A person shall not buy, or receive in exchange, or receive by way of pledge or otherwise, any decoration which has been conferred on any person being or having been a member of the King's Naval or Military Forces or of the Defence Force for service performed in or out of Australia.

Penalty: Twenty pounds.

On which Senator RAE had moved by way of amendment—

That the words "or receive by way of pledge or otherwise" be left out.

Senator ST. LEDGER (Queensland) [2.45].—When the discussion on this clause was interrupted under the sessional orders at 4 o'clock on Friday last, I was pointing out that, whether in jest or in earnest, Senator Vardon had raised a constitutional point.

Senator RAE.—Senator Gardiner raised the same point previously.

Senator ST. LEDGER.—As the point has been raised on both sides of the Chamber there may be something in it. I took the opportunity on Friday last to say that the point deserved consideration. I now ask the Minister whether, in view of the discussion which has already taken place on this and the previous clause, he has made up his mind on the matter. The clause may be in conflict with an Imperial Statute, or a law of the States, and we may have no power to control the sale, or dealing with in any way, of things of this kind. Most of these medals and decorations are granted by the King by virtue of regulations under an Imperial Act of Parliament. I have already pointed out that where that is the case this matter is governed by the Imperial Act, and a Commonwealth Act could give no jurisdiction to deal with it. All these medals must be exempt, because the King's law runs in the States.

Senator GIVENS.—If we pass a law in this Commonwealth Parliament it will also be a King's law.

Senator ST. LEDGER.—That is not the point. We cannot go beyond our own jurisdiction. If these medals are conferred by the King under regulations framed under an Imperial Act we cannot control them. The Minister may contend that we have the control of our own Defence Force, and, so far as we have, the argument is worthy of consideration. But it must be remembered that an Imperial Act dealing with this matter may be a law of the States as well, and at once there will arise a conflict of jurisdiction. Suppose that an officer or soldier receives a medal or decoration for services rendered in the Imperial Forces, under a jurisdiction over which the Commonwealth neither has nor can have any control. Suppose that that person comes to a State of the Commonwealth, and wishes to dispose of his medal. Is the Minister of Defence satisfied that he can punish such soldier or officer for so doing, and can punish a person who purchases or receives the medal or decoration as pledge? If it be said that the point is "finnicking," I reply that the whole Bill comes within the same category. But certainly the technical point must be met. Surely we should be scrupulous not to make our legislation ridiculous. The Minister may plead that he has a desire to put an end to a practice

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that is degrading. But that does not dispose of the constitutional point. We are entitled to inquire whether the Minister has taken the precaution to assure himself regarding it, so that any legislation passed by this Parliament may not be invalidated by the decision of some Court of law, or even by a petty magistrate. If he can say that it is within our power to pass the clause I shall be satisfied.

Senator PEARCE (Western Australia—Minister of Defence) [2.55].—I feel highly gratified by Senator St. Ledger's assurance that he will be satisfied if I can state that in my opinion we have a constitutional right to pass this Bill.

Senator ST. LEDGER.—It will be something, at any rate.

Senator PEARCE.—I am well aware that my opinion cannot carry great weight, because I cannot speak with legal authority. But the Law officers inform us that they are absolutely satisfied that we are acting within the Constitution in respect of this clause, and that we have the power to pass it into law. I would suggest to Senator Rae that he should not press his amendment. The Committee have already affirmed the principle that the pledging of any medal by any person is an offence. They have reduced the penalty to £5, and I am quite agreeable to reduce the penalty in this case to the same amount. Surely if it is to be an offence for a person to pledge a medal it ought equally to be an offence to receive a medal in pledge. I may point out that the same principle is embodied in the Defence Act, where it is provided that it is an offence to pledge or receive in pledge certain military accoutrements.

Senator GIVENS.—In that case the articles would not be the property of the individual.

Senator PEARCE.—Neither are military medals and decorations the property of the individual. They remain always the property of the King.

Senator RAE.—After a man has left the service?

Senator PEARCE.—Yes, and they are liable to forfeiture if the man misconducts himself.

Senator GARDINER (New South Wales) [2.58].—The Minister of Defence has reminded us that we have already passed clause 3, but he is aware that he experienced considerable difficulty before he succeeded in getting it through. In regard to the clause now before us, I point out that no limit is imposed as to the time when the service for which the medal was conferred was performed. A man may own a medal given to his grandfather for participating in the Battle of Waterloo. Such a medal would be worth a considerable amount of money. But under this clause he could not pledge it for 5s., because the pawnbroker who accepted it as a pledge would by so doing break the law. We are face to face with the fact that the alleged evils which this Bill is intended to prevent are merely imaginary. The measure does not aim at preventing any real evil. No one is crying out for legislation on this subject, as far as I can learn. There may be a few interested persons who desire to see the Bill passed, but they are very few, because in this country, fortunately, there are not very many who are interested in this kind of thing. I believe that the constitutional point is a good one, and that we have not the power to enforce these penalties. It was urged, in reference to the previous clause, that only those who were under the influence of drink would desire to dispose of their medals. If that be so, why not legislate to prevent persons with medals being served at hotel bars? We should then soon find ourselves in a most absurd position.

Senator PEARCE.—Hear, hear! It would be an absurd position.

Senator GARDINER.—And it is equally absurd for us to interfere with businesses which have been licensed by the State Governments, in a way that will inflict injustice upon a great number. The operation of this clause will render almost valueless the entire stock of medals upon which a section of the community has advanced money, or which it has purchased for disposal to collectors. We all know that just as there are numerous collectors of curios, so there are numerous collectors of medals. Why the Bill should make no distinction between medals which have been granted since Australia became inhabited by white men, and medals which were granted, perhaps, 200 years ago, and to which a very great value may attach today, I cannot understand. Why should we make it an offence for a person to traffic in medals which were bestowed upon their recipients perhaps 200 years ago? The Minister has stated that these naval and military decorations are not the private property of the individuals to whom they have been granted. But anybody who chooses to read carefully the statement which he

made last week must be convinced that they are their private property. Unless they dispose of them voluntarily they cannot be taken from them, either for debt or otherwise. When the Minister states that because we have affirmed in clause 3 that a member of the Naval or Military Forces shall not pledge or sell one of these medals, therefore a person shall not buy or receive one, he is upon sound ground. But the wrong was committed in introducing such a Bill.

Senator GIVENS.—The measure contains one good principle which ought to be approved.

Senator GARDINER.—I admit that the principle embodied in clause 5, which will prevent persons who are not lawfully entitled to naval or military medals, or other decorations, from wearing them, is a good one. But that provision stands upon an entirely different footing from clause 4. Had clauses 3 and 4 been omitted from the Bill no great exception could have been urged against it. But why should our time be occupied in considering trivial measures of this description when important legislation is awaiting our attention? I wish to place on record my opposition to the Bill, but beyond that I do not propose to go.

Senator GIVENS.—What is the use of moving an amendment if the honorable senator is not going to fight for it?

Senator GARDINER.—I did not submit the amendment, and as far as fighting is concerned, I think I have reached the limit of my capacity in that direction. I have no desire to unduly prolong debate, and thus to waste valuable time. But I recognise that measures of this character are so unimportant that, unless strong exception were taken to them, the general feeling would be, "Oh, let it pass. The Bill is sure to become a dead letter." I dare say that that estimate of this Bill is as correct a one as it is possible to get. But if we allow clauses like that under discussion to pass through Committee without making the Minister aware that there is a good deal to be said against them, the Senate will not appear to very great advantage when the Bill comes to be considered elsewhere. I venture to say that the measure will not have such an easy passage through the House of Representatives which contains seventy-four members, as it has had through the Senate which contains only thirty-six members. I intend to vote for the amendment, and I shall also register my vote against the clause, irrespective of whether or not it is amended. I think that the Minister told us on Friday last that the veterans were interested in this Bill. Nobody has a greater respect for the veterans than I have, but I feel convinced that this measure casts an unwarrantable imputation upon them.

Senator PEARCE.—They asked for it.

Senator GARDINER.—A section of them may have asked for it.

Senator PEARCE.—The Veterans Association asked for it.

Senator GARDINER.—What is the inference to be drawn from this measure? It is that the veterans are so little to be trusted that we have to legislate to prevent them from pledging or otherwise raising money upon their decorations. We are told in effect that they have so little regard for their decorations that Parliament must step in and prevent them from disposing of them, and must also prevent other individuals from purchasing them. It seems to me that a section of the Military Forces, to whom the exhibition of these medals in the shop-window or a curio hunter or of a pawnbroker, is distasteful, has been able to exert sufficient influence to get this measure drafted and brought forward by the Government.

Senator PEARCE.—I have not been approached by any one of those individuals. Whether the honorable senator chooses to believe me or not, I have been approached only by the Veterans Association.

Senator GARDINER.—I never entertain a doubt of the truthfulness of any statement which is made by the Minister, and I only wish that I was sufficiently in the confidence of the Government to induce them to bring forward labour legislation as promptly as this Bill has been brought forward. I am very pleased to know that the Minister is so approachable. In its present form, the clause will perhaps prevent one or two sales a year from being effected by individual owners of medals, but what effect will it have upon those persons who are in possession of 100 or 1,000 medals? I understand that a new clause is to be introduced, with the object of modifying the provision under consideration, by providing that clause 4 shall not apply to dealers or *bonâ fide* collectors.

Senator VARDON.—Is a pawnbroker a *bonâ fide* collector?

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Senator GARDINER. — Under the Bill a pawnbroker will, before he can buy a medal, have to satisfy the Minister that he is a *bonâ fide* collector. To my mind, the proposed exemption from the operation of clause 4 will open the door to the favoured few, and any man who is in possession of a stock of medals will have to send them to other parts of the world where, perhaps, he can dispose of them at a small profit. Persons who are *bonâ fide* collectors, however, will be able to get the permission of the Minister, and to purchase medals cheaply, because then they will have no great value. When the measure has been debated at great length, perhaps for a week or two, and passed, a similar debate will probably take place elsewhere, and most likely it will come back to this Chamber. If honorable senators generally are satisfied that this legislation should pass, I am content with the endeavour I have made to make the position quite clear to every one. I have been influenced by an object-lesson which I once had from a great statesman who has passed away. I can remember Sir Henry Parkes conversing in the lobby one afternoon with a number of the younger members of the Legislative Assembly of New South Wales about the legislation which had been passed, and telling them that never during a long career had he voted for a measure to restrict the liberties of the people. That is not a bad rule for honorable senators to follow. Suppose that this measure restricts the liberties of even a few persons. It behoves us not to pass legislation which will hamper business and restrict individual liberty. In New South Wales a free Parliament has legislated for nearly sixty years, and I do not believe that on its statute-book you will find legislation similar to this measure.

Senator FINDLEY.—That is no reason why you should oppose the Bill.

Senator GARDINER.—It shows that there has been no great outcry for such legislation. I recognise, of course, that it is not necessary for this Parliament to wait until the State Parliaments have moved in a particular direction. If the clause were drafted in such a way that it would extend the rights, privileges, and liberties of the people, that would be a good reason why it should be passed.

Senator GIVENS.—You do not mean to say that you would extend privileges to any one, do you?

Senator GARDINER.—I might be prepared to extend a privilege to everybody. For instance, I would allow the decisions of every Parliament to be submitted to the people by way of a referendum, and so give them the privilege of "outing" any legislation of this character, instead of that right being confined to a privileged few. I did hope, on Friday afternoon, when the hour of 4 o'clock was reached, that we had seen the last of this measure.

Senator CHATAWAY.—It is now put in front of electoral reform.

Senator GARDINER.—Possibly the Minister of Defence is anxious to give the other House sufficient time in which to fully consider a clause of this kind, and, therefore, he desires to get this important measure forwarded there early in the session. If that be the case, I recognise that there may be some reason for me to hold my strong opinions in abeyance. The Bill might be allowed to pass if clauses 3 and 4 were struck out. I trust that every honorable senator will consider the clause before the Committee on its merits. I do not want any notice taken of anything I have said about it.

Senator GIVENS.—Why are you saying it, then?

Senator GARDINER.—Because if I did not say something about the clause a faithful follower of the Government like Senator Givens, who never questions or cavils at their legislation, might not take the trouble to read the clause. What I am urging is not intended as an argument to convince honorable senators; I wish to prolong the discussion in the hope that, wearying of my voice, honorable senators may be induced to read the clause, and deal with it on its merits. I promise any honorable senator who votes for the clause with his eyes open that I shall try to secure a medal from a pawnshop and have him decorated. I do not think that I could speak at further length without being accused of endeavouring to "stone-wall" the measure. I am glad to have had this opportunity of entering a protest against clause 4.

Senator CHATAWAY (Queensland) [3.21].—We are asked by Senator Rae to omit the words "or receive by way of pledge or otherwise." For reasons which I shall give when the occasion arises, I desire an opportunity to move the deletion of the words "or otherwise." I want to know what position I shall be in if the

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present amendment is negatived. Could I move to leave out the words "or otherwise"?

The CHAIRMAN.—Not if the amendment is negatived in its present form.

Senator CHATAWAY.—I shall be glad, sir, if you will preserve my right to move the amendment.

The CHAIRMAN.—Under a standing order I shall divide the amendment of Senator Rae, and put in the first place the omission of the words "or receive by way of pledge."

Senator RAE.—I agree to that.

Senator GIVENS (Queensland) [3.22].—I am rather astonished that the Minister does not accept this eminently reasonable amendment. I voted for the second reading of the Bill because I recognised that it contains a valuable principle, which ought to be enacted, and that is that no man ought to be allowed to go round the country under false pretences by wearing decorations to which he is not entitled. But I fail to see why we should go so far as to prohibit a man, even in the most dire extremity, from raising a shilling to save, perhaps, the life of a starving child by the sale of a decoration which he has. We freely allow a man to pledge his life for a particular reason, which is entirely unselfish; but under this measure a man is not to be allowed to pledge a paltry medal, which, perhaps, is not worth, intrinsically, 2½d. Unlike Senator Gardiner, I have no sympathy with pawnbrokers. I do not care how much they lose or suffer, because my experience is that they can take care of themselves without any assistance from me. I have a most profound conviction that we should not do anything which might render the lot of men harder than it would otherwise be. Take the case of a man who had never indulged in strong drink, or been extravagant, but who, through illness, had been reduced to the direst extremity. He might go home some night to find a family of little children in the uttermost want, and the only article on which he could raise a few shillings to relieve their urgent necessity might be a decoration, which, though not worth more than a paltry few farthings, was very dear to him. He might say to a friend, "If you can trust me with half-a-sovereign or one pound, I will give you this medal, which I value more than I can say, as an assurance that I will return you the money afterwards." Yet this Bill would not allow him to do that. These are the circumstances which incline me to vote against this clause altogether. I am not very much in favour of the amendment, because I recognise that if we allow a man to pledge one of these medals we may be leaving it open to him to ultimately part with it altogether. Circumstances may arise in the life of any man who possesses one of these decorations which may compel him to part with it, and this Parliament will be dealing very harshly with such a man if it passes a law to say that, if he does so, he must be regarded as a criminal. I heartily agree with the real principle of the Bill, which is to prevent persons going round the country under false pretences, wearing decorations to which they are not entitled, and posing as heroes when they are nothing of the kind. I respectfully suggest to the Minister that he should confine his efforts to the enactment of that principle, and should permit reasonable amendments in other provisions of the Bill.

Senator RAE (New South Wales) [3.28].—An appeal has been made to me to withdraw the amendment. I recognise that if it be agreed to it will be necessary to recommit clause 3. But that is immaterial to me. I am not greatly concerned about the wording of the amendment, but I am concerned about protesting against the whole of this clause, and the whole subject-matter of the Bill, except that referred to by Senator Givens. I admit that clause 5 embodies the only really good thing in the Bill, inasmuch as it would prevent any one sailing under false colours. But even in that direction this is a measure which is not of much account. We know that there is an organization that is represented throughout the Commonwealth, and all over the world, in fact, which is permitted to use military titles. I allude to the Salvation Army. I suppose that no political party would be game to tackle an organization of that kind, because of the number of votes it is able to command. The Salvation Army people use every military title from drummer boy to Field-Marshal, in a way that it was not contemplated military titles would be used. If we are going to forbid the disposal of military decorations, we should prevent the use of military titles except as permitted in connexion with our Military Forces. I regard the time spent on this measure as well spent, only because it is a sustained

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protest against the introduction of this kind of legislation at all. It is better that we should devote a session to the repeal of laws already on the statute-book, than to the passing of unnecessary new laws. I believe in extending the bounds of freedom, and not in restricting them by manufacturing criminals, as this Bill proposes to do. Three legal points have already been raised in connexion with this Bill. It is urged that it may be unconstitutional, as encroaching upon the rights of the State Parliaments, by interfering with the business of pawnbrokers licensed under State laws. Another point is that it may be an improper interference with the right of a British subject to do as he likes with decorations granted to him under the Imperial Statute. I forget, for the moment, what the other legal objection was.

Senator PEARCE.—Let the honorable senator repeat the first and that will make three.

Senator RAE.—It is unnecessary to multiply objections to a measure of this kind, the introduction of which is reducing the work of legislation to a farce. If the protest to which utterance has been given has the effect of making Ministers very chary of bringing forward this kind of stuff again in the National Parliament, it will have done good service. A way out of the difficulty would be to negative this clause and then recommit the Bill and deal with clause 3. We might pass a Bill of only one clause, so long as it embodies a sensible provision. I remind the Committee that last session we passed such a measure in the Naval Loan Repeal Act. We might cut this Bill down to a Bill of one clause to provide a penalty for the fraudulent appropriation of other men's decorations. I do not know that there is any great need even for such a provision, because I am not aware of such a thing having occurred more than once or twice in our whole history. I repeat my protest against trivial legislation of this kind. I believe the time of this Parliament might be better occupied in considering measures concerning which there may be legitimate differences of opinion, which it would require time to thresh out. If this Bill is introduced merely as a stop-gap to fill up time, I say we would be better employed enjoying the fresh air in the parliamentary gardens. I hope that we shall never again have so utterly useless and ridiculous a measure introduced to take up the time of this Parliament.

Senator ST. LEDGER (Queensland) [3.35].—I confess that once or twice when I have intervened in this discussion I felt that I was taking part in a farce. If there is one man in this Chamber who, more than another, must know that we are taking part in a farce in dealing with this Bill it is the Minister of Defence.

Senator PEARCE.—No, I am only a spectator on this occasion.

Senator ST. LEDGER.—It was the honorable senator who pulled the strings which set the figures to work. He did so with a certain amount of enjoyment at first, but as the criticism of the Bill has proceeded, especially from his own side, his face has been gradually growing longer and longer. If there is anything more farcical than this measure, with the exception of clauses 1 and 5, it is that men who have any business, private or public, to give their attention to, should be wasting their time in exposing the farce in which the Minister of Defence is consciously or unconsciously the most conspicuous figure. I understand that when the first portion of the amendment is dealt with, it is the intention of Senator Chataway to move that the words "or otherwise" be left out, and I should like to know whether the Minister will assist the Committee to strike out those words? If they are not left out of this clause, it will be in conflict with the proposed new clause 7, which has been circulated by the Minister. In that clause it is proposed to allow certain persons to dispose of these decorations.

Senator VARDON.—They cannot do so, if we forbid the right of any one to purchase them.

Senator ST. LEDGER.—We shall have to assume that the Commonwealth has complete control over all medals and decorations conferred even under an Imperial Act.

Senator RAE.—I doubt it.

Senator ST. LEDGER.—I have expressed my doubt. I should not mind being on either side to argue the matter. We must, I suppose, take it as good law that the Commonwealth has absolute control of the King's decorations in the Commonwealth. That is probably the view taken by the Commonwealth law authorities. Personally, I have my doubts. But

proposed new clause 7 certainly involves a contradiction. It suggests that the Minister is going to allow medals to be purchased by collectors, whilst clause 4 contains the all-embracing words "or otherwise." It is generally accepted by honorable senators that curio dealers and collectors should be allowed to exercise their tastes despite this measure. Nevertheless, the words "or otherwise" will stand in their way. Although, therefore, I intend to vote against clause 4, I suggest to the Minister that even if it does go through, he should do something to remove the contradiction contained in the words to which I have drawn attention. It is a monstrous thing, to my mind, that a man who, at the risk of his life, has won a decoration should not be permitted to do what he likes with it. But even if that contention be not upheld, the legislation which prevents the sale or pledging of medals should be consistent with itself. To impose this restriction in the present early stage of development of our Defence Forces seems to me to be one of the most awful farces that has ever been proposed to Parliament. It is brought before us simply because some more or less mythical association of veterans demand it.

Senator DE LARGIE.—Can the honorable senator suggest any class of people who should be more interested than the veterans, who have won the honours?

Senator ST. LEDGER.—I wish to say nothing disrespectful of age.

Senator DE LARGIE.—It is not a question of age, but of not wishing to see honours disgraced or degraded.

Senator ST. LEDGER.—I quite understand that the Minister has introduced this Bill with the very best of intentions, but, as the great French writer, Montesquieu, has pointed out, it takes more than the wisdom of the wise to repair all the errors of the good.

Senator BARKER.—It is a pity that the honorable member does not follow out that precept.

Senator ST. LEDGER.—I always take pleasure in throwing a bait on to the surface of debate, knowing that some gudgeon will immediately rise and snap it. When that occurs, one always has the pleasure of pointing out that some honorable senator opposite is a conspicuous example to the contrary. This Bill illustrates the precept which I have cited. The good intentions of the Minister have resulted in one of those stupid things which it behoves us to be warned against. Furthermore, the Bill itself is full of inconsistencies. Even at this stage, I ask the Minister again what he intends to do with the words "or otherwise"? Does he propose to strike them out, or will he support an amendment to do so, or does he wish to leave them in?

Senator VARDON (South Australia) [3.48].—The Minister should realize by this time that if he would adopt the position taken up by Senator Givens, he would have no further difficulty with this measure. That position was an absolutely right one. What we want to do is to insure that persons who have no right to wear medals shall not parade them about the streets as if they were their own. That is all that we require, and to legislate to stop legitimate traffic in medals and decorations seems to me to be useless. Moreover, it is unjust. Senator Gardiner told us on Friday that he had seen in a shop in Sydney hundreds of medals. If this Bill becomes law, it will be a crime for the man who owns them to dispose of any of them.

Senator WALKER.—Except to collectors.

Senator VARDON.—I do not suppose that the Minister proposes to license pawnbrokers as buyers of medals. Many pawnbrokers who possess such articles have paid for them, and have a moral right to possess them. Henceforth, they will hold them under pains and penalties. I do not think that that is right. I have no particular love for people who carry on that kind of trade, but they have done so under the law. Surely, then, we have no right to pass a law which will inflict hardship upon them. I urge the Minister, in all seriousness, to take a common-sense attitude regarding the Bill.

Senator ST. LEDGER.—I do not think that the Bill can be made retrospective.

Senator VARDON.—That is a point with which I do not wish to deal now. The Bill says that, after its passage, any one who sells a medal will be liable to penalties. If the Minister will agree to the omission of clauses 3 and 4, and simply pass clause 5, which declares distinctly that any one parading medals as his own when they have been granted to another, shall be guilty of an offence, that will be quite sufficient. It will accomplish what we want, and all that I think it is right to do.

Question—That the words "or receive by way of pledge" proposed to be left out be left out—put. The Committee divided.

Ayes	...	...	11
Noes	...	...	17
Majority	...	...	6

AYES.

Chataway, T. D.	Rae, A.
Clemons, J. S.	Sayers, R. J.
Gardiner, A.	St. Ledger, A. J.
Givens, T.	Vardon, J.
McColl, J. H.	*Teller:*
Millen, E. D.	Long, J. J.

NOES.

Barker, S.	O'Keefe, D. J.
Blakey, A. E. H.	Pearce, G. F.
Buzacott, R.	Ready, R. K.
de Largie, H.	Russell, E. J.
Findley, E.	Russell, W.
Henderson, G.	Story, W. H.
Keating, J. H.	Walker, J. T.
McGregor, G.	*Teller:*
Needham, E.	McDougall, A.

PAIRS.

Cameron, C. St. C.	Lynch, P. J.
Vardon, J.	Givens, T.

Question so resolved in the negative.

Amendment negatived.

Senator CHATAWAY (Queensland) [3.55].—I move—

That the words "or otherwise" be left out.

My amendment simply means that if a father has earned a medal on active service he shall be at liberty to say to his son, who is perhaps about to settle in a distant country, "Take this medal and keep it always as an object-lesson to you." Under the clause in its present form he could not do that, because he could not give away his medal, and his son could not receive it.

Senator E. J. RUSSELL.—Why not insert the words "for profit"?

Senator CHATAWAY.—I am quite willing to do that if it will meet with the Minister's approval.

Senator PEARCE.—I am prepared to accept the amendment which has been suggested by Senator E. J. Russell.

Senator CHATAWAY.—Then I ask leave to withdraw my amendment, with a view to submitting another.

Amendment, by leave, withdrawn.

Amendment (by Senator CHATAWAY) proposed—

That after the word "otherwise" the words "for valuable consideration" be inserted.

Senator RAE (New South Wales) [4.0].—I take it that by this amendment Senator Chataway seeks to strengthen the Bill. Yet most of the speeches which have been delivered by the honorable senator have clearly shown that to attempt to strengthen a measure which is so inherently bad is merely so much waste effort. Senator Chataway has seen fit to withdraw his amendment to strike out the words "or otherwise," but he now proposes to insert several otherwises. I do not understand such an amendment. It has been said that the veterans desire this Bill to be placed upon the statute-book; and Senator de Largie, in the course of his observations, adduced the remarkable argument that the wishes of those who are immediately interested in the matter ought to be respected. According to the same logic the persons who are paying land tax at the present time are those to whom we should listen when they object to land taxation.

Senator FINDLEY.—There is no analogy between the two things.

Senator RAE.—There is a perfect analogy between the arguments. Legislation should not be enacted in the interests of a section of the community, but in the interests of the whole people. If this legislation is brought forward for the purpose of respecting the wishes of a particular section it is based upon entirely false premises. If it can be proved that these persons have a legitimate grievance, undoubtedly we ought to remedy it. But merely because their susceptibilities have been wounded by an exhibition of military and naval medals in shop windows, the time of this National Parliament should not be occupied in discussing such an absurd measure. The amendment will make the Bill appear more ridiculous than it already is. It seeks to paint the lily. Seeing that it will do something to injure the Bill I shall support it.

Senator ST. LEDGER (Queensland) [4.4].—I would point out to the Minister that the amendment will conflict with proposed new clause 8 of the Bill, copies of which have been circulated. Under that clause are we going to allow a man to part with his medal outside of his lineal decendants for valuable consideration? The more we endeavour to make the provisions of the Bill harmonious the more impossible does the task become. While I appreciate the efforts of the Minister to give it an appearance of equity I intend to oppose it. I do not think that the wisdom of a Solomon could make it worthy of a deliberative assembly. I shall oppose even Senator Chataway's effort to make the measure harmonious.

Senator SAYERS (Queensland) [4.7].—I have listened to the discussion of this clause, and I think that the Bill is entirely unnecessary. I would like to ask the Minister how it is to be enforced even if it be placed upon the statute-book? These decorations can be worn in Northern Queensland and in the Northern Territory. Are we going to send an officer into these remote parts in search of a man simply because he has chosen to wear a medal which does not belong to him? I again ask how it is proposed to enforce the measure should it become law?

Senator E. J. RUSSELL.—By every member of the police force in Australia.

Senator SAYERS.—The police take very little notice of what legislation we enact here unless the occasion calls for it.

Senator RAE.—The Bill may be used as a weapon of persecution in odd cases.

Senator SAYERS.—I do not think that. But the time of the Senate is being uselessly occupied in discussing a Bill of this description, and I intend to vote against it.

Senator MILLEN (New South Wales) [4.8].—I desire to support the argument which has been advanced by Senator Rae. If we accept the amendment we shall have made one clause say that a person may do what another clause declares he may not do. If we wish to kill the measure let us accomplish our object by a straight-out vote. But do not let us introduce amendments which will have the effect of making the measure appear even more ridiculous than it is. The amendment which we are now asked to insert is in contravention of the provisions of a previous clause. It means that there may be circumstances under which a medal or military decoration may be transferred. Yet the previous clause provides for no circumstances under which such a transfer may take place. I use the word "transfer," because it covers the operation of giving and of receiving. The amendment, if adopted, will make the clause read—

> A person shall not buy, or receive in exchange, or receive by way of pledge or otherwise for valuable consideration, any decoration, &c.

That means that, if there be no valuable consideration, exchange may take place. In other words, it may be parted with by way of gift. But clause 3 provides—

> A person being or having been a member of the King's Naval or Military Forces or of the Defence Force shall not sell, exchange, pledge, or otherwise dispose of, any decoration conferred upon him for service performed in or out of Australia.

He could not even give such a decoration away. When once a man has had a medal conferred upon him he must live and die with it.

Senator CHATAWAY.—We will recommit the Bill.

Senator MILLEN.—There is only one committal to which it is entitled. I wish, sir, that the Standing Orders were so framed that, when an absurd measure of this kind was placed before you, you could rule it out of order straight away.

Senator ST. LEDGER (Queensland) [4.11].—This measure is as full of trouble as a porcupine is full of quills and bristles. The Minister has taken very kindly a suggestion about "valuable consideration." But I would point out to him that that term does not always mean money, or the equivalent of money.

Senator RAE.—It may mean a kiss.

Senator ST. LEDGER.—The honorable senator is not far off the mark. In law, marriage, for instance, is a valuable consideration, and so, too, is the relation between parents and children. I do not know if the Minister quite appreciates the effect of the phrase "valuable consideration." The average layman may think that it means money only, but it does not. I feel sure that if the Committee were composed of the best lawyers in the Commonwealth not one of them could say right off whether the Bill could be made retrospective. The use of the term "valuable consideration" will not get over the difficulty. Proposed new clause 7 deals with the sale of medals, but one can make a disposition by will a valuable consideration where not a penny is concerned. If the clause is passed in its present form we may have a war on this matter between the Commonwealth and the States, and possibly the United Kingdom. I do not think that any deliberative assembly has ever before been treated to such a hotch-potch as this measure is.

Senator GARDINER (New South Wales) [4.13].—I do not know whether the carrying of this amendment may not make the Bill a little worse than it otherwise would be. I scarcely feel inclined to support an amendment which may have that effect. I prefer to take the risk of the amendment not improving the measure and voting for it. Any difference which it may make to the measure is a matter of indifference to me. Not only am I surprised at the Minister bringing forward this kind of legislation, but I am surprised

at the persistency with which he adheres to the measure, notwithstanding the strong opposition which it has received from both sides of the Chamber. I thought that the last division would have been a sufficiently strong indication to the honorable senator that it was not advisable on his part to press this clause. I do not know exactly what will be the effect of the clause if the amendment is carried, as compared with the last clause which we passed. I am not quite sure, but I suppose that this Bill will be put in the forefront of our list of the great measures which we pass during the session. I expect that it will be published in big, black letters. Perhaps it would be well to publish the clauses in black letters too.

Senator MILLEN.—Black letters would be very appropriate.

Senator GARDINER.—I mean large, block letters, so that we might be in a position to point out how the Senate was called together to grapple with such an important measure as this is.

Senator CHATAWAY.—Would you put a black border round the black letters?

Senator GARDINER.—We might have a border made of the different medals which have been given. For instance, this clause might be specially marked out to be bordered with medals given in connexion with the Peninsular War, at the beginning of the nineteenth century. That would bring great credit not only to our party, but also to Senator Walker, who has consistently supported the Government. I shall not put myself out of order by suggesting that he is acting in this way in the hope of securing a smooth passage for his own Bill through the other House. One regret I have in discussing this measure is that it did not come from the other side. If it had been introduced by Senator Walker or Senator Millen, who has adduced good reasons for its rejection, I would have had a great deal more pleasure in opposing its passage than I have.

The CHAIRMAN.—I would remind the honorable senator that he is now discussing the measure as a whole, and not the question before the Committee!

Senator GARDINER.—Not only has the amendment a very wide scope, sir, but in view of the great importance of the Bill, I think that a little latitude may well be allowed in discussing the amendment and the clause. If you were to restrict a speaker to the actual question under consideration, it might be necessary for him to rise more frequently than he desires to do. I hope that I have pointed out clearly the essential wickedness of this measure in making offenders of persons who at present are not offenders in the eye of the law. When we have before us a clause which creates a new offence it is very easy indeed to overstep the strict rule of debate. But the whole principle of the measure is involved in clause 4. It is the only provision which affects the liberties of persons other than medal-holders. The previous clause deals with the holders of medals, but this clause deals with the rest of the community. It affects the right of a citizen to purchase, if need be, a medal, and it relates to medals, the original owners of which have been dead for years, perhaps for centuries. When the Minister drafted the Bill had he in his mind a desire to prevent a free exchange or disposal of such medals? If he had no such intention, what good purpose can be served by legislating in this direction? I do not believe that, if we could take a poll of the veterans to-morrow, they would desire this alteration in the present order of things. Even if they were claiming to have the gifts of their Sovereign exempt from the ordinary laws of commerce, can any good purpose be served by restricting the sale of medals, the original owners of which have been dead for years, perhaps for centuries? I do not believe that there is one honorable senator who desires to interfere with the sale of medals which were given in connexion with the Peninsular War. If the Minister desires to pass legislation of that kind, he might perhaps allow the clause to remain as it is. But if, on the other hand, he merely wishes to act in accordance with the expressed desire of the veterans now living, he might assent to an amendment. Surely he must realize now that a strong distinction can be drawn between medals given to troops for services rendered to the King, and medals given for wars which took place at any period, or for other purposes. Take the case of an individual who secured from his King a Victoria Cross for saving life; if he wanted to raise money, there might be a person who, knowing the high value which he placed on the medal, would deem it the best pledge which he could take for the loan of a large sum. There would probably not be many occasions on which these medals would be so pledged, but why should we attempt to restrict free and fair dealing in medals,

the recipients of which have been dead for a considerable time? I suppose there are not many men alive to-day who obtained medals for services rendered at the battle of Waterloo, and yet, under this Bill, people may be penalized for selling by public auction such medals, or medals of the Peninsular War, which may have come into their possession many years ago. The Leader of the Opposition has pointed out that people are not allowed under this Bill to dispose of these medals in any way whatever. A person might be arrested and brought before the magistrate for throwing one of these medals into Sydney harbor or into the Yarra.

Senator FINDLEY.—Such a person should be arrested for his own protection, because he could have no sense if he wished to throw such a medal into the harbor.

Senator MILLEN.—If a man, wearing one of these medals, threw himself into the harbor he would be liable under this Bill.

Senator GARDINER.—The longer this matter is under discussion the greater the number of evils which are likely to follow from it is shown to be. Such legislation should not be passed in a reckless and flippant way, or without full discussion. It will not be my fault if there is not full discussion of every clause and every line of this Bill, so that the public may be informed of what is proposed. Some one in a remote country town may quite innocently put up for sale by auction a number of these medals, and should this Bill become law, Senator Pearce, or those instrumental in the passing of this legislation, may desire to know what steps the Attorney-General is going to take to bring such a man to justice. The whole machinery of the law may be brought into force, and though the person prosecuted may plead that he was not aware of the existence of such a law, he will be liable to the penalties provided for. I should like the further consideration of the Bill to be postponed until Senator Chataway's amendment is printed, and we have an opportunity to consider what its effect will really be. I noticed the readiness with which the Minister accepted the amendment, as he generally accepts proposals from the other side.

Senator PEARCE.—As a matter of fact, this amendment did not come from the other side, but from Senator E. J. Russell.

Senator GARDINER.—I admit that it was scarcely fair to make such a reflection upon the Minister. It is not justified by his previous conduct of affairs in the Senate. I withdraw it as one of those slips which I am always sorry for after I have made them. I should, however, very much like to know whether the Minister really desires to make it an offence under this Bill to sell or otherwise dispose of medals, the original recipients of which have been dead for centuries. Surely the honorable senator does not propose to destroy the present market value of medals issued hundreds of years ago? The Bill will affect quite a number of people I represent in the Senate, and if the Minister is not prepared to limit its operation to medals at present in the possession of the original recipients there will be ample justification for the time I have taken up in discussing it. Though I confess I do not know what the effect of Senator Chataway's amendment will be, I am prepared to vote for it, and then to vote against the clause as amended.

Senator MILLEN (New South Wales) [4.35].—The Minister of Defence was not present when I pointed out the effect of this amendment. The honorable senator can have no desire to agree to an amendment which will reduce the Bill to a nullity. If we adopt this amendment it will be necessary to recommit clause 3. Under that clause we prohibit the disposal of these medals in any way. The possessor may not even give them away, but under clause 4, if the amendment be adopted, and the Minister has notified his willingness to accept it, a person may receive one of these medals as a gift. That is distinctly in conflict with clause 3, and I ask the Minister whether he has considered that aspect of the case. Whatever view I may have of the Bill as a whole, I feel that I am under some obligation to see that the Senate does not pass a measure which is ridiculous on the face of it, and it would be ridiculous to affirm in one clause that a person shall not give away one of these medals, and then set out in the following clause that a person may receive one of them as a gift. How can I receive anything as a gift if every other person in the community is prohibited from giving it? If this amendment be accepted it will be necessary to introduce the words "for valuable consideration," in clause 3. I wish the Minister of Defence to understand that I am dissociating in my opinion of the Bill from the suggestion I now make with a view to its improvement. It is little to the credit of the Federal Parliament that it should be asked to deal

with legislation of this kind, and to manufacture paltry crimes on the mere transfer from one person to another of an article which, after all is said and done, may not be worth one shilling.

Senator RAE (New South Wales) [4.39].—I hope that the Minister will not do what he has been advised to do by Senator Millen. It will be an advantage if the acceptance of the amendment will make the Bill inconsistent, because no one is likely to attempt to enforce a measure if he is doubtful how the attempt will turn out. Another advantage will be that if the holder of a medal is permitted to give it, though not to sell it, the provisions of the Bill may be easily evaded by a private understanding.

Senator ST. LEDGER.—Senator Millen is asking the Minister to save himself from being ridiculous by recommitting the Bill if the amendment is accepted.

Senator RAE.—In my opinion the Minister has made himself so ridiculous by introducing the Bill, that to agree to the amendment will not make matters any worse. But by giving people a chance of evading the measure we shall ease down the severity of it. Once it is provided that a person can give a medal away, there will be no reasonable possibility of ascertaining whether he has actually given it or sold it. As, however, I do not regard this as good legislation, I consider that anything that vitiates it is an advantage. This provision will entirely vitiate the Bill. The only way in which the object can be effected would be to make it absolutely illegal for any person to have in his possession medals which had not been conferred upon him, no matter whether he obtained them by purchase or by gift. But if a person is allowed to obtain medals by gift, it will be possible for him to obtain them under the pretence of gift. Consequently, the whole Bill will become a farce.

Senator ST. LEDGER (Queensland) [4.41].—I intend to fight every word of this Bill. The more one looks at it, the more ridiculous it becomes, notwithstanding all that has been done by Senator Millen and Senator Chataway to help the Minister, and by honorable members opposite to thwart him.

Senator GARDINER.—I rise to order. Is Senator St. Ledger in order in inferring that honorable senators on this side of the chamber are endeavouring to thwart the Minister?

The CHAIRMAN.—I do not think that anything that Senator St. Ledger has said was out of order.

Senator ST. LEDGER.—Point after point arises as we scrutinize the Bill more carefully. I wish to raise a new one. Is the Minister going to make this legislation retrospective? Is he prepared to say that those who have acquired medals honestly in the way of business are to be struck at? I am not sure how far we are entitled, under our Constitution, to make Commonwealth legislation retrospective. We have been continually warning the Minister that this Bill will bring him and the Government into the Law Courts, and this is a point upon which a good deal of argument might turn. There are persons who have accumulated stocks of medals for the purpose of trade. As the Bill now stands, the Commonwealth Government could lay its hands on every one of them. It is true that the Minister says that the Government would give to the possessors what they had paid for the medals, but we know that sometimes articles of this kind acquire a sentimental value far above their price in the market. There may be collectors in Melbourne and Sydney who have given enormous prices for medals in their possession. But when this Bill is passed, they will be exposed to the risk of having their property taken away from them, and of receiving only its intrinsic value for it. The Minister seems to be under the impression that he will be able to seize every medal in the Commonwealth corresponding to the description contained in the Bill. I cannot, however, see how a retrospective effect can be given to legislation of this kind. Can the Minister even stop the sale of medals purchased before the passage of the Bill? I doubt it. But penalties are imposed. The penalty provided under this clause is £20, and in that respect it is analogous to the penalty which was attached to a breach of clause 3. Senator Rae and Senator Gardiner have no doubt frequently heard that the receiver is worse than the thief. It is generally recognised that if we could get at the receivers of stolen goods we should, to a large extent, abolish the thieves. As a matter of fact, our criminal law provides for the imposition of a heavier penalty in the case of a receiver than is provided in the case of a thief. If we have to consider this question again, I intend to urge some pretty cogent reasons why the receiver of a naval or military decoration should be punished far more severely than the person who

disposes of it. The Minister has declared that this Bill was introduced to uphold the honour attaching to the King's medals, which, very often, represent big achievements. Upon some future occasion I may use the ridiculous position into which we have now got against the honorable gentleman. I need scarcely point out that any foreign Power may confer a medal or decoration upon a British subject, and within the Empire that subject may do just what he chooses with such medal or decoration. He may sell it, or exchange it, and neither the Minister nor the Commonwealth has any control over his action. But the moment he pledged or disposed of a decoration from his own Sovereign he would at once become subject to the penal provisions of this Bill. This is another illustration of how the Bill seeks to interfere with the liberty of the subject. I was very glad to hear Senator Gardiner dwell upon that aspect of the matter. In conclusion, I merely desire to give the Minister notice that when the penalty comes to be considered I shall resist it to the very utmost of my powers.

Senator GARDINER (New South Wales) [5.6].—I rose some time ago to ask the Minister whether he had decided to make the Bill applicable to those medals the original possessors of which have been dead for some years. But I find that this clause applies only to naval and military decorations. Why should it not also apply to decorations which have been received for services rendered in the public life of this country? Let us suppose, for example, that a gentleman like Sir John Forrest fell upon evil days and wished to raise money upon the decorations which he has received from the King.

Senator MILLEN.—This is rather harrowing!

Senator GARDINER.—It is, though I would be the last to wish evil to my political opponents. Senator Sir Albert Gould has also received a decoration at the hands of His Majesty, and we all know that no man has rendered greater service to the Empire than has the Minister of Defence. At any time he may be the recipient of a mark of His Majesty's favour, and if he were so honoured nobody would rejoice more than I would. It would be the best-deserved decoration that had ever been conferred on an Australian statesman, although I know that good service, well rendered to a great Empire, is a sufficient reward for the Minister. He is a comparatively young man, and we cannot tell what the future has in store for us. In such circumstances why should he not be subject to the same disabilities as are the holders of naval and military decorations under this Bill? Why are the stars and garters and other civil distinctions not brought within the scope of this clause? I think that it should be made so far-reaching that even the decorations conferred in high places should be brought within its purview. The holders of these distinctions should be prevented from hawking them round to the highest bidder or to the person who will advance most money upon them, in just the same way as the members of our Naval and Military Forces are prevented from disposing of their decorations. I say that men who have risked their lives in fighting the battles of the Empire are being held up to public ridicule, because the ill-advisers of the Minister have prevailed upon him to introduce a measure to prevent them from dealing with their medals in any way that they may deem fit. The only inference which we can draw from the amendment which has been foreshadowed by Senator Chata way is that the evil of trafficking i these medals has grown to such a extent that it is necessary for Parliamen to declare that trafficking an offenc That is a libel on the men who won th medals. It is unfair to them to say th the evil of trafficking in medals is great that it has become necessary to pa special legislation. I cannot understan why this clause was inserted, or why t Minister is so bent upon having the me sure passed, when the only thing it c do will be to lead the public to belie that men think so little of the deco tions they have received from the K that they are in the habit of selling the or pledging them, or raising money them by some means. If that has not gro to be a noticeable evil, and, to some tent, a scandal, there is no reason legislation at all. Even though there r be a small traffic in medals, I would m prefer to see the time of Parliament cupied in finding suitable employment every wearer of a medal. I would far ra see the Parliament engaged in discus ways and means by which the Commonwe Government could provide for th who, perhaps, are not suited to partici in the battle for a livelihood, and, if t be, making the possession of a medal a commendation for employment. By so ing our time would be spent much

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effectively and usefully, and certainly in a manner which would reflect far more credit on the Senate. Why should it be made an offence for a man to sell a medal which is his rightful property? If a medal has been acquired by a man for services rendered to his King, and if by the law of England, and, I venture to say, by the law of Australia, it is in his rightful possession, it is not only absurd, but wicked, for the Government to ask us to enact that it shall be an offence for that man to sell or dispose of or pledge the medal. It will be remembered that a number of medals were issued in connexion with the South African War. Immediately after the war was concluded it was recognised by many persons that it was undertaken because the mine-owners wanted to fill their mines with coolie labour. Suppose that the holder of a medal, who thought that he was fighting for the Empire, became disgusted at the discovery that the war merely resulted in giving power to the mine-owners to reduce the pay of white miners. Instead of wearing his South African medal with pleasure and pride, he may have got rid of it, feeling that it was a reminder that he had fought on the wrong side. The occurrence of that feeling may account for the large number of South African medals which are exhibited for sale at present, and if it does, why should it be made an offence for a man to get rid of a thing which he does not now value? No law will be effective which has not behind it the weight of the common sense of the community. If we feel that the people are not even interested in this measure, that is one of the best reasons we can have for refusing to allow it to pass. Of course, after the recent recess we are naturally anxious to get on with important legislation. I am not quite clear as to the effect of this amendment if adopted. I do not know whether it might not be advisable for the Minister to report progress to enable the amendment to be printed and circulated. If that course is taken we might be able to fit the amendment into the place where Senator Chataway intends to fit it in, and also to see how it affects the reading of the clause. Senator Millen has shown very clearly that the amendment, if carried, will necessitate the recommittal of clause 3, that is, unless the Minister wishes to have an absolute inconsistency in the measure, which I do not think he desires. Under the previous clause a person with a medal is not permitted to dispose of it by any means, but is required to retain possession of it. Under this clause, however, a person can receive a medal, provided that he gives no valuable consideration for it. What is there to prevent a person who wishes to break the law from declining to give a valuable consideration, but expressing his willingness to accept a medal as a gift. Instead of advancing 5s. or £500 or £5,000—I do not know the value of these medals——

Senator CHATAWAY.—4½d.

Senator GARDINER.—That may be the intrinsic value of the material of which a medal is composed. If, however, only a few medals are struck in connexion with an event, the value of one may run into thousands of pounds. A clause which makes it an offence for a respectable c tizen to transact a legitimate piece of business should not only be repugnant to honorable senators generally, but should be resisted by a free people.

Senator CHATAWAY.—Medals are valuable, according to the number of them, and not according to their age.

Senator GARDINER.—Senator St. Ledger may have in his possession a medal as old as the ideas which he generally puts before the Senate. Perhaps I ought to withdraw that remark without being asked to do so.

Senator PEARCE.—I think that you have had a fair run.

Senator GARDINER.—If the Minister had thought it worth his while to tell me whether he intended the Bill to affect medals, the original owners of which have been dead for years, I would not be speaking now.

The TEMPORARY CHAIRMAN (Senator HENDERSON).—The intention of the Minister is expressed by his acceptance of the amendment.

Senator GARDINER.—I am not able, sir, to say what will be the effect of the amendment; and, before the Bill is made better or worse by its acceptance, I should like to know from the Minister whether there is any reason why this measure should be made to apply to medals that are family heirlooms and have been in the possession of the same families for centuries. There are some honorable senators present who may imagine that I am endeavouring to "stone-wall" this Bill.

Senator W. RUSSELL.—I do.

Senator GARDINER.—I am in earnest in trying to induce honorable senators to read this clause, and see for themselves what an absurd piece of legislation is being proposed in making it an offence for a man

to buy or advance money upon a medal which may have been in the possession of a family for centuries. If I am talking against time, it is because I see the uselessness of passing legislation which no one has asked for.

Senator W. RUSSELL.—I see the uselessness of the talk.

Senator GARDINER.—All arguments are useless if addressed to those in whom they can bear no fruit. It is a serious thing for a deliberative assembly like the Senate to create a new offence which, so far, is not regarded as an offence in any part of the Empire.

Senator WALKER.—It is made an offence by an Act of the Imperial Parliament.

Senator GARDINER.—I challenge the honorable senator to produce any Act of the Imperial Parliament which creates an offence of this kind.

Senator PEARCE.—I quoted it on Friday last. But, of course, that makes no difference to the honorable senator.

Senator GARDINER.—The Minister quoted from the military regulations.

Senator PEARCE.—I quoted from an Act of Parliament also.

Senator WALKER.—Senator Gardiner should withdraw his remark.

Senator GARDINER.—I shall not withdraw it, because I feel that both the Minister and Senator Walker have misunderstood the quotation. I challenge the Minister now to produce the Act to which he refers, and convince the Committee that there is any provision in any Act on the statute-book of Great Britain that can be in any way compared with the clause we are considering at the present moment. The Minister quoted a military regulation under which a medal might be taken away from the recipient for misconduct, and a provision under which it could not be taken for a debt; but this clause deals, not with the individual to whom a medal is issued, but with any person in the Commonwealth who presumes to trade in any way with a medal issued at any time.

Senator PEARCE.—I quoted section 156 of the Army Act; sections 2 and 4 of the same Act; the Regimental Debts Act of 1893, section 2; the King's Regulations 1759; and the Pay Warrant Act. I showed that they embodied, to all intents and purposes, the provisions of this Bill; but it does not matter to the honorable senator what they contain.

Senator GARDINER.—I hope the Minister will bear with me for a moment. He quoted a provision to show that these medals cannot be taken for debt; but we are not, in this clause, dealing with the man to whom the medal is issued.

Senator PEARCE.—The honorable senator said just now that no Act of Parliament dealing with the matter could be quoted. His memory has suddenly revived.

Senator GARDINER.—I think it would be better if, instead of using angry words, we tried to understand each other. We are discussing a clause which makes it an offence to buy, or receive in exchange, or by way of pledge, a medal granted by the King, and I repeat that neither the Minister nor Senator Walker can produce any Act of the British Parliament which makes that an offence. It is all very well for the Minister to suggest that the quotations that he made on Friday are applicable to this clause. They are not. I shall resume my seat at once if the honorable senator will stand up, and make a quotation now from any Imperial Act that has any bearing upon this clause. If he can do so, I shall be prepared to withdraw my opposition to the clause. I have no desire to mislead any one, and though I do not clearly remember all that the Minister quoted on Friday, I do remember that he quoted from military regulations to the effect that medals granted by the King might be taken from those to whom they are issued as an additional punishment for misconduct, but this clause makes it an offence for any citizen of the Commonwealth to purchase, or receive in exchange, or by way of pledge, one of these medals. The clause provides that—

> A person shall not buy, or receive in exchange, or receive by way of pledge or otherwise, any decoration which has been conferred on any person being or having been a member of the King's Naval or Military Forces or of the Defence Force for service performed in or out of Australia.

Having read the clause, I reiterate my challenge to the Minister and to Senator Walker to produce an Act which creates such an offence in any part of the British Empire. If they are not prepared to do so, it is clear that by their interjections they have sought to suggest that my statements are not correct. We are all apt to boast of our unlimited freedom, but there will be a great limitation of our boasted liberty if this clause is passed. I have asked the Minister whether he wishes the clause to apply to medals, the original recipients of which have been dead for years.

The TEMPORARY CHAIRMAN.—The honorable senator has repeated that statement in my hearing at least forty

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different times. I ask him to desist, and to discuss the amendment before the Committee.

Senator GARDINER.—I think I must have repeated the statement about twice as often as you, sir, have stated, but I think you have overlooked the fact that each time I repeated it, I used it as the basis of a fresh argument. When I used the statement first, I directed attention to the fact that the Minister has purposely left out of this Bill any reference to the disposal of decorations given for services rendered in this Parliament. On another occasion, I used it, as you, sir, will probably recollect, to refer to medals that might be as old as Senator St Ledger's arguments. The Minister has not deigned to answer the question I put to him, and I must accept the ruling of the Chair, and look for some new ground on which to discuss the clause. There are ample grounds on which it may be discussed. If this amendment is carried the Minister will still be compelled to recommit, or else send the Bill to another place with inconsistencies upon the face of it. Had the Minister thought it worth while to answer the question that I put to him, I should not have spoken again: but, apparently, he is not inclined to treat me as he would treat other members of the Senate. I suppose I deserve it, though I do not know why I should incur the anger of the honorable senator.

Senator PEARCE (Western Australia—Minister of Defence) [5.41].—I do not know that Senator Gardiner has any just cause of complaint against me. He must admit that he has said a great deal which he could not reasonably expect to have answered, and which, indeed, he did not want to have answered. He would have been very much surprised if I, as the representative of the Government on this matter, had risen to reply to him. A good deal of blank ammunition has been fired this afternoon, but I now appeal to honorable senators to let the Bill pass through its remaining stages to-day.

Senator RAE.—What is the good of it?

Senator PEARCE.—The majority of the Committee think that it will serve a useful purpose, and I am of the same opinion. But, as I have said, we have given much more time to the Bill, and much more opposition has been bestowed upon it, than it merits. I have never urged that it is a very important matter, and certainly do not think that it is of such importance that a minority of the Senate should endeavour to block its passage. I can quite understand that if this were a Bill of considerable importance, it might be worthy of such opposition. I make a personal appeal to honorable senators on this side of the Chamber, seeing that they have put up a fight which has been of longer duration than the subject was worth, to let the Bill go through. In regard to Senator Gardiner's question, I may say that I think that if this measure becomes an Act, it will apply to all traffic in medals. It would be difficult to discriminate as to whether a medal was of such an age that it could be allowed to become the subject of traffic. After all, we have to remember that medals and similar objects are only treasured by collectors of antiques and by museums. They are chiefly desired to be purchased by persons who collect for such institutions, or for private collection.

Senator CHATAWAY.—This Bill makes it illegal for museums to buy medals.

Senator PEARCE.—No, I have circulated an amendment which will make it legal for museums to purchase them. I again appeal to honorable senators to allow the Bill to go through. A very good fight has been put up against it, and everything that can be said in opposition has been urged. Indeed, a great many arguments that have nothing whatever to do with the subject have been advanced.

Senator MILLEN (New South Wales) [5.44].—I had intended to ask the Minister before he resumed his seat, whether I was to understand, from a motion which he made with his head when I was speaking previously, that he recognised the desirableness of altering the previous clause so as to bring it into conformity with other portions of the Bill?

Senator PEARCE.—Yes.

Senator MILLEN.—Otherwise it seems to me the Bill would be left in a very anomalous condition.

Senator RAE (New South Wales) [5.45].—The Minister has made an appeal to us in such a kindly fashion that one would feel very loath indeed to continue the opposition to the measure before us. But while agreeing with his statement that the debate has been very much longer than the Bill is worth—of course, every one of us who has opposed it recognises that we consider that it is worth nothing whatever—nevertheless, I cannot agree that the time has been entirely wasted. I wish to point out the reasons which have actuated me and other

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honorable senators who have opposed the Bill. My opposition has been grounded upon two considerations. First, I have opposed the Bill because it is entirely wrong and false in principle; secondly, because a number of legitimate interests will be affected by it, even if it be passed in an amended form; thirdly, because I consider that it is a slur and a reflection on the Senate of the Australian National Parliament that its time should be occupied in dealing with legislation of this character. We have been engaged in a discussion extending over a couple of sittings upon a piece of legislation which will be of no practical value to anybody.

Senator PEARCE.—The honorable senator must admit that he himself has occupied a very considerable part of those two sittings.

Senator RAE.—I quite admit that, and I say the justification for the time we have bestowed upon this measure is, that we consider it to be necessary to teach even our own Ministry not to fool and belittle the Australian Parliament by introducing legislation of such a frivolous and objectionable character. That is our justification for our opposition to the measure. Most of those who have voted for it have been deaf to the arguments urged against it.

Senator PEARCE.—They have heard the arguments until they have become tired of them.

Senator RAE.—Some of those who voted for the measure did so "on the blind" at the last sitting, when the arguments had not been unduly protracted. In answer to the Minister's appeal that the minority have been fighting this question for a very long time, I point out that it is only minorities who have to fight. A majority can always carry what it wants in the long run. We ought not to be blamed because we are a minority; and we are not such a small minority, after all.

Senator PEARCE.—A minority worthy of a greater cause.

Senator RAE.—I quite agree that the time bestowed upon this question was worthy of a better cause.

Senator MILLEN.—The remedy for that in the Minister's own hands.

Senator RAE.—Just so. The Minister could withdraw this paltry legislation, and does give us something worth while. There are what are measures of great importance

Senator we should like to bestow a Minister will bration.

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The TEMPORARY CHAIRMAN.—I call the honorable senator's attention to the fact that he is not now dealing with the amendment before the Committee.

Senator RAE.—With all respect to your ruling, Mr. Chairman, I point out that the Minister made an appeal to us to allow the remaining stages of the Bill to be taken.

The TEMPORARY CHAIRMAN.—I cannot help it if the Minister did make a personal appeal. I can only direct attention to what is before the Committee.

Senator RAE.—I do not think that in a Democratic chamber, such as this is supposed to be, I ought to be pulled up for replying to what the Minister was allowed to say. However, I will not dwell upon the point if you, sir, rule that I am not in order.

Senator GARDINER.—The honorable senator might claim his right as the leader of the section who are opposed to the Bill.

Senator RAE.—I make no claim to special rights. I certainly hope, however, that the debate which has occurred will be sufficient to warn any Ministry—even a Labour Ministry—against introducing such tom-fool legislation again, if that remark be not out of order.

Senator ST. LEDGER (Queensland) [5.51].—The Minister of Defence has made a personal appeal on the ground that sufficient explanations have been offered to make clear what the Bill means. Certainly those who have opposed the Bill have had a pretty good time. Why did the Minister address his appeal exclusively to honorable senators on his own side? This is not a party matter.

Senator E. J. RUSSELL.—Because it is useless to appeal to the honorable senator.

Senator ST. LEDGER.—The Minister is surely able to take care of himself. His appeal should have been made to honorable senators generally. He admits that we have helped him to make this Bill more workable.

Senator MILLEN.—The Minister has succeeded in getting the Bill to its present stage largely through the help of the Opposition, because Senator Walker saved the situation on one occasion.

Senator ST. LEDGER.—Yes, Senator Walker has almost acted the part of a political traitor by supporting the Government. I again ask whether the Minister is satisfied that this Bill is retrospective, and whether, if he is not satisfied, he will accept an amendment to make the matter clear?

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Senator PEARCE.—I am.

Senator ST. LEDGER.—To which question does that remark apply? I wish to intimate that when the present amendment is disposed of, I intend to move another amendment to make it clear that the Bill is not to be retrospective. I shall move for the insertion of the words "on and after the passing of this Act," after the word "consideration." That will make the Bill more workable and more equitable. Notwithstanding the apparent inclination of some honorable senators to withdraw their opposition I must continue to fight this Bill word by word.

Question—That the words proposed to be inserted be inserted—put. The Committee divided.

Ayes	...	...	17
Noes	...	...	6
Majority	...	...	11

AYES.

Barker, S.	O'Keefe, D. J.
Buzacott, R.	Pearce, G. F.
Chataway, T. D.	Rae, A.
de Largie, H.	Ready, R. K.
Findley, E.	Russell, E. J.
Henderson, G.	Story, W. H.
McDougall, A.	Walker, J. T.
McGregor, G.	*Teller:*
Needham, E.	Blakey, A. E. H.

NOES.

Gardiner, A.	St. Ledger, A. J.
Long, J. J.	
McColl, J. H.	*Teller:*
Sayers, R. J.	Millen, E. D.

PAIRS.

Lynch, P. J.	Cameron, C. St. C
Givens, T.	Gordon, J.

Question so resolved in the affirmative.

Amendment agreed to.

Senator PEARCE (Western Australia—Minister of Defence) [6.1].—Before Senator St. Ledger puts his threat into execution, I wish to quote a passage from Craies' *Statute Law*, second edition, page 350—

> It being, then, the general rule of law that Statutes are not to operate retrospectively, we have now to consider under what circumstances this general rule has been departed from, and to examine the grounds, so far as they can be ascertained, for such departure.
>
> (1) Sometimes it is expressly enacted that an enactment shall be retrospective; thus, by 23 and 24 Vic. c. 38, s. 12, it is enacted that "clause 32 of 22 and 23 Vict. c. 35, shall operate retrospectively."
>
> (2) But if it is a necessary implication from the language employed that the Legislature intended a particular section to have a retrospective operation, the Courts will give it such an operation.
>
> "Baron Parke," said Lord Hatherley in *Pardo v. Bingham* (1870), 4 Ch. App. 735, 740, "did not consider it an invariable rule that a Statute could not be retrospective unless so expressed in the very terms of the section which had to be construed, and said that the question in each case was whether the Legislature had sufficiently expressed that intention. In fact, we must look to the general scope and purview of the Statute, and at the remedy sought to be applied, and consider what was the former state of the law, and what it was that the Legislature contemplated."

There is no language in this clause which implies retrospective action. It is obvious that what we are aiming at is the stoppage of the traffic in these medals. When the Bill becomes an Act, persons who sell medals will be liable to a penalty. But it cannot be so construed that persons who have sold medals in the past will be so liable. Under these circumstances, I ask Senator St. Ledger not to move his amendment, which is clearly unnecessary.

Senator RAE (New South Wales) [6.3].—I suggest that we should strike out the words "or out of." Without wishing to reiterate what I have previously said it seems to me absolutely ridiculous and presumptuous for us to punish persons for selling medals which they have received for services rendered in other parts of the world. No case whatever has been made out for applying the provisions of the measure to medals received for services rendered out of Australia. While it may be a perfectly correct thing for Parliament to enact laws to govern our own Defence Forces in the matter of the disposal of naval and military decorations, to attempt to rule the world is, to my mind, altogether too big an order. I therefore move—

> That the words "or out of" be left out.

Senator PEARCE (Western Australia—Minister of Defence) [6.5].—I do not think that this is an amendment which the Government can possibly accept. There are many Australians resident in the Commonwealth who have earned medals outside of Australia. For example, some have earned the China medal, others have received the South African medal, and others, again, have secured the Egyptian medal. Then, too, there are many Crimean veterans in Australia. The omission of the words contained in the amendment would have the effect of nullifying the entire Bill.

Senator ST. LEDGER (Queensland) [6.6].—I had anticipated the reply of the Minister in regard to the retrospective effect of the clause. But at the same time it does not contain a single qualifying word.

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Senator RAE.—My amendment would qualify it.

Senator ST. LEDGER.—The honorable senator must recognise that at some future time our Defence Forces may have to go outside of Australia to serve with the Imperial Army or the Imperial Navy. In such circumstances, why should not any of its members be decorated by the King? My reason for raising the question to which the Minister of Defence has replied is that there is not a single word in clauses 3 and 4 to show that they are not intended to be retrospective in their operation. Of course, I am quite aware that it is clearly laid down in law that unless an Act is declared to have a retrospective effect it cannot be held to be retrospective. For that reason I withdraw my opposition in regard to the point which I raised, although I intend to say something as to the penalty of £20.

Senator PEARCE.—We are going to amend that.

Senator CHATAWAY (Queensland) [6.9].—I ask Senator Rae to withdraw his amendment in order to enable me to submit a prior amendment.

Senator RAE.—With the permission of the Committee, I withdraw my amendment.

Amendment, by leave, withdrawn.

Senator CHATAWAY (Queensland) [6.10].—I move—

That after the word "Forces," line 5, the words "in the Commonwealth of Australia" be inserted.

Under the clause in its present form we lay down what shall be done by a person who may have received a medal for the Soudan campaign, or for work done under the Imperial flag, in years gone by, almost before Australia was settled. I have here a very interesting volume which deals with the large number of decorations which were given long before the present generation of Australians was born. It is called the *Murray Catalogue*, and is known all over the world. Colonel Murray collected a large number of decorations and other things, which, with other collections of medals, he catalogued. According to this catalogue a medal has a definite value just the same as has the 2d. stamp, which was used by the British authorities in Mauritius, before it was ceded to the French. This old Mauritius stamp, in a dilapidated form, is worth from £64 to £68 on the public market. I contend that this clause should not be retrospective in its operation. That will not do any good to anybody, but it may do harm to a number of persons who have spent large sums in collecting various classes of medals. Leaving out of consideration the principle of the Bill, I admit that clause 4 has been improved very much by the amendment which has been made. But we ought not to interfere with medals, medallions, and crosses, which have been the property of "a member of the King's Naval or Military Forces." That expression goes back as far as one can go into English history. Why should we suddenly arrogate to ourselves the right to say that Jones, or Brown, or Robinson shall not be allowed to sell medals which were issued by Edward II. and Edward III., or by Henry V. in celebration of the battle of Agincourt, or to receive such medals in exchange or otherwise? The least we can do is to be a little modest in this matter. If the Minister will assure us that when he was in the Old Country, attending to Defence matters, he was asked by the Imperial Government to submit to the Senate a measure to stop the trafficking, not in Australian medals, but in Imperial medals, he shall have my vote. But in the absence of such an assurance it should be made perfectly clear to the people of Australia that we are not trying to legislate in connexion with Imperial matters. I have not proposed my amendment out of a feeling of hostility to, or from a desire to "stone-wall" the passage of, the Bill. As its principle has been affirmed I desire to make the measure itself less ridiculous than it was when it was brought in.

Senator PEARCE (Western Australia—Minister of Defence) [6.19].—I cannot accept the amendment, which I hope the Committee will reject, because it would limit too severely the operation of the measure. If it is passed, the clause will apply only to persons who have been members of the King's Military or Naval Forces in Australia. A man who has retired from the King's Military Forces in England, and emigrated to Australia, will not come within the purview of the clause. On the other hand, if a man comes out to Australia from England, and serves here for a little time as an instructor, he will come under its operation. Of course, those who are against the provision will favour any limitation, but I do not think it is desirable to limit the clause in the direction proposed.

Senator GARDINER.—Will a person who came from England prior to the passing of the measure be permitted to sell a medal which he had obtained in that country years ago?

Senator PEARCE.—No.

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Senator CHATAWAY.—That is the whole point.

Senator GARDINER (New South Wales) [6.20].—Even at the risk of being misunderstood, I rise to direct attention to the peculiar attitude of Senator Chataway. He has stated that if the Minister can assure him that the British authorities asked him to introduce this measure he will support it. What kind of a jellyfish man is that?

Senator CHATAWAY.—Oh, no; the Minister cannot assure me, and that is the trouble.

Senator GARDINER.—Apparently if the Minister could give such an assurance, it would alter the honorable senator's thinking apparatus.

Senator CHATAWAY.—No. If the Minister gives me high Imperial authority for this clause. I am prepared, for the sake of the Empire, to support it. The honorable senator is against the Empire, and, therefore, he does not concur. It is of no use for him to try to "pull my leg."

Senator GARDINER.—It is a most remarkable attitude for an honorable senator to take up, that if any high Imperial authority testifies that this legislation is necessary, then he, as a loyal son of the Empire, is willing to meet his views.

Senator MILLEN.—Is this your method of making peace with the Minister?

Senator GARDINER.—There was no occasion for the honorable senator to ask that question, because, as soon as the Minister intimated to me that he wanted no more discussion, I sat quiet.

Senator CHATAWAY.—You took orders; you sat down.

Senator GARDINER.—He is a good soldier who can obey orders at all times, but, notwithstanding the order I received, I could not resist the opportunity to direct the attention of the Committee to the remarkable attitude of Senator Chataway. I do not wish the Minister to divulge any secrets, but I take it that this is the whole outcome of the Imperial Conference.

Senator CHATAWAY.—No; ask the Minister.

Senator GARDINER.—There is no occasion for the secrets of the Imperial Conference to be divulged, but, considering that this is the only legislation which has been tabled, I take it that it is the whole result of that Conference, and that the Empire can be saved if we can only prevent trafficking in medals. I do not think there is any occasion to ask the Minister whether this question was discussed at length at the Imperial Conference. It matters not to me what it thought. We have Senator St. Ledger standing up, and asking if this provision will be retrospective. Although it will not affect any sales which have taken place, it will certainly be retrospective in this sense, that a man who was in possession of a medal before it was enacted will be unable to sell it afterwards.

Senator CHATAWAY.—You will admit that Senator St. Ledger did not ask that it should be made retrospective.

Senator GARDINER.—No; he objected to its retrospective operation, and the Minister at some length showed that it will not be retrospective unless that is definitely stated. If, in the future, a man brings a medal from England to Australia he will not be able to sell it here, although it was bestowed upon him fifty years previously.

Senator MILLEN.—Do you seriously think that this legislation will be put into force?

Senator GARDINER.—That is a good reason for not passing the measure. I take it that every line of a measure ought to be dealt with seriously, and it is not for me to assume that if this amendment be carried it will not be enforced.

Senator CHATAWAY.—The law against strikes ought to be put in force; but that is not done, you know.

Senator GARDINER.—I am in favour of every strike which makes for the betterment of the wage-earners. I am also against all legislation which will punish a man for going on strike.

The CHAIRMAN.—The honorable senator must not pursue that line of argument. Strikes have nothing to do with the question before the Chair.

Senator GARDINER.—I understand that Senator Chataway's amendment is intended to make the clause apply only to medals given for services rendered in the Commonwealth. There is some sense in a proposal of that kind, but there is none in making the clause apply to medals that were received by the original recipients before this Commonwealth was occupied by a white man at all.

Progress reported.

Sitting suspended from 6.28 to 8 p.m.

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REPORT OF ROYAL COMMISSION ON POSTAL SERVICES.

Senator DE LARGIE (Western Australia) [8.0].—I move—

That the report of the Royal Commission on Postal Services laid on the table on the 5th October, 1910, be approved by the Senate.

This motion refers to a matter that has been very often mentioned, not only in this Chamber, but elsewhere. On many occasions before the report of the Commission on Postal Services was tabled, it was urgently asked for, but although it has now been upon the table of the Senate for twelve months, honorable senators opposite do not appear to be in any hurry to discuss it. I leave them to explain why that is so. As a member of the Royal Commission I feel it to be my duty to move that this report be approved by the Senate. It is so voluminous that it will be admitted that it would be impossible to exhaust it in one discussion. I do not propose to go through the whole of the report to-night, but merely to touch upon the points which I think are of most interest to-day. Many of the recommendations of the Commission have been adopted by the present Government. As the necessity for some of the reforms proposed appeared during the investigations of the Commission, they were adopted even before the report was drafted. As a matter of fact, many of the recommendations of the Commission had already been acted upon.

Senator W. RUSSELL.—That has not been acknowledged.

Senator DE LARGIE.—It is quite true that there has not been much acknowledgment of the work of the Commission. Their work and their report have undoubtedly had a beneficial effect on the Post and Telegraph Department. Quite a number of reforms have been instituted in the conduct of that Department since the investigation by the Commission began. As I played but a minor part in the preparation of the Commission's report, I should like, in fairness to the late chairman of the Commission, who is no longer a member of the Federal Parliament, to say a word in praise of his services on the Commission, and of the report as it appears before us. The gentleman to whom I refer is unable now to speak on his own behalf in this Parliament, and though he was a member of the party opposed to that to which I belong, I think it is only right that I should say that the report is a great tribute to the ability of Mr. Wilks, because it is his work more than that of any other member of the Postal Commission. He and the secretary, Mr. Synan, put in a great deal of work.

Senator RAE.—What about Mr. Webster?

Senator DE LARGIE.—Mr. Webster also deserves credit for the work he did on the Commission. But he is still a member of another place, is still the "unabridged" Webster, and is therefore able to speak for himself, as he no doubt will, in due course. I am speaking now for those who are unable to speak for themselves in this Parliament, and I say that Mr. Wilks, as chairman of the Postal Commission, and Mr. Synan, as secretary of that Commission, deserve every credit for the very comprehensive report which has been laid before us. I should say that the career of the Commission was rather rocky. There were several occasions on which it appeared that its work would be brought to a close, and several attempts were made to upset it. As a member of the Commission, I was determined that, so far as I was concerned, I would see the work through, but, for party purposes, I am disposed to think, several attempts were made to prevent the Commission going on with its inquiry into the many grievances of which we heard so much before it was appointed. There is no use blinking the fact that for a considerable time before the appointment of the Commission grievances of all sorts, suffered by various officers of the Department, were discussed in the Senate and in another place, and public complaints were made as to the unsatisfactory nature of the services rendered by the mail, telegraph, and telephone branches of the Department.

Senator SAYERS.—They still exist.

Senator DE LARGIE.—Many of them do, no doubt; but I shall be able to give a list of many that have been removed.

Senator CHATAWAY. — The honorable senator's list is going to contain the complaints that have been removed?

Senator DE LARGIE.—I propose to refer to the grievances that have been removed. It is quite impossible in such a department as the Post and Telegraph Department of the Commonwealth to have in practice the very latest developments in connexion with every branch of its work. As time goes on new and better methods of work are being continually discovered, and the time may never come when we shall have a Post and Telegraph Department completely up-to-date in every possible respect. But this

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much I will say, that, even at its worst, the Post and Telegraph Department of the Commonwealth was a long way ahead of many similar departments in other civilized countries of the world. During the investigations of the Commission we found, on making comparisons, that, speaking of the work of the Department all round, in very few of the services performed by it could any one country in the world claim to have a better system. I think it is only fair to say that, because there is a feeling prevalent that our Post and Telegraph Department is behind the times. That is not so. In the handling of mail matter and in the services rendered by the telegraph and telephone branches it will be found that the Commonwealth Department is as much up-to-date as are those of most of the countries of the world. Whilst I make that claim I do not by any means admit that the Department was all that it should be, or that it is yet all that we can make it. There are still many defects to be remedied, and much work to be done. Regarding the troubles of the Department, I may say that long before the Federal Government took it over, matters were in a bad way in many respects. The Commission had evidence to the effect that the telephone branch in particular was in an obsolete condition in most of the States. When the Commonwealth assumed responsibility for that branch of the service, there was occasion to spend a very large amount of money on its improvement. For some reason or other the various States had declined to spend money on telephones for some time previous to the inauguration of the Commonwealth. When the Commonwealth Government found that that state of affairs existed, an attempt should have been made to remedy it as soon as possible. But years were allowed to elapse before any proper inquiry was made. During that time, as has been said more than once, we were starving the Department. It was only natural to expect, therefore, that things would not improve. The reason was not far to find. Money was urgently required. It was the lack of funds for establishing new exchanges with metallic circuits and up-to-date switchboards, and carrying out various other improvements, that caused the Department to get into a very backward condition.

Senator RAE.—Ah! lack of funds again!

Senator DE LARGIE.—It was lack of money that was the cause of all the mischief.

Senator RAE.—That is the consideration that "makes calamity of so long life."

Senator DE LARGIE.—During the first six years of our Federal existence, the Commonwealth Treasurer seemed to be more anxious to find money to pay over to the States a larger sum per annum than they were entitled to receive under the Constitution, than to improve our own services. Consequently, the Departments were starved. Without thoroughly realizing how matters were allowed to drift through lack of funds, we can scarcely understand why it was that this Department got into such a backward condition. With the £6,000,000 sterling that was handed over to the States, the Commonwealth could and should have promoted many new works that were required. Instead of doing that, however, we handed the money over without even laying down any condition in respect to payment for the transferred obsolete telephones. We did not even ask the States to recognise that this £6,000,000 should be accepted in discharge of our obligations in respect of properties they had transferred to us. Nevertheless, during the last ten years, the cry has been constantly raised, "When is the Federal Government going to pay for the transferred properties?"

Senator CHATAWAY.—The honorable senator will admit that the Opposition, under Sir George Reid, strongly urged that that extra payment to the States should be regarded as a portion of the amount due for the transferred properties.

Senator DE LARGIE.—I am not aware that any such contention was raised. If so, I am afraid it was put forward in a very indefinite and unbusiness-like manner. The point is, however, that nothing was done. To-day, we find ourselves responsible for the transferred properties and the £6,000,000 paid in excess of the constitutional obligation is not acknowledged in any shape or form.

Senator CHATAWAY.—We certainly owe money for transferred properties, for which we have paid nothing yet.

Senator DE LARGIE.—What is the use of saying that, when the Commonwealth has paid £6,000,000 to the States in excess of what it need have paid?

Senator WALKER.—We only gave back to the States what they had paid into the Treasury, and what we did not require for Commonwealth purposes.

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Senator DE LARGIE.—It is useless to quibble about the point. The money was very much required for Commonwealth purposes. It must, at all events, be admitted that to-day we are wiser than we were at the beginning of our Federal existence. Otherwise, provision would have been made either to spend this excess amount on the Federal Departments, where money was urgently required to make the services efficient, or we should have stipulated that the money was handed over to the States in part payment for the transferred properties.

Senator CHATAWAY.—That should have been done, but the Labour party voted against it when it was proposed.

Senator DE LARGIE.—I do not think the matter ever came to a vote. I have been a member of this Parliament throughout, and I do not remember such a proposition being made.

Senator CHATAWAY.—I admit that it did not come before the Senate.

Senator DE LARGIE.—As far as I know, it never came before the other House either.

Senator CHATAWAY.—Oh, yes.

Senator DE LARGIE.—However, we have now to consider the report that is before us. No matter what we might have done in the past, our mistakes will not get us out of our difficulties nor lessen our responsibilities in the future. Whether the present Government continues in office or whether the Opposition finds itself in the place of responsibility later on, there will certainly be an obligation to discharge in respect of the transferred properties, and also for new works in connexion with the Post and Telegraph Department. Before I touch on the matter of finance to any further extent, let me point out that when the Postal Commission entered upon its inquiry, it was found that the management of the Department had been far from satisfactory. We discovered that there had been a considerable amount of friction, for a number of years, between the chief officers of the Department in the various States and the Central Office in Melbourne. The old anti-Federal feeling had not disappeared. The Deputy Postmasters-General in the several States suddenly found themselves in a secondary position. They discovered that they had to act under an official head located in Melbourne, and that they could no longer act entirely on their own responsibility. They felt that their importance had been somewhat diminished, and were inclined rather to pursue their own course than to obey orders which came from the Central Administration. I know that in Western Australia this difficulty was as apparent as in any other State. It certainly existed in Victoria. Indeed, we found the Deputy Postmasters-General in several States, instead of acting on the instructions received from the Central Office, as they should have done, inclined to throw obstacles in the way of the successful execution of those orders. Consequently, we had a state of affairs which could not make for success. In proof of these statements, it is scarcely necessary for me to refer to the report of the Royal Commission; but perhaps it would be just as well that I should read a paragraph so that honorable senators may be able to follow the various points upon which I shall comment. Paragraph 10 of the report states—

> Whilst the experience of the heads of the States Post and Telegraph Departments was necessary in the drafting of a scheme of Commonwealth control, it was unwise to depend upon that alone in view of its limitations. Your Commissioners consider that before the Post and Telegraph Bill was submitted to Parliament a Royal Commission should have been appointed to inquire into and report upon the management and financial position of the services, including valuation of properties and bookkeeping systems, and also upon the advisability of obtaining the assistance of an independent organizer of exceptional ability, with experience in controlling post and telegraph affairs on a large scale, to advise the Government as to the best method to adopt in amalgamating six different Departments into a homogeneous whole.

We found when we entered upon our work that, instead of the Commission having been appointed too early, it was actually brought into existence six or seven years too late. We came to the conclusion that had a Royal Commission been appointed to inquire into the transferred Departments, and had an audit been made of the value of the properties we were taking over, so that our position might have been reviewed before we legislated, we should have been able to pass a Post and Telegraph Act much more suitable to the requirements of the Commonwealth than was the Act which was placed upon the statute-book. Paragraph 12 of the Commission's report says—

> The evidence does not disclose that any effort had been made to ascertain whether the policy as formulated was properly interpreted by the Deputy Postmasters-General. For a considerable period after Federation a good deal of friction, culminating in 1907, existed between the heads of the States branches and the Central Executive. It was natural that the chief officers

of each State, possessing State experience only, would endeavour to imprint on the Department the local system which he had assimilated, and which, probably for many years, he had controlled. Your Commissioners are of the opinion that, if the Central Executive had possessed itself of a better personal knowledge of the conditions affecting the Deputy Postmasters-General of the various States, the dissatisfaction which had existed between the Central Executive and the deputies would have been reduced to a negligible quantity.

Whilst I find fault with the men who were at the head of the Department in each State—that is to say with the Deputy Postmasters-General—the whole of the blame does not by any manner of means rest upon them. We found that there was a lack of sympathy in the Central Office, which did not do all that might have been expected to understand the various State officers, and to work in harmony with them. I dare say that if the whole subject had been gone into thoroughly a great deal of blame would have had to be apportioned to both sides. We have, however, got away from that state of affairs to-day. We now have established a better method of controlling the Department, and a larger measure of sympathy exists between the Central Office and the administrative officers in the States. One of the startling facts which we discovered in relation to the management of the Department was that the heads of the service were, in some cases, by no means well versed in their business. That is rather an important statement to make, and one that should not be lightly made. But the investigation made by the Commission, and the evidence which was given, justifies us in coming to that conclusion. As a matter of fact, men who were at the top of the service, who held very important positions, and drew handsome salaries, had not so good an acquaintance with the work of the Department as had officers on the lower rungs of the ladder. We found some of these lower-paid officers much better acquainted not only with the work of the Commonwealth Department, but with postal facilities existing in other countries than were the heads of the Department in some States. This was especially noticeable in the case of an officer of the General Division in New South Wales—a gentleman who, when he had a holiday, spent it in investigating the methods which obtained in the British Post Office, and in the French Post Office. He came before the Commission and gave us a very large amount of useful information in regard to the improved working of the Department. But when we asked officers occupying the highest positions in the Department what they knew of the methods of postal management which obtained in foreign countries they had to reply that they knew nothing.

Senator HENDERSON.—Was the man who was able to supply the information dismissed?

Senator DE LARGIE.—I do not think that that drastic course was adopted. If justice were done, the gentleman to whom I refer would not still be in the General Division.

Senator NEEDHAM.—He is still there?

Senator DE LARGIE.—Perhaps the very fact that he possesses special knowledge, will be a bar to his promotion. That was the state of affairs which existed, so far as some of the heads of the Department were concerned. But a notable exception is Mr. Hesketh, the electrical engineer, who has travelled largely in America and in the United Kingdom. He was *au fait* with the workings of the Postal Department quite outside his own particular branch, and from him the Commission received a great deal of assistance in framing their report. The conclusion at which we arrived in this connexion was that facilities should be granted to officers occupying high positions in the Department to visit other countries with a view to acquiring a better knowledge of the conditions which obtain in the Postal Departments of those countries. Mr. Hesketh benefited a great deal as the result of his visits abroad. The Government certainly paid his expenses, and a similar course should be adopted in the case of other officers. Nor would I confine these visits to the heads of Departments. Even the humblest officer in the General Division—provided that he shows the requisite capacity—should be afforded an opportunity to go abroad and bring back the knowledge which he may gather in the course of his travels.

Senator NEEDHAM.—The money would be well expended.

Senator DE LARGIE.—It would be. One of the chief features of the scheme propounded in the Commission's report is a policy which, so far, has not received recognition either from the Government or from the officials controlling the Department. The basis of that scheme is that a different method of managing our postal affairs should be adopted in the future. I am quite aware of the drawbacks inseparable from party government, and of their

relation to a big Department like that of the Post Office. In this connexion we ought not to forget that that Department has probably suffered more as the result of party government than has any other Department. When we recollect that since Federation was accomplished we have had no less than eleven Postmasters-General, it will be seen that anything in the form of a continuous policy has been almost impossible.

Senator WALKER.—How many Under-Secretaries have we had?

Senator DE LARGIE.—Only two. But I would point out that the powers of the Under-Secretary are very limited indeed, even in matters of administration. The Commission recommends that, whilst we should not lessen Ministerial control of the Department, we should aim at having a continuous policy, and with this end in view it urges the creation of a Board of Management. Instead of having a permanent head who in reality is far from being what his title implies, owing to the political changes which occur from time to time——

Senator GARDINER.—Paragraph 13 says that an incomplete conception of the Federal spirit existed among the Deputy Postmasters-General. What was the Commission's view of the Federal spirit?

Senator DE LARGIE.—I have already pointed out, that in the early days of Federation there was an absence of the Federal spirit which should have been exhibited if successful administration was to be secured. The Deputy Postmasters-General in the various States—at Sydney, Melbourne, and Perth, for example—did not work in with the Central Office, as they should have done. The friction thus occasioned was a factor which contributed a great deal to want of successful management.

Senator RAE.—The Deputy Postmasters-General ought to have been removed from one State to another from time to time.

Senator DE LARGIE.—I do not know that that would have effected an improvement, but those officers are not now in the Department. The Board of Management recommended by the Commission would consist of a general manager, who would be its chairman, a postal director, and an electrical director. That is to say, the three chief branches of the Department would each have a representative upon it. Perhaps, if I read the paragraph in the report bearing on this matter honorable senators will be better able to grasp the system. Paragraph 55 reads—

> Your Commissioners consider that, in order to insure sound and economical administration, a basic change is essential, and recommend that a Board of Management, consisting of three directors, namely, a general manager (chairman), a postal director, and a telegraph and telephone director, be appointed to control the Department. From a careful consideration of the requirements of the Department, it is deemed advisable to allot the functions and duties of the respective directors as follows:—
>
> (1) The General Manager should be chairman of the Board of Management, and should be immediately responsible for finance and general administration.
>
> (2) The Postal Director should be responsible for the management and general supervision of the mail services.
>
> (3) The Telegraph and Telephone Director should be responsible for construction and maintenance.

The next paragraph elaborates the position and states—

> Your Commissioners are strongly of the opinion, from the evidence given and from personal inspection of the various branches of the Department, that the Board of Management recommended would effect great savings within a short period, in addition to the large savings which should result from the removal of staff matters from the control of the Commonwealth Public Service Commissioner.

That is an important departure from the existing method—

> Evidence was given to the effect that the position of the Chairman of the Board of Management would be worth a salary of at least £2,000 per annum. Your Commissioners are not prepared to recommend the amount of salary necessary, but consider that, in order to secure suitable members for the board of management, it is imperative that attractive salaries be provided, as the service requires the highest standard of administrative ability procurable.

Senator WALKER.—I do not think that £2,000 a year is a penny too much.

Senator DE LARGIE.—I do not think it is, if we can find the right man for the position. The fact that there were two Labour representatives on the Commission, and that they did not wish to lessen that amount, is a refutation of the charge which we frequently hear that Labour men are anxious to reduce all to a dead level of equality. Paragraph 57 of the report reads—

> Under a Board of Management as recommended, the position of the Ministerial head would be that of the connecting link between the Parliament and the Department. The Minister would retain complete control of matters of policy as laid down by Parliament. Such Board of Management should equip Parliament through the Postmaster-General with reliable advice on

the financial condition of the services, which would serve as a guide to Parliament and the Postmaster-General, and enable them to avoid alterations of a drastic character without the fullest consideration of all their bearings on vital issues.

Unfortunately, that method has not been pursued in the past because vital alterations have been made without any consideration being given to what would be their effect on the services which the Department is asked to perform—

The Board of Management should furnish the Parliament with an annual report covering the past year's transactions, including a balance-sheet disclosing the financial position of the several branches of the Department. Your Commissioners contend that without such guidance Parliament is unable to appreciate the necessities of this enormous and ever-expanding Department.

So far as an annual report on the finances of the Department is concerned we have never had a complete one presented. It is true that a statement has been made concerning the financial position of the Post Office, but it has been of very little assistance in illustrating the real position.

Senator McCOLL.—The honorable senator means a balance-sheet?

Senator DE LARGIE.—Yes, I mean a complete balance-sheet. The Commission found that no data were available which would indicate the true financial position of the Department. The various accountants were completely in the dark. When we asked them why they had not information to offer they merely replied that they had been following the old method which obtained prior to the advent of Federation.

Senator McCOLL.—We could never get a complete balance-sheet in regard to the Postal Department from the States prior to Federation.

Senator DE LARGIE.—Unfortunately, each State was equally lax in this respect.

Senator READY.—Could not the officers give the Commission an approximate idea of the financial position?

Senator DE LARGIE.—Several statements were made, but as no reliance could be placed on them the Commission had to ignore them.

Senator HENDERSON.—Within a million or two they knew nothing about the position.

Senator DE LARGIE.—It was more than that, I think. I have already mentioned that the telephone branch in particular was in a bad state when the Department was transferred to the Commonwealth. That state of affairs was allowed to continue for years until the public protested very loudly. The Postal Commission found that this particular branch had been starved for the want of funds. In every State new metallic circuits and switchboards, which cost considerable sums, had been asked for by the heads, but they were told that no funds were available, and for that reason the services got from bad to worse. To make things still worse, instead of trying to secure all the revenue which we could possibly have collected, we burnt the candle at both ends, so to speak. We not only reduced the vote to the Department for new works, but we also crippled our finances by reducing the telephone rates. This we are informed, by the heads of the Department, was done in defiance of advice tendered by responsible officials whose duty it was to advise the Minister of the day.

Senator WALKER.—Does that include penny postage to the United Kingdom?

Senator DE LARGIE.—No; the telephone rates were reduced prior to the establishment of penny postage, and though penny postage was introduced by the Government of which I am a supporter, I think it was as great a blunder as was the reduction of the telephone rates. I am not here to cover up the sins of this Government when they do a thing of that kind, any more than are my political opponents.

Senator RAE.—You are absolutely wrong.

Senator DE LARGIE.—It is all very well for such a remark to come from Senator Rae and those who were foolish enough to vote for penny postage before we could afford it.

Senator RAE.—We can afford it easily enough.

Senator DE LARGIE.—No. The fact that we cannot get sufficient money voted for new works and mail facilities in the back blocks, where they are much required, is very good evidence that we cannot afford penny postage. Australia adopted penny postage long before it was able to afford it. There is no country in which mail matter is carried such long distances, officials are paid so well, and letters are carried at such small rates, as in Australia.

Senator RAE.—The postage is quite enough. Let us get taxation from the rich and we will pay that and more besides.

Senator MILLEN.—What is the cost of penny postage?

Senator DE LARGIE.—It is too early to say, I think.

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Senator MILLEN.—Do you remember the estimate which was given?

Senator DE LARGIE.—£400,000 a year.

Senator MILLEN.—And that you say we cannot afford?

Senator DE LARGIE.—No.

Senator MILLEN.—What will be the cost of the railway from Port Augusta to Kalgoorlie?

Senator DE LARGIE.—That is another matter, which will be dealt with when we are considering the financing of that railway. Financially, I think that it will do Australia a great deal of good. It will make remunerative many of the long mail services which are now being conducted at a loss. I desire now to refer to the accounts' system which the Postal Commission found in vogue. Take, for instance, the telephone branch. I have already mentioned that in 1907 the Postmaster-General reduced the telephone rates in opposition to advice tendered to him by the heads of his Department. The Postal Commission found that there was a considerable loss on the telephone branch. We discovered that people were very anxious to get telephone connexions, and that a very large number of subscribers resulted. There was an outcry about persons not being able to get connected, and so on. But when it was revealed that on every telephone which was erected there was a loss of at least 20s. or 25s. a year, we realized that the greater the number of subscribers secured the larger was the loss. The need for an increased amount was very obvious, I think, from the beginning. The increased revenue obtained has put the finances in a somewhat better position than they were in previously. If Mr. Thomas acted somewhat hastily in regard to penny postage he is entitled to some credit for having put the finances somewhat straight, so far as the telephone rates are concerned. The Postal Commission recommended that the accounts should be put on a different basis. We advised that an accountant should be appointed to provide a better method of bookkeeping, and that a complete balance-sheet should be issued annually showing exactly the position of each branch, so that we might ascertain which was profitable and which was unprofitable. With this information in our possession we should be able to proceed much better, from time to time, with regard to alterations. In the past we were in the dark, and brought about reductions which, had the true financial position been known, I do not think that Parliament would have been so foolish as to permit. The improvements which were effected after the Postal Commission was appointed, and the necessity for which was revealed during the inquiry, are enumerated on page 8.

Senator RAE.—Have not some of these improvements involved new expenditure?

Senator DE LARGIE.—Undoubtedly, and I think that we can very well afford it, too.

Senator RAE.—According to your argument these improvements should be condemned.

Senator DE LARGIE.—Why?

Senator RAE.—Because we cannot afford these things.

Senator DE LARGIE.—The honorable senator is treating the matter in a rather humorous vein, although it is a painful sort of humour.

Senator RAE.—I understood that you were arguing that we could not afford these things.

Senator DE LARGIE.—Among the improvements which have been made, and the service concessions which have been granted, are the following:—

1. Increase in the permanent staff by making provision in the 1909-10 Estimates for 1,500 additional officers.
2. Larger votes granted for telegraphic and telephonic construction works.
3. Telephone rates remodelled.
4. Position of Chief Accountant created.
5. Chief Electrical Engineer's staff augmented.
6. Introduction of Wheatstone instruments on Inter-State telegraph lines.
7. Reduction of the number of grades of post-offices from thirteen to seven.
8. Overtime worked in the General Post Office, Sydney, partly paid for.
9. Accommodation obtained at the Central Railway Station, Sydney, for the Mail Branch.
10. Sorting test simplified in May, 1909.
11. A conference of departmental officers held to investigate the question of broken shifts in the Mail Branch.
12. Additional grade of Senior Assistant established.
13. Age for the admission of telegraph messengers to Service increased, and age of retirement extended.
14. Appointment of outside supervisors of telegraph messengers.
15. A uniform *Postal Guide* introduced.
16. Improvement made in the compensation allowed for Sunday work.
17. Letter carriers' beats in Sydney re-adjusted.
18. Privileges extended to temporary employés.
19. Procedure under punitive sections of Commonwealth Public Service Act simplified.

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These are the principal improvements which were brought about before the report had been printed, so far as the management and the services of the Department are concerned. Another important recommendation made by the Postal Commission was the appointment of a Staff Committee to perform the work which is now performed by the Public Service Commissioner. Our recommendation, which appears at the bottom of page 22, reads as follows—

> Some officers representing associations within the Service considered that the Commonwealth Public Service Commissioner safeguards their interests, and maintained that independent Commissioners would be directed by strictly commercial principles, and that the officers' status would be reduced.
>
> Your Commissioners consider that those members of the staff who do their work thoroughly need not fear unjust treatment, as a competent Board of Management would dispense with promotion by seniority, and advancement would depend upon merit. In obtaining the requisite data to enable the Board of Management to act judicially, it would have the assistance of competent State Staff Committees, composed of officials possessing both technical knowledge and experience of postal affairs, which would insure equitable treatment to the members of the Service. It is obvious that the existing practice of basing promotion on seniority and merit combined does not result in obtaining the most efficient service. The adoption of the system proposed would be an incentive to the staff to aspire to a higher standard of efficiency. The only way to obtain a properly efficient and progressive Department is by recognition of merit and capacity for development. Recommendations on all vital matters presented by the associations during the course of the inquiry will be made and will be set out under "Organization."

The Staff Committee in each State would be composed of three officials.

Senator RAE.—At the Central Office in each State, I suppose.

Senator DE LARGIE.—Not necessarily. The Staff Committee in each State would be composed of three men in the Department, who know the value of the work which officers perform, and have a good knowledge of postal work in its various aspects. We felt that the control of the Department should be in the hands of men who know thoroughly its work. We had proof that it was a wrong principle to put at the head of the Department, to control promotions, or make appointments, a man who had not a complete knowledge of the technique and the value of the work to be done. We, therefore, recommended that so far as this Department is concerned the position of Public Service Commissioner should be abolished, and that in each State a Staff Committee should take his place in making appointments or promotions in the service.

Senator RAE.—If that rule were applied to the other Departments it would mean dispensing with the Public Service Commissioner.

Senator DE LARGIE.—It will, of course, be for Parliament to say whether his office is to be abolished or not, and I agree that there would not be the same necessity for such an officer if we were to take the control of the officers of the Post and Telegraph Department out of his hands and put it into the hands of a Staff Committee. The Commission recommends that the Staff Committee should do this work, and common sense will suggest that they should be in a better position than any man outside the Department, who does not understand the work to be done, to say which officers should be appointed to do different kinds of work.

Senator RAE.—Would the members of the Staff Committee retain their present positions, or would their whole time be taken up with the work proposed to be given to them?

Senator DE LARGIE.—Even if their whole time were taken up with this work, and that can only be discovered by actual experience, it should be no reason for refusing to adopt a more satisfactory system than that in operation at the present time.

Senator WALKER.—Can the honorable senator inform the Senate how many employés there are in the Post and Telegraph Department?

Senator DE LARGIE.—There are at least 13,000.

Senator W. RUSSELL.—Too many for any one man to boss.

Senator DE LARGIE.—As Senator W. Russell suggests, it is almost impossible for any one man to control so many officers engaged in different kinds of work. I do not wish to detract in any way from Mr. McLachlan's ability. I quite recognise that he is a very able man, and has done very valuable work. He has had many obstacles to overcome, and has had a very hard row to hoe, but I still contend that the head and manager of a Department should be responsible for appointments and promotions in that Department, and is in a better position to judge the capacity and value of the services of those under him than any one outside the Department can possibly be. It is because we felt that the proposal we have

made is essential to the good working of the Post and Telegraph Department that we made this recommendation.

Senator McGREGOR.—Should we not have one Department doing the work in one way and another in a different way if that proposal were adopted?

Senator DE LARGIE.—No, the Board of Management would have a considerable say in the work of the Staff Committee.

Senator McGREGOR.—That is dealing only with the Post and Telegraph Department. I was referring also to other Departments of the Public Service.

Senator DE LARGIE. — Senator McGregor is aware that the report I am discussing deals only with the Post and Telegraph Department, and we need not at the present time trouble ourselves with other Departments. Since this report was tabled the Public Service Commissioner has published a memorandum upon it to which I should like to give some little attention. He criticises the report very severely, and questions many of the statements made in it. I think that it is only fair that a gentleman occupying his position should be given some attention, as anything he may have to say touching a subject of this kind should be worthy of consideration. At the beginning of his report he says that the arguments in favour of a new order of things are neither convincing nor conclusive. I quite recognise that no matter what reasons we might give for the appointment of a Board of Management or a Staff Committee, if either the one or the other involved the abolition of his position we could hardly claim that they should convince him that we were right in our recommendations. It would be like trying to convince a man sentenced to death that the sentence passed upon him was a just and proper one. I shall not, therefore, attempt to justify the recommendations of the Postal Commission to the Public Service Commissioner, but I intend to prove that our recommendations would be for the good of the Department and the good of the Commonwealth, and that should be our first and last consideration. The grievances of the officers of the Department are not, I think, quite so pressing to-day as they were prior to the investigations of the Commission. Many of the recommendations of the Commission have been put into practice or partially adopted, and as a result it will be admitted that the officers are in a much better position than they were. I find Mr. McLachlan complains that he was not given ample opportunity to put his side of the case to the Commission. I think that is rather an unfair statement for the Public Service Commissioner to make, because he was kept in touch with the investigations of the Commission from the beginning. He was supplied with a copy of the evidence, and he was, with one exception, the very last witness to be examined. In the various States his inspectors were given ample opportunity to make the most complete statements. They were kept well posted with the evidence given by representatives of associations of officials in the Department. We endeavoured to afford them every opportunity to learn the nature of the evidence that was being tendered, so that they might be in a position to answer it. In the circumstances, I say that when twelve months after the report was tabled Mr. McLachlan complains that he was not given a proper opportunity to put his case his statement is rather an unfair one to make.

Senator HENDERSON.—The Commission never curtailed his opportunities, did they?

Senator DE LARGIE.—There was no curtailment of his opportunities. We asked him for a complete statement of his case. He submitted a typewritten statement covering, I think, about thirty pages, and on that he was examined at considerable length.

Senator WALKER.—Would the proposed Board of Management be non-political?

Senator DE LARGIE.—Certainly. It would have to do only with the administration, and not with the policy of the Department. Mr. McLachlan disputes the statements made to the Commission as to the salaries paid to sorters, letter-carriers, and such officers in New Zealand. He complains that we accepted evidence on the subject that was not reliable. I have here the classification list printed by the authority of the New Zealand Government, and I find that, according to the list for 1908-9, sorters and letter-carriers in the Dominion were then paid the very salaries which Mr. McLachlan disputes as being incorrect in the evidence tendered to the Commission. We were informed that they were paid as high as £200 a year. I have a list before me including quite a number of letter-carriers and sorters paid at from £180 to £200 per annum. The classification list for the following year, published by the New Zealand Government, includes even a larger number of these officers paid up to the rate of £200 a year. It is therefore

proved by New Zealand official publications that the evidence as to the rates of pay of these officers in New Zealand tendered by the representatives of associations in our Post and Telegraph Department was quite correct. Mr. McLachlan seems to think that the members of the Commission recognised no responsibility in making their recommendations. He suggests that they were very generous, and all that sort of thing, and that the representatives of associations asked for something quite unreasonable. However, we find that the recommendations we made have been accepted to a considerable extent by the Public Service Commissioner himself. It will be admitted that many of the recommendations to which he has objected must have been justified, or he would not have put them into practice, as he says in his memorandum he has done. I should like now to direct attention to the salaries paid to some officers at the time the Commission began their inquiry, and to compare them with the salaries the same class of officers are receiving to-day, and with the recommendations on the subject made by the Commission. If we take, for instance, officers of the Fifth Class of the Clerical Division, we shall find that they were formerly paid £40 a year to start with, and the salary advanced by regular increments up to £180. The Commission recommended that the salaries for these officers should run from £60 a year with annual increments until they reached £200. In the General Division the rates for mail officers were from £180 to £228. The Commission recommended that they should be from £210 to £240, and they are now receiving from £198 with annual increments until they reach a maximum of £228. The despatch officers were formerly paid at from £174 a year up to a maximum of £180. The Commission recommended that the salary of these officers should be £200 a year, and we now find that the Government have increased the salary in their case to £180 a year. Junior sorters formerly started at £144 a year and went up to £156. Senior sorters started at £162 and went up with the usual increments to £168. They are now receiving from £144 to £168. The recommendation of the Commission was that they should start at £150 and should go on until they received £190, which is a little higher than they are now receiving. Letter-carriers formerly started at £60 a year, and went on until they reached a salary of £150 a year, but it took them twenty years to reach that maximum salary. Now they start at £72 a year and reach a salary of £150 in twelve years, so that they reach the maximum very much more rapidly than they did before. Mail drivers and postal assistants receive the same salary. Linemen were formerly paid £114 per annum, rising by increments, until they received £150, but they took twenty years to reach the maximum. Now the salary paid commences at £126, rising until the amount of £150 is reached. The Royal Commission recommended that the salary should start at £120, and rise to £156. Senior linemen formerly received £144, and the maximum was £156. They are now being paid £144 at the commencement, rising to £156. Line foremen formerly received £162 at the beginning, rising by increments to £168. The Royal Commission recommended that the salary at the commencement should be £168, rising to £192. They are now receiving £168 at the commencement, rising to £180. Line inspectors formerly commenced at £174, rising to £348. The Royal Commission recommended that the minimum should be £200 and the maximum £350. The Government has increased the salary to £192 at the commencement, rising to a maximum of £348. Mechanics—that is, fitters employed in the Telephone and Telegraph branches—formerly commenced as boys at the very small salary of £26 per annum, rising to £110. The Royal Commission recommended that they start at £60, rising to £160, but the Public Service Commissioner has gone even better than we proposed to do. These mechanics now start at £72 a year, but the maximum is not so high as that recommended by the Royal Commission, being only £180. Foremen mechanics formerly commenced at £162 and the maximum was £180. The Royal Commission recommended £200 as a minimum, and £250 as a maximum. The salary paid by the Government has been increased to £192 as a minimum, and £240 as a maximum. Supervisors of telephones formerly commenced at £132, rising to £150. Now they receive £144 as a minimum, and £156 as a maximum. But these officers have been placed in two grades according to the nature and value of the work. In the higher grade the maximum is £168. The Royal Commission recommended that they should start at £162, and that the maximum should be £180.

Senator RAE.—I beg to call attention to the state of the Senate. [*Quorum formed.*]

Senator DE LARGIE.—I have a few more figures to quote. I recognise that the quotation of figures is tedious, but I consider that these details are important. Telephone monitors formerly started at £114, rising to £150. Now they start at £126, rising to £150. The Royal Commission recommended that they should start at £120, rising to £156. Telegraph messengers formerly commenced with a minimum of £26, rising to a maximum of £52. The Government have increased the rates to a minimum of £39, and a maximum of £60. I find that these increases, according to a calculation made by the Public Service Commissioner, amount to an increase per annum in the General Division of £90,000, and in the Clerical Division of £50,000, or a total of £140,000 per annum. On page 20 of the Public Service Commissioner's memorandum there is a comparative statement showing how necessary were the increases of salaries provided for the officers. It also proves that the stand the officers made in relation to increases of salary was justified by the increases which the Public Service Commissioner himself has brought into existence. I find from these figures that so far from the Royal Commission having been extravagant, and having made recommendations without due consideration, the amounts that we recommended were, according to this statement, not so great as were those which the Public Service Commissioner himself recommended. According to this information the cost of the recommendations proposed by the Royal Commission would only be £37,650 per annum, as against increases of £67,830 recommended by the Public Service Commissioner. I mention this statement to show that the Royal Commission did not, without due consideration, make any recommendations for increases of salary, nor did it do so without having sufficient proof that increases were thoroughly justified. I think I have now quoted enough to show that the recommendations put forward by the Royal Commission are justified both in relation to grievances and salaries. They are also justified as far as concerns the working conditions of the Department. But there are still many of our recommendations yet to be put into practice, and I hope that the further increases they involve will be made as early as possible. I claim to have proved that a new system of management is required in the Department, and that the kind of control that has hitherto existed will not suffice in the future. We require drastic alterations to be made. The report of the Royal Commission provides a better system of working the Department than has prevailed in the past. If this system were brought into practice we should have a greater degree of efficiency in the service, both in connexion with our mails and with the telegraph and telephone systems. The Government of the day, or the officials at the head of the Department, may wish to ignore this report. But to do so will not get them out of their difficulties. They will have to take steps to reform the Department. The alterations recommended by the Commission may be carried out in a piece-meal fashion, or the authorities may adopt this report of ours holus-bolus, and so revolutionize the system; but of one thing I am assured—that, sooner or later, as time goes on, it will be proven that this report contains recommendations affecting the good working of the Department which will have to be adopted whether the officials manifest opposition to them or not. Having now spoken at greater length than I had intended—there are many things in the report I have not touched on, but I hope to deal with them when I reply at the close of the debate—I conclude by saying that I have great pleasure in moving that the Senate approve of the Commission's report.

Debate (on motion by Senator FINDLEY) adjourned.

Senate adjourned at 9.20 p.m.

House of Representatives.

Thursday, 12 October, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

SUPPLY BILL (No. 3).

Mr. SPEAKER reported the receipt of a message from His Excellency the Governor-General, recommending an appropriation for the purposes of this Bill.

Referred to Committee of Supply.

NEW SOUTH WALES CADETS.

Mr. RILEY.—I wish to know from the Minister representing the Minister of Defence whether the latter is aware that the

Australian Coronation contingent of cadets arrived in Melbourne yesterday, and were in the grounds of Parliament House, and, if so, did he intend a slight upon them by not being present to see them?

Mr. FRAZER.—I presume that the honorable member bases his question on a paragraph appearing in one of to-day's newspapers?

Mr. RILEY.—That is so.

Mr. FRAZER.—Having read that paragraph, I spoke to the Minister of Defence on the subject, and ascertained that not only was he not invited to be present yesterday, but was not even notified that it was intended that the cadets, who are under the command of the gallant and much-advertised Major Wynne, would visit Parliament House.

Mr. BRUCE SMITH.—Is it not a fact that Major Wynne tried on several occasions to see the Prime Minister with regard to the cadets coming here?

Mr. FISHER.—I have no knowledge of such attempts to see me. While the body of the late Minister of External Affairs was being put into the train at Spencer-street last Monday, Major Wynne saw me momentarily, said that he had arrived, and asked if I could see the cadets. My reply was that I was not then in a condition to see any one. Under no other circumstances and on no other occasions, has Major Wynne's name been mentioned to me since.

WIRELESS TELEGRAPH STATIONS.

Dr. MALONEY.—In view of the need for wireless telegraph stations on the Australian coast, is it the intention of the Government to provide one in Melbourne, and, if so, when?

Mr. THOMAS.—It is intended to establish a wireless telegraph station in Melbourne. The Government wrote to the Government of Victoria, asking for permission to use the Exhibition Building for the purpose, but it was not thought advisable to grant our request, and our wireless expert is now under instructions to obtain as soon as possible a site in or near Melbourne. To-morrow he and an officer from the Department of Home Affairs will endeavour to fix upon such a site, and he assures me that, within five weeks after the site has been determined upon, he will be able to erect the necessary installation, and that practically all the plant, with the exception of the engine for generating the electricity, will be made in Australia.

Mr. LAIRD SMITH.—Seeing that Hobart, owing to its berthing facilities for ocean-going steamers, is fast becoming one of the most important shipping ports in the Commonwealth, will the Postmaster-General take into consideration the advisableness of establishing a wireless telegraph station on Mount Nelson or some other site near Hobart?

Mr. THOMAS.—I am extremely anxious that our expert should erect the Melbourne installation first. When that has been completed, I shall instruct him to take into consideration the advisableness of providing a wireless telegraph station in or near Hobart.

PAPERS.

MINISTERS laid upon the table the following papers:—

Postmaster-General's Department—First Annual Report.

Ordered to be printed.

Sugar Industry—Copy of Letters Patent appointing a Royal Commission to inquire into and report upon the Sugar Industry in Australia.

Excise Act—Beet Sugar Regulations—Statutory Rules 1911, No. 156.

Shale Oils Bounties Act—Regulations—Statutory Rules 1911, No. 137.

Spirits Act—Regulation—Standard for Industrial Spirits—Statutory Rules 1911, No. 160.

FEDERAL CAPITAL.

Mr. HIGGS.—Is it true that the Australian, British, and American architects decline to submit competitive designs for the Capital? If so, will the Minister reconsider his determination regarding the judging of designs, and take into consideration the advisableness of appointing a committee of experts to do this work?

Mr. KING O'MALLEY.—I see by the newspapers that there is some talk about the matter, but, as I have already stated on several occasions, town planning does not come solely within the province of architects, since architects, surveyors, and engineers are all interested. It is true that the suggestion has been made that I should bring an architect from England and another from America, but it is not intended to do that. When the designs have been sent in, we shall appoint a Board consisting of an Australian architect, an Australian engineer, and an Australian surveyor, all members of Australian institutes, to judge the designs. If one of the professions concerned starts a boycott, I cannot help it. It is their idea of preference to unionists.

Mr. HIGGS.—Does not the Minister consider it advisable to appoint the committee and to let the names of the judges be known, before designs are called for?

Mr. KING O'MALLEY.—I trust that we shall not introduce Tammany Hall methods out here.

Mr. W. ELLIOT JOHNSON.—Referring to the answer given by the Minister of Home Affairs to the question put to him by the honorable member for Capricornia, I desire to ask the honorable gentleman whether he expects to receive any designs from experts in other parts of the world, in view of their expressed determination to refrain from submitting any under the terms and conditions of the competition? In any case, will the Minister say what purpose will be served by delaying the appointment of a Board of adjudication? Will he not take into consideration the advisableness of reassuring those who have been invited to compete as to the competency and absolute impartiality of the Board that is to be appointed?

Mr. KING O'MALLEY.—I desire to emphasize the point that town planning is principally the work, not of architects, but of engineers and surveyors. The work of the architect in that connexion is superficial. When we call for designs for buildings at the Federal Capital, the work of the architect will come into play, but it would be preposterous to talk of postponing this matter at the present stage. I desire to build the Capital, but apparently the honorable member does not.

Mr. W. ELLIOT JOHNSON.—I certainly do not wish to postpone the work.

Mr. FINLAYSON.—In view of the fact that Mr. Howard has been conspicuously successful in the work of laying out garden cities in England, will the Minister of Home Affairs consider the desirableness of inviting him to assist in the work of laying out the Federal Capital?

Mr. KING O'MALLEY.—That matter may be considered a little later on; but we are not yet ready to take action in regard to it.

Mr. HIGGS.—By way of personal explanation, may I state that when I asked the Minister of Home Affairs a certain question a few moments ago, I had no desire to suggest that Tammany Hall methods, whatever they may be, should be introduced into Australian politics. I do not pretend to know exactly what they are. I wish, however, to ask the Minister whether he himself is going to undertake the work of adjudicating upon any designs that are submitted? There seems to be an impression on the part of architects that the Minister is going to take upon himself that judicial duty.

Mr. KING O'MALLEY.—No. I am not going to be the artistic judge. The three gentlemen whom I intend to appoint will judge the designs, and the decision of the Government will be final.

NORTHERN TERRITORY.

Mr. FRANK FOSTER.—Will the Prime Minister procure and lay on the table of the House a progress report in regard to exploration and general investigation work in the Northern Territory up to date?

Mr. FISHER.—I shall ask the Minister for External Affairs, when he is appointed, to obtain all the information possible.

DEFENCE: COMMANDER CLARKSON.

Mr. KELLY asked the Minister representing the Minister of Defence, *upon notice*—

1. Is it a fact that Commander Clarkson has been offered the choice of one of two positions—(*a*) in connexion with the Small Arms Factory; (*b*) on the Naval Board?

2. If so, has Commander Clarkson yet decided which position he will accept?

Mr. FRAZER.—The answers to the honorable member's questions are—

1 and 2. Engineer-Captain Clarkson was sent abroad to supervise the arrangements for the supply of machinery and tools for the Small Arms Factory, and it was proposed by Sir Thomas Ewing (the then Minister of Defence) that, when the time came for the appointment of a manager to the factory, Engineer-Captain Clarkson should be appointed if considered competent to undertake its management. Engineer-Captain Clarkson subsequently stated he would prefer to retain his connexion with the Naval Forces. On the reconstitution of the Naval Board on the lines recommended by Admiral Henderson, the position of third naval member was created, and it was offered by Senator Pearce to Engineer-Captain Clarkson, who has since been appointed to the position in question.

ELECTORAL ROLLS.

COMMONWEALTH AND STATE ACTION.

Mr. GROOM asked the Minister of Home Affairs, *upon notice*—

As the Commonwealth Electoral Act provides for joint action on the part of the Commonwealth and States to secure common electoral rolls, will the Minister inform the House if any steps have been taken in this regard?

Mr. KING O'MALLEY.—Yes. The fullest representations have been made to the whole of the States. A common electoral roll is in existence in Tasmania, and the electoral law of Western Australia has recently been amended, with a view to facilitating similar action in that State. The official representatives of the other States have affirmed the desirableness of a common roll, and further action now awaits State legislation.

WIRELESS TELEGRAPHY.

EMERGENCY BATTERIES—CONTRACT FOR PENNANT HILLS AND FREMANTLE INSTALLATIONS—H.M.A. SHIPS "PARRAMATTA" AND "YARRA."

Mr. KELLY asked the Postmaster-General, *upon notice*—

1. In view of the resolution passed in this House on the 9th September, 1909, in connexion with wireless telegraphy, will he arrange to have some supervision made of the installations in merchant ships about the coasts so as to see that they have emergency batteries in connexion with the equipment, in order to guarantee that if anything happens to stop the current supplied by the ships' engines the wireless telegraphy apparatus will not cease to be in working order?
2. How many Australian merchant ships are equipped with wireless telegraphy?
3. How many of these installations have no emergency batteries?
4. What company has made such incomplete installations?

Mr. THOMAS.—The answers to the honorable member's questions are—

1. A condition of the new Commonwealth licence to vessels fitted with apparatus for commercial purposes will be that they have an emergency accumulator battery associated with a spark coil, together with switching gear, in such a manner as, should for any reason the main gear become inoperative, sufficient energy will be available for six hours' communication.
2. I am unable to say, as no licences to use wireless telegraphy have yet been issued to ships.
3. See answer to No. 2.
4. See answer to No. 2.

Mr. KELLY asked the Postmaster-General, *upon notice*—

1. On what date did he permit the original contracting syndicate for the erection of wireless telegraphy installations at Pennant Hills and Fremantle to transfer its contract to a new company?
2. What was the contract price for the erection of the said installations?
3. What was the capital of the original contracting syndicate?
4. Was he aware, when he permitted the transfer of the contract from the syndicate to the company, that the syndicate was to get from the company for its Australian rights in Telefunken £10,000 in cash, £15,000 paid-up preference shares, and 20,000 paid-up ordinary shares out of a total capital of £65,000?
5. Was he aware at that time that the new company's shares would be dealt with on the Sydney Stock Exchange?
6. Were Mr. McLeod, the proprietor of the Sydney *Bulletin*, and Mr. Wheeler, of the same paper, members of the original contracting syndicate?
7. Was he aware, at the time he consented to the transfer of the contract, that the Sydney *Bulletin*, in its financial columns, would recommend investors to buy shares in the new company?

Mr. THOMAS.—The answers to the honorable member's questions are—

1. 20th July, 1911.
2. £4,150 for each station, original price as per tender. £2,000 extra paid on account of Sydney station being erected at Pennant Hills.
3. £5,000.
4. No.
5. No.
6. Mr. McLeod was. I have no knowledge as regards Mr. Wheeler.
7. No.

Mr. KELLY asked the Minister representing the Minister of Defence, *upon notice*—

1. What system of wireless telegraphy is installed on H.M.A. ships *Parramatta* and *Yarra*?
2. Have the installations on each of these ships emergency batteries to take the place of the ship's current in the event of a breakdown in the ship's power?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. The installations on the *Parramatta* and *Yarra* are of the Marconi system.
2. Yes.

OUTBREAK OF SMALL-POX.

Mr. W. ELLIOT JOHNSON asked the Minister of Trade and Customs, *upon notice*—

1. Will he consider the question of compensating, either wholly or partially, the owners of the s.s. *Eastern* and those passengers and shippers who have sustained pecuniary loss through the vessel having been ordered from Thursday Island to Sydney for quarantine purposes, owing to there being insufficient quarantine accommodation at Thursday Island?
2. In view of the risk of small-pox breaking out on other vessels coming from Asiatic ports (which make Thursday Island one of their first Australian ports of call), will he take prompt steps to make suitable quarantine provision at that place, and thus avoid the necessity for ordering such vessels to proceed to the Sydney quarantine station.

Mr. TUDOR.—The answers to the honorable member's questions are—

1. I do not consider any question of compensation arises. In the interests of the public, it is not desirable to relieve shipping companies of the responsibility or liability following the introduction of contagious diseases, by their steamers, into Australia.

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2. I have already directed immediate inquiry into the question of establishment of a fully-equipped quarantine station at Thursday Island, but it is questionable, for climatic reasons, whether any accommodation of that character, other than for exceptional emergency cases, is desirable.

SMALL ARMS FACTORY.

Accommodation for Employes.

Mr. CANN asked the Minister of Home Affairs, *upon notice*—

1. Is he aware that there is insufficient accommodation at Lithgow for the employés at the Small Arms Factory?
2. If so, will he take immediate steps to have workmen's cottages erected in order to provide the necessary accommodation.

Mr. KING O'MALLEY.—The answers to the honorable member's questions are—

1. I have been informed that such is the case.
2. The matter is under consideration.

POSTPONEMENT OF BUSINESS.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [2.49].—By leave of the House, I should like to submit a motion providing for the postponement of the consideration of private members' business, in order that a Supply Bill may first be submitted and dealt with. This course is necessary, owing to a day's delay in the consideration of business due to circumstances over which, as honorable members are aware, we had no control.

Mr. W. Elliot Johnson.—Where is the Budget?

Mr. FISHER.—The Budget will be delivered on this day fortnight.

Mr. SPEAKER.—Is it the pleasure of the House that the Prime Minister have leave to submit a motion?

Mr. KELLY.—Mr. Speaker——

Mr. SPEAKER.—Do I understand that the honorable member objects?

Mr. KELLY.—I asked last night what was proposed to be done.

Mr. Fisher.—I did not remember it.

Mr. SPEAKER.—This business can be taken only with the full consent of the House. Is it the pleasure of the House that leave be granted?

Mr. Deakin.—May I ask the Prime Minister what order of business he proposes after the Supply Bill is disposed of?

Mr. Fisher.—The other business will come on as usual, in the order of the notice-paper.

Mr. SPEAKER.—Is it the pleasure of the House that leave be granted?

Mr. W. Elliot Johnson.—I object.

Mr. Fisher.—Would those who have control of private members' business agree to postpone it until later in the day, as I want to send the Supply Bill away by the train?

Mr. Kelly.—If we are allowed time later on, that will suit me.

Mr. Greene.—I am willing to postpone my business until a later hour of the day.

Orders of the Day No. 1, Nationalization of Distribution, resumption of debate on motion by Mr. Frank Foster; No. 2, Armed Foreign Merchant Ships, resumption of debate on motion by Mr. Kelly; and No. 3, Banking Companies Reserve Liabilities Bill, further consideration in Committee, postponed until a later hour in the day.

SUPPLY BILL (No. 3).

Budget—Estimates—Supply Bills—Workmen's Compensation Act—Federal Capital—Liverpool Manœuvre Area—Advertising Australia—Immigration—Coronation Contingent of Cadets—Meteorological Department: Weather Forecasts—Sugar Commission—Northern Territory Expenditure—Literary Fund—Commander Clarkson—Small Arms Factory Contract—Defence Administration—Director of Physical Training—Independent Press Cable Service—Collapse of Scaffold in Sydney—Temporary Employes: Post and Telegraph Department—Postal Accommodation, North Sydney—Shortage of Labour Commission, New South Wales.

Question—That Mr. Speaker do now leave the chair and the House resolve itself into Committee of Supply—resolved in the affirmative.

In Committee of Supply:

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [2.55].—I move—

That a sum not exceeding £1,409,534 be granted to His Majesty for or towards defraying the services of the year ending 30th June, 1912.

The delay in bringing forward this Bill was caused by circumstances over which neither party had control. My desire is to have it passed through the other House, so that it may go to Sydney by the train to-night if possible. There is no new principle in it. It is for two months' Supply, on the same basis as last year's expenditure, with the exception of the following items, which are different:—Interest on Port Augusta Railway, not provided in 1910-11, £46,000; interest on Northern Territory loans, voted for six months only in 1910-11, £50,000;

cables and European mails, remittance to London being necessary before payments are due, £30,000; Post Office, increases in staff, which became effective during the latter part only of last year, £80,000; and Defence, the establishment of factories, &c., and increased *personnel*, not provided for the whole year, including universal training, £205,000; or a total of £412,000.

Sir JOHN FORREST.—What about the Treasurer's Advance? Has not the honorable member taken it all?

Mr. FISHER.—It is not proposed to go on with the Treasurer's Advance at that rate to the end of the year. The Treasurer's Advance is simply to carry on the usual works that are now going on, mostly by day labour.

Sir JOHN FORREST.—Until the Works and Buildings Estimates are passed?

Mr. FISHER.—Yes. It is not proposed to handle the Treasurer's Advance free from the control of Parliament. When Parliament deals with the Works and Buildings Estimates it will deal with every penny of that money. I regret as much as anybody the delay in bringing forward the Budget.

Mr. DEAKIN (Ballarat) [2.57].—The first and important point is that this Bill is for two and not for one month's Supply. The Prime Minister's invitation to the House to put its business aside in order to allow Supply to be granted would be perfectly legitimate in order to meet any needs of the public treasury, but the granting of two months' Supply is going far beyond that.

Mr. FISHER.—We always gave two months' Supply on the second occasion.

Mr. DEAKIN.—Yes, but that was always after the Budget had been introduced and the financial policy of the Government announced.

Mr. FISHER.—I do not think so, but I will not dogmatize.

Mr. DEAKIN.—Nor will I, but my impression is that two months' Supply has rarely been asked for at this stage. This is the second Supply Bill introduced this session, and we are still some distance from the Budget. I feel, therefore, that the Treasurer has gone beyond the legitimate needs of the situation. He would have found it very easy to get a month's Supply now, as he found it easy before. Moreover, each of the additional items of expenditure, which are specially noted, such as the interest on the Port Augusta Railway and on the Northern Territory loans, and sums for cables and European mails, suggest various inquiries; while the increase in the staff of the Post Office and the enlarging of the Defence Department by the establishment of factories and additional *personnel* are serious matters.

Mr. FISHER.—They are simply following on what took place and was provided for at the end of last year.

Mr. DEAKIN.—Yes, but I am afraid that we must ask for some explanation about these new and large sums. That is what I did not desire, but they really represent an extraordinary advance. The House has not yet assented to the particular proposals towards which these amounts go, except in the broadest way. If it is argued that, the broad principle of defence being accepted, everything else can be deduced, it will lead to depriving this House of that control of the financial operations of the Government which it has always cherished.

Mr. FISHER.—These items are for continuing work which was partly provided for up to the end of the last financial year.

Mr. DEAKIN.—Then there are no new outlays?

Mr. FISHER.—No new policy is involved; it is a continuation of the old items.

Mr. DEAKIN.—The sums are very large.

Mr. FISHER.—I admit it.

Mr. DEAKIN.—If the honorable member were on this side of the House we should hear a great deal more about them. I remember the vigilance with which every trifling item was scrutinized whenever we asked for Supply.

Mr. JOSEPH COOK (Parramatta) [3.0].—There is a much larger question than the one already raised, and that is whether this House is to retain command of the finances. The Prime Minister is asking us to vote altogether five months' Supply before the Budget for the year is submitted. It is ridiculous to expect that we can do anything with the Estimates after we have spent five months' Supply. I have never known in all my experience, either in State or Federation, of so much Supply being asked for before the finances of the year have been outlined; and I doubt whether there is a precedent to be found in any part of the Empire. To be asked for another two months' Supply seems to me an outrageous suggestion; and what we are thinking of I do not pretend

to know. It seems to me that all criticism of the finances is going to the winds. I should have liked to hear the Prime Minister himself on this side of the House discuss a similar proposal. I have heard him on a second Supply Bill for a month fulminate on this side for a very long time, and declare that all sorts of unheard-of proceedings were contemplated. He is now coolly asking us to vote half the Supplies for the year before he has submitted any estimates of the year's requirements. The right honorable gentleman has not yet told us why the Budget is so unduly delayed; and in this he is making another record. Never has the Budget been delayed to so late a period. The only previous occasion on which it was anything like so late was during his previous term of office as Treasurer.

Mr. FISHER.—What year was that?

Mr. JOSEPH COOK.—In 1908, when the Budget was introduced on 14th October.

Mr. FISHER.—I was not then in office.

Mr. JOSEPH COOK.—Whoever was in office, a remarkable state of things is disclosed. We have had the Budget delivered as early as 31st July. That was in 1906; and we had the Budget at that early date, although the House met only on 7th June. We used to be very sensitive about these matters, but now we appear to have grown callous, and dead, apparently, to the country's interest, allowing the Government to control the finances without proper parliamentary sanction. I, for one, protest against the proposal to grant two months' more Supply before the Budget has been introduced. I should like to know why two months' is required, and why the Budget is so late in making its appearance.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.5].—I make no complaint of the criticisms of the Leader of the Opposition or the honorable member for Parramatta. Two months' Supply is asked for simply in order to obviate our coming down every month for Supply on the basis of the ordinary services of last year. I did not think there would be any opposition; and, at any rate, the granting of Supply for two months is rather in favour of honorable members opposite and against the Government, because if any accident were to take place, the new Government would be given a better opportunity.

Mr. GROOM.—Is the Prime Minister holding out hope to us?

Mr. FISHER.—I always sit easily in any position, having my own mind and ideas to guide me. At any rate, the Opposition cannot hope to convert their minority into a majority in this House, though, of course, they may have an opportunity elsewhere sooner or later. The honorable member for Parramatta was quite in error when he spoke of my having introduced a late Budget on a previous occasion. That was done by a predecessor of mine; and the illustration rather tells in my favour than against me, because the circumstances of 1908 were very similar to those of this year. We then had the visit of the American Fleet, which we were all pleased to welcome; and, though all the Ministers were in the Commonwealth, there was a difficulty in bringing forward the Budget until the middle of October. I may say that I have not spared myself, in the public interest, in my efforts to get the Budget on earlier. I can relieve the mind of the honorable member, perhaps, by saying that no Budget has been delivered earlier than the next one will be, so that there can be no further complaint on that score. Before the next financial year is well entered on the full financial programme will be before the House. I entirely agree with the criticism that it is not advisable to have late Budgets—they are always embarrassing and undesirable. But the circumstances are peculiar, and the present position could not be avoided.

Mr. ATKINSON (Wilmot) [3.7].—I was going to call attention to the fact that, as the Budget had been so long delayed, I did not think that Supply ought to pass without some protest; but having heard the Prime Minister, I do not propose to pursue that point further. I think, however, that, as we have started a fairly new office in the Land Tax Department, some information might be given as to an item under that head, of £9,498 for contingencies.

Mr. FRAZER.—It is refunds chiefly—wrong assessments, and so forth.

Mr. ATKINSON.—Then there is an item of £40,000 for "refunds of revenue"; and I should like to have some idea of what that means.

Mr. FRAZER.—That is chiefly in connexion with wrong assessments, too.

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Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.9].—The item of £9,498 covers all extra office expenditure, and the cost of the usual investigations in regard to assessments.

Mr. GREENE.—Does it include valuation fees?

Mr. FISHER.—Yes, in addition to the travelling expenses of the officers who make the investigations.

Mr. GREENE.—It is purely administrative?

Mr. FISHER.—Yes; it is not extraordinary expenditure, and involves no new policy; it is all under the control of the Commissioner, and is not brought about by any act of the Government. The sum of £40,000 has to do with cable receipts, and other matters referred to in a footnote to the Estimates.

Mr. DEAKIN (Ballarat) [3.11].—I find that Parliament was not prorogued at the end of 1907, but continued to sit until June, 1908, meeting again in September, the Budget being introduced in October.

Mr. FISHER.—We met in September this year.

Mr. DEAKIN.—Yes, but we were not in session during the first six months of the year.

Mr. FISHER.—No one knows better than the honorable member that I have not been enjoying a picnic.

Mr. DEAKIN.—I do not suggest that. I merely point out that the circumstances of 1908 do not exist at all to-day.

Mr. BAMFORD.—When may we expect the Works and Buildings Estimates?

Mr. FISHER.—This day fortnight.

Mr. KELLY (Wentworth) [3.13].—This is not so much the time for following precedents as for establishing them. It is late in the year to inaugurate business methods of conducting the country's finances, but I suggest that a Bill might be introduced on some future occasion compelling Ministers under pains and penalties to submit the Estimates of the year early.

Mr. FISHER.—I promise to submit them in July next year if I am still here.

Sir JOHN FORREST.—That can not be done if honorable members are to be supplied with all the information which they have hitherto been given.

Mr. KELLY.—Ministers introduce their Estimates as late as they can, and the Prime Minister has followed his usual practice of going a little better than the other side. The late bringing in of the Estimates is a bad thing for the Departments and for the country, because at the end of each financial year large amounts remain unexpended for want of time in which to spend them. Ministers are morbidly afraid that if the Estimates are introduced early, honorable members will take advantage of the opportunity to prolong the discussion on them.

Mr. WEST.—Once the Estimates are passed, a Ministry can tell you to go to a warm place.

Mr. KELLY.—The present Ministry might be able to tell the honorable member to do that, but it could not deal in the same way with the free and independent members of the Opposition. It is the passing of the Appropriation Bill which gives the Government an opportunity to retire to a cool and secluded position. The practice of the House of Commons is to have the Estimates introduced and dealt with fairly early in the session, the Appropriation Bill being held by the Speaker until the prorogation. We need a clearer idea of our public responsibilities regarding finance, being too much concerned with party advantages.

Mr. HIGGS.—What was done with the last Estimates?

Mr. KELLY.—Why does the honorable member seek to bury the subject under a mass of precedents? I am suggesting that we should set a precedent, and provide by Act of Parliament for the early introduction of the Estimates each year. It would be difficult to bind the present Ministry, but steps should be taken to prevent the Public Departments from being starved and thrown into disorder to suit party exigencies, and perhaps the personal convenience of Ministers. Should an Opposition abuse its right of criticism, Ministers have a weapon in their own hands.

Mr. WEST.—This Ministry would not gag.

Mr. KELLY.—It is the duty of a Ministry to gag when an Opposition abuses its privileges. The Prime Minister gave a flippant excuse for asking for two months' Supply, saying that it would make it easier for the Opposition if it got into power, because there would be more money to spend. Of course, in the convulsions attending the re-organization of the Ministry, the whole *personnel* may be displaced. I do not wish to destroy the peace of mind of the Prime Minister, but human nature plays its part among honorable members opposite when there is an opportunity to

get at the flesh-pots. Although we may be willing to grant two months' Supply to the present Treasurer, we do not know who will hold that office two months hence. It might be the honorable member for Melbourne Ports, and it might be a gentleman who, with befitting modesty, has taken himself away from these precincts during this time of crisis, the honorable member for Gwydir. We are entitled to know who the new Ministers are to be before taking a leap in the dark. I see on the Government benches faces alive with expectation and anticipation. Indeed, I regret that we cannot have a Ministry unlimited in regard to numbers, so that the whole party could hold office. It is ridiculous to keep on asking us to vote Supply before the introduction of the Estimates, because we do not know what the money is needed for. No matter what Government is in power, the interests of the country should be studied before the convenience of Ministers or the advantages of party.

Sir JOHN FORREST (Swan) [3.21].—It is unfortunate that five months' Supply should have to be granted before the Treasurer makes his statement regarding the finances of the country, but that must happen if we pass this Bill. The right honorable gentleman has promised to introduce the Estimates next year in July, but unless he changes the currency of the financial year, that will not be possible, if honorable members are to be provided with the information which it has been the practice to give to them. If the financial year ended on the 31st March, there would be no reason why the Budget should not be presented at the beginning of July.

Mr. FISHER.—A good deal is to be said for that date.

Sir JOHN FORREST.—At least a month is required to close the public accounts of the year, and allot each item of expenditure to its proper column. I tried, when Treasurer, to introduce the Budget early, and found it impossible to make a financial statement within six weeks after the termination of the financial year. The real reason, I should say, why the Budget has been delayed this year is that the Treasurer was unavoidably absent in England attending the Coronation.

Mr. FISHER.—The causes are my absence and the illness of other Ministers.

Sir JOHN FORREST.—I regret the delay, which, perhaps, has been longer than was necessary. The accounts of last year must have been ready for the Treasurer on his return, so that he had only to concern himself with the current year. I know what he used to say to me about the introduction of the Budget.

Mr. FISHER.—I always treated the right honorable member kindly.

Sir JOHN FORREST.—The right honorable gentleman was very ungenerous when in Opposition, out I do not propose to retaliate, because I know the difficulties of his position, and think it my duty to assist rather than to obstruct him. No doubt, when the swing of the pendulum returns him to this side, his experience of office will make him more generous to future Treasurers. He used always to object to Supply Bills for more than one month. Personally, I do not think it matters much in this case whether a Supply is asked for one or two months, because we shall have the Estimates on the table long before two months have expired, but I think only a month's Supply should have been asked for. The Estimates will be here within a fortnight.

Mr. FISHER.—The taking of two months' Supply will save another Supply Bill.

Sir JOHN FORREST.—The right honorable gentleman may find it necessary to pass one or two more this session.

Mr. FISHER.—I hope not.

Sir JOHN FORREST.—The Estimates are not likely to be passed within the next two months.

Mr. FISHER.—I hope that they will be, since two months hence we shall be in December.

Sir JOHN FORREST.—The Treasurer will probably find it necessary to introduce another Supply Bill before the Estimates are dealt with, although I trust that he will not have to do so. I rose really to assist rather than to oppose the right honorable gentleman. As long as our financial year ends on 30th June so long must it be difficult, if not impossible, to present the Estimates to the House before the middle of August. The earliest date at which I was able, as Treasurer, to submit them was 12th August, and I found it very difficult to have everything in readiness for their presentation within that time. Supply has to be obtained, and the Works Estimates have to be passed, before the general Estimates can be dealt with, and the difficulty of the position is largely due to the fact that Parliament generally opens just as the financial year closes, whereas, when the British Parliament meets

the Estimates are always ready for presentation. The Treasurer of the Commonwealth has to wait at least a month after the close of the financial year to secure the exact figures as to the expenditure during that period, so that he finds himself in a difficult position in endeavouring to place the Estimates before the House earlier than about the middle of August.

Mr. JOSEPH COOK (Parramatta) [3.28].—I am very dissatisfied with the Treasurer's explanation, and must certainly congratulate the right honorable member for Swan on the Christian spirit he has displayed in this connexion. When he held office as Treasurer he was never treated as he is treating the Leader of the Government to-day. I quite agree that some time must necessarily elapse between the closing of the financial year and the presentation of the Budget. The position, however, since the new financial arrangement was entered into with the States, is not nearly so difficult as it was. If, under the old system, it was possible to submit the Estimates to the House within six weeks of the close of the financial year, there can be no justification for the present delay of seventeen weeks. Eight weeks have elapsed since the Treasurer returned from England, and surely during his absence the Honorary Minister in charge of the Treasury could have had the accounts prepared and tabulated in readiness for him! It ought not to have taken the right honorable gentleman more than a fortnight after his return to prepare the Budget. I do not pretend to know what the Government are doing, but I strongly protest against the House losing its control of the finances. This is only another instance of the way in which the caucus is gradually undermining and destroying all responsible control of the finances of the country.

Mr. FENTON (Maribyrnong) [3.29].—I am quite prepared to accept the Prime Minister's assurance that the Supply Bill contains no new items, but I sincerely hope that when the Works and Buildings Estimates are submitted no attempt will be made to rush them through the House after the manner adopted last year. The Estimates for the current financial year must contain many new items that will require to be carefully considered and discussed, and I, therefore, avail myself of this opportunity to express the hope that we shall not have a repetition of the procedure of last year in connexion with the Works Estimates.

Mr. FAIRBAIRN (Fawkner) [3.30].—By way of a personal explanation I desire to state that I am reported as having paired last night against the amendment, submitted by the honorable member for Angas, on the Kalgoorlie to Port Augusta Railway Survey Bill, whereas, as a matter of fact, I paired in favour of it. A mistake occurred in entering up the pair in the pair book.

Question resolved in the affirmative.

Resolution reported.

Standing Orders suspended; report adopted.

In Committee of Ways and Means:

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.32].—I move—

That towards making good the Supply granted to His Majesty for the services of the year ending 30th June, 1912, a sum not exceeding £1,409,534 be granted out of the Consolidated Revenue Fund.

I have nothing further to communicate regarding the details of the measure, except to say that the items are purely on the basis of last year's Estimates. If any new items should arise I certainly shall not proceed with them.

Mr. DEAKIN.—I find that there are at least half-a-dozen new items.

Question resolved in the affirmative.

Resolution reported; report adopted.

Ordered—

That Mr. Fisher and Mr. Thomas do prepare and bring in a Bill to carry out the foregoing resolution.

Bill presented by Mr. FISHER, and read a first and second time.

In Committee:

Clauses 1 to 4 agreed to.

Schedule.

Mr. DEAKIN (Ballarat) [3.36].—I find several new items in the schedule, including one relating to the Treasurer's own Department. I refer to the item of "Coinage, £1,000."

Mr. FISHER.—That is to provde for the payment of the freight on the new coins coming out.

Mr. DEAKIN.—I do not wish to hold the Prime Minister to the literal accuracy of his statement; but, as a matter of fact, there are in the schedule some half-a-dozen or more items that were not in the previous Supply Bill. They are therefore new.

Mr. FISHER.—I am informed that there is nothing new in the Bill.

Mr. DEAKIN.—Everything depends upon the sense in which the word "new" is used. These items were not included in the last Supply Bill.

Mr. FISHER.—We have to provide for the freight on the coins coming out here.

Mr. DEAKIN.—Quite so. I take it that when the Treasurer stated that there were no new items in the Bill, he meant, not that there were no new items that had never previously been voted in a Supply Bill, but that similar items were in the previous Bill passed by us this session, and that therefore there were no new departures. As a matter of fact, there are seven or eight.

Mr. FISHER.—They do not involve any new policy.

Mr. DEAKIN.—That is not the point. When a request is made for Supply the fullest particulars are expected. Although the amount of an item may be small, the passing of the item itself may establish a rather important principle or precedent. For instance, I find on page 14 of the Bill, under the heading of "Defence," an entirely new item, "Special School of Instruction, £1,000," whilst we have also an item of £1,500 in respect of "Signal Stations and Examination Services." Those items do not appear in the previous Bill. By agreeing to the schedule as it stands we shall be authorizing the establishment of signal stations and examination services, as well as a special school of instruction under the Defence Department, as to which no proposals have been submitted to us, although no doubt they have been generally indicated as part of the defence scheme. I am certainly not in a position to say that these are not necessary items, but the attention of honorable members should be directed to any new departure of this kind in connexion with a Supply Bill, which the Committee, relying on the Treasurer, is accepting as representing only the regular and ordinary expenditure of the Commonwealth. Unless that is done new sources of expenditure are suddenly legalized, and the consequence is that, without being aware of it, the House is parting with its own proper control of the finances. It is also being deprived of that immediate information and complete exposition of details that are required when new departures are being launched. The sum involved in both of these items is only £2,500, but there can be no doubt that in order to complete the work that we are now in a sense authorizing many thousands of pounds may be expended. Those sums may possibly be spent in a manner which Parliament may desire to vary or afterwards disapprove.

Mr. FISHER.—I am again assured that there is not a single new item.

Mr. DEAKIN.—The word "new" can be so used that it becomes meaningless. I am informed, and believe at present, that no vote has been taken hitherto for either "special school of instruction" or "signal stations and examination services" under the Department of Defence, in the connexion in which they are now being applied. The question of amount does not enter into the argument. If these items are new, attention should certainly be directed to them. I feel quite satisfied that the proposals are necessary and legitimate, but at the same time if Parliament authorizes them, it must know that it is doing so, and not be accepting them without understanding for what objects it is voting the money.

Sir JOHN FORREST (Swan) [3.42].—I notice in the vote for the Northern Territory an item of £2,500 for gold-fields and mining contingencies; another of £3,000 for works and buildings; and another of £55,000 for interest and sinking fund; the total expenditure on the Northern Territory being £70,888. I should be glad if the Treasurer could give the Committee information as to the condition of affairs in the Northern Territory, and state what proportion this vote bears to the total expenditure on the Territory for the year. At the same time, I do not wish to press for the information if the honorable member is not prepared to give it at the moment. There is an item of £9,400 for "sea-going permanent force," under the Defence Department. I did not know we had such a force, but if the item refers to the pay of the officers and crew of the two destroyers, I am satisfied. There is an item of £40,000 for refunds of revenue. There is also a sum of £25,000 for Treasurer's Advance, which I understand is necessary to pay for works until the Works and Buildings Estimates are passed.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.44].—Most honorable members are no doubt interested in the policy to be pursued in regard to the Northern Territory. My honorable colleague, lately deceased, had given serious attention to the question, and had a scheme partly developed which he hoped to submit to the House at an early date. In accordance with the agreement entered into

by the Leader of the Opposition, when Prime Minister, and the late Mr. Thomas Price, then Premier of South Australia, this Parliament took over possession and control of the Northern Territory, and took the responsibility for the losses and liabilities on the working of the Territory. This included about £4,000,000 of debt, the interest of which is a serious annual loss on the Territory, and the loss on the Oodnadatta railway. We provide monthly in these Supply Bills to meet that loss. My recollection is that all the previous deficits on the administration of the Territory were funded to loan expenditure by the State, and that whether the Commonwealth took the Territory over soon or late, that burden would still have to be borne. During the last financial year, the Commonwealth met a considerable amount of the debt, amounting to about £400,000, out of revenue, but we shall not be able to go on doing that. Speaking from memory, I believe the Oodnadatta railway just about pays working expenses.

Mr. GROOM.—It has paid £10,000, £12,000, and £12,000 during the last three recorded years.

Mr. FISHER.—I think that under the agreement entered into by my late colleague it has only paid expenses. The actual accounts submitted by the Railway Commissioner for the State showed just about a working balance over expenses, and therefore the interest on the capital cost has to be met from time to time. I hope in my Budget speech this day fortnight to devote some attention to the matter. I shall then give all the facts and the fullest information available.

Mr. ATKINSON (Wilmot) [3.48].—I take it that the £55,000 in connexion with the Northern Territory represents interest on money that South Australia had to borrow.

Mr. FISHER.—Yes.

Mr. ATKINSON.—Can the Prime Minister say for what period that sum represents the interest and sinking fund?

Mr. GROOM (Darling Downs) [3.49].—Will the Prime Minister lay on the table of the House figures showing, for the six years preceding the adoption of the agreement for the taking over of the Northern Territory, the excess of revenue over expenditure in connexion with the Oodnadatta railway, and the application of receipts and expenditure in respect of the working of the line? Is the sum of £5,000 set down under External Affairs for "advertising the resources of the Commonwealth" based only on last year's Estimates?

Mr. FISHER.—On an estimate of an expenditure of £20,000 or more during the year.

Mr. GROOM.—Are we committing ourselves by this vote to a heavier rate of expenditure on that object than last year?

Mr. FISHER.—Not necessarily.

Mr. JOSEPH COOK (Parramatta) [3.50].—Nothing could more strongly emphasize the necessity for the speedy introduction of the Budget than the item for "advertising the resources of the Commonwealth." I do not know on what rate the estimated expenditure of £5,000 for the two months is based.

Mr. FISHER.—Not less than £20,000.

Mr. JOSEPH COOK.—I am extremely sorry that it is not £120,000. It is time the Government made up their minds what they are going to do about the matter. Again they are taking a lead from the States, and lagging behind as usual. Mr. McGowen has already publicly intimated that the State of New South Wales is going to spend £60,000 this year on immigration. The party who have always been steadily and stoutly against immigration are now proceeding in that State to spend £60,000 for the year in assisting immigration alone. With respect to the general question of immigration, Mr. McGowen uses these pregnant words, to which I invite the attention of the Prime Minister—

> Immigration is, under the Constitution, a Federal matter, and the time has arrived when the expenditure incurred on that behalf must be incurred by the Federal authorities. It is no longer possible for the States to continue to do the work of the Commonwealth.

Mr. MATHEWS.—They will take good care that the Commonwealth will not do it properly.

Mr. JOSEPH COOK.—That is an invitation to the Commonwealth to take the business right over. Mr. McGowen has evidently come back from London with his mind full of the idea of a large and important immigration policy, in which the spending of £60,000 is only an incident. He also significantly declares that it is time the Commonwealth took over the question of immigration.

Mr. FENTON.—The New South Wales Government have a national policy of land settlement, and will be able to place a large number of immigrants on the land.

Mr. JOSEPH COOK.—My honorable friend should address that sort of "gag" to younger people. It would be admirable

language to use on the platform. Everybody knows that the New South Wales Government have 1,000,000 acres, which is going to be taken up in about a week's time, but next year that 1,000,000 acres will still require to be hunted for, and still require to be placed at the disposal of intending settlers.

Mr. FENTON.—They have discovered a large new area.

Mr. JOSEPH COOK.—No; what is proposed to be done over there is to take the stock routes and reserves away from the farmers in the interior and cut them up. The New South Wales Parliament and people have not yet been heard upon that question. The New South Wales Government are so impressed with the necessity for a big and bold immigration scheme that they propose to devote £60,000 to it this year, as incidental to what they hope will be a large and important Federal undertaking. It is time we heard from the Prime Minister what the Federal Government intend to do about this subject. There is no more pressing question in the whole political domain; it is the one outstanding question which far transcends any other in importance, and presses for a speedy settlement. While the Government are doling out this small amount, much more is being done in the States; and the sooner the Prime Minister gets in front of this movement, as he is now invited to do by his *confrères* in the largest of the States, the better for Australia. In this connexion, I should like to call attention to that very pretty picture which is exhibited in the Queen's Hall, and in the preparation and distribution of which, I understand, some £2,000 or £3,000 has been spent. I have not a word to say as to the quality of the picture, which appears excellent in every way; but I do not think it is worth the money as an advertising agency for peopling Australia. The money could be spent in a very much more practical way than distributing pictures of this kind throughout the Old Country. If we desired people there to know what a fine climate we have, and what pretty wattle we grow, this picture will do; but what those on the other side of the world desire to learn is what our resources are, and what their chances and prospects are here. I do not think, for instance, that the publication of the picture would induce a fruit-grower to come here. Perhaps the Prime Minister does not know that fruit-growers have no great liking for the wattle in the vicinity of their orchards, which is very destructive, so far as orchards are concerned; and I doubt the wisdom of publishing broadcast a picture of the kind. I should not call attention to the matter were the question not of such importance, and the amount proposed to be spent on immigration so small. The Prime Minister should let the House and the country know what he proposes to do in this pressing matter. We have a distinct intimation from New South Wales, through Mr. McGowen himself, that if the Prime Minister will only be bold, and bring in his project, he will have the undivided and unqualified support of his *confrères* in that State.

Mr. GROOM (Darling Downs) [3.58].—Can the Minister of Home Affairs tell us what steps are being taken to provide a house in Sydney for the Governor-General after the close of this year? I notice that, under this head, there is a proposed expenditure of £600.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.59].—I have a little later information than that possessed by the Minister of Home Affairs. I do not think that the Governor-General will be disturbed in his present position in New South Wales. I am not authorized to say more, and it would not be wise to do so.

Mr. HIGGS (Capricornia) [4.0].—I desire to offer a few remarks in opposition to the suggestion of the honorable member for Parramatta that more money should be spent in advertising Australia. The best way to advertise Australia is to govern it properly.

Mr. DEAKIN.—Why does not the honorable member begin?

Mr. HIGGS.—The fact that the country is so well governed is sufficient attraction at the present time to bring a great many people to Australia at their own expense. The honorable member for Parramatta knows that many people in Great Britain at the present time desire to come to Australia, but that they cannot get passenger accommodation.

Mr. JOSEPH COOK.—I suppose accommodation could be got for money?

Mr. HIGGS.—They cannot get accommodation. I should like to know what is the motive behind the proposal to spend money to induce so many people to come here.

Mr. GROOM.—To establish a White Australia!

Mr. HIGGS.—I do not believe that that is the motive. I think that a number of people are very anxious to introduce immigrants, in order to lower the rate of wages.

Mr. JOSEPH COOK.—Does the honorable member think that Mr. McGowen proposes to spend £60,000 with that object?

Mr. HIGGS.—The people in Australia who are in favour of extensive immigration belong to the same political party which, in Great Britain, makes things so uncomfortable and so unhappy for so many thousands who cannot get a living and desire to go elsewhere. There are millions in Great Britain who desire to get away because the country is badly governed; and the people at the back of the great immigration movement in Australia would bring about such a condition of things that later on people would be glad to leave Australia.

Mr. JOSEPH COOK.—Does the honorable member place Mr. McGowen in that category?

Mr. HIGGS.—I do not know what Mr. McGowen is doing; but if he is spending a lot of money in advertising New South Wales he is, in my opinion, pursuing a wrong policy. We need not spend another penny in advertising, and yet we shall have any number of people coming here for many years. What we have to do is to set our own house in order; there is plenty to do in the way of reforms in Australia to make the condition of thousands of people here happier, without bringing in a lot of immigrants with the effect of lowering wages in many cases, and in making it much harder for the Labour party to realize the ideals which they have set up. I admit that when we go abroad and—in London and elsewhere—see the great number of people who are unable to make a living, we feel that we would like to give them a chance here; and the view I am expressing may appear a selfish one. But I do not think we should improve the lot of those people if we made it impossible for us to carry out Labour ideals in Australia by assisting them to come here to cut down wages. Every nation, and every section of the Empire, has to look after its own poor, and to so govern itself that there will be no great exodus such as is taking place at the present time from the British Isles. Where is the fear in regard to a White Australia? If we look in the newspapers to-day we see that in naval expenditure Britain heads the list with £40,000,000 odd, and that Japan, in regard to which there is an effort to alarm us, is responsible for about only £8,000,000. I cannot see anything in the cry of Australia being in danger from a defence standpoint. If we are going to introduce a lot of State-assisted immigrants we should exercise a certain amount of discrimination. As I said the other night, when we point out that there are idlers and loafers amongst the rich we do not contend that there are none amongst the poor; and we ought to see that we do not bring in any idlers or loafers, whether rich or poor.

Mr. FENTON.—We ought to pay special attention to the health of the immigrants, in regard to which doctors have been complaining very seriously.

Mr. HIGGS.—I would not say that a person in a bad state of health should be kept out, seeing there are numbers of places in Australia where invalids from the Old Country have gained a new lease of life. I do not think there is sufficient discrimination exercised in advertising. I am glad to find that a considerable number of the finest people I suppose who ever walked the earth are coming to Australia from the Old Country—artisans and labourers. Honorable members opposite will, no doubt, be much alarmed to know that a great number of these are believers in the Socialistic and Labour programme, and will doubtless not be here long before they join various labour organizations, which, I hope, will succeed in keeping the Opposition off the Treasury bench. I do not believe that it is necessary to spend money in advertising, because Australia has received a very good advertisement already by the money spent in connexion with certain events. The £120,000 or so which the honorable member for Parramatta suggests should be spent could be very much better utilized in many different ways. As to the Federal Capital, I was informed by the Minister that there were three sets of plans, one for the town, and two others which I have forgotten. I gathered from the Minister's remarks that he was to be more or less a judge in regard to one of those sets of plans, and that the decision of the Government would be final.

Mr. FISHER.—There is some misunderstanding. A Board of three representatives will recommend, and the Governor-General in Council, which, of course, means the Government, will determine finally.

Mr. HIGGS.—I am much obliged for that information; but, from the articles in the press, there seems to be in the minds of competitors considerable doubts as to who is to judge their efforts. The Minister of Home Affairs said that he did not wish to introduce "Tammany Hall" by appointing the judges, but I see no objection to telling competitors even the names of the gentlemen who will decide.

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Mr. FISHER.—The Board will, I think, consist of an architect, an engineer, and a surveyor.

Mr. HIGGS.—If it is generally understood that a Board of the character outlined by the Prime Minister is to be appointed, I cannot understand why architects throughout the English-speaking world, at any rate, have declined to send in designs.

Mr. W. ELLIOT JOHNSON (Lang) [4.9].—There is a small item of £25 set down for the Literary Fund, and I should like to know on what principle this money is distributed. I happen to know of a family, the descendants of Mr. Stenhouse, who was closely connected with the literature of this country in its early days. The family is one of culture and refinement, which has met with adversity, and assistance from this fund would be acceptable to it. The application has been dealt with harshly. In reply to a letter asking for consideration, supported by a number of reputable citizens of New South Wales, the Secretary to the Department of External Affairs wrote to Miss Stenhouse on the 31st March as follows—

> With reference to your application for assistance from the Commonwealth Literary Fund, I have the honour to inform you that the matter has been considered by the Central Committee appointed to deal with such claims. It is regretted, however, that they could not see their way to make any recommendation to the Minister, as your late father, though closely connected with the early literature of New South Wales, was not himself engaged in literary work to any great extent.

The accuracy of the concluding statement is stoutly denied by those who knew Mr. Stenhouse well, and even if it were strictly true, the intention of Parliament, I believe, was that grants from the fund should not be confined actually to persons solely engaged in literary work, or their relatives, but should go also to those closely associated with literature by collecting and preserving books and records of literary value, and also in other ways have been personally identified with literature. Mr. Stenhouse rendered signal service to literature, and the claims of his family should have received more favorable consideration. I hope that the application may be reconsidered, in view of the indigent circumstances of the applicants. Will the Prime Minister promise to look into the matter?

Mr. FISHER.—I can only promise to send a copy of the honorable member's remarks to the Board.

Mr. W. ELLIOT JOHNSON.—That is a most unsatisfactory attitude, and is only confirming the Board's action. On the 3rd October the right honorable member for Swan asked the following questions regarding the Independent Press cable service—

> 1. What amount has been paid as subsidy in connexion with press cable messages *viâ* Pacific from the beginning up to date?
>
> 2. To whom has the subsidy been paid—in detail—and what newspapers take and publish the news?
>
> 3. Has any advantage accrued to the people of Australia by reason of this subsidy?

To those questions the following replies were made—

> 1. £2,156 5s.
>
> 2. The subsidy has been paid to The Independent Press Cable Association of Australasia Limited, and the following newspapers take and publish the cables:—*Sun* (Sydney); *Herald* (Adelaide); *Hobart Post* (Tasmania); *Devonport Post* (Tasmania); *Barrier Truth, Bathurst Times, Tamworth Observer, Lismore Daily News, Wagga Advertiser, Albury Daily News* (New South Wales); *Rockhampton Record* (Queensland).
>
> 3. Yes; in at least three ways (*a*) The increased business over the Pacific Cable provides a direct gain to the Commonwealth of £2,166 per annum; (*b*) There is also a substantial addition to the Post Office revenue arising from the charges for the Inter-State transmission of the messages; (*c*) The public have, by reason of the competition created by the new service, been supplied with a much greater quantity of cable news, which, again, has also led to increased cable and telegraph receipts.

When Parliament was asked to vote the subsidy for this cable service, we were given to understand that some 300 newspapers were prepared to take advantage of it immediately, but although over £2,000 has now been spent, less than a dozen newspapers use the service.

Mr. FISHER.—Does the honorable member object to the subsidy?

Mr. W. ELLIOT JOHNSON.—I have always done so, because there seemed to be something behind the proposal which we could never get cleared up. We had great difficulty in getting any satisfactory information regarding it. Certain party newspapers, chiefly, if not solely, seemed likely to be benefited by a subsidy to which persons of all shades of political thought were asked to contribute. That we considered unfair and a misuse of public funds.

Mr. FISHER.—I shall be able to prove that the public gain has amounted to more than the expenditure.

Mr. W. ELLIOT JOHNSON.—I shall be glad to have that proved. We have not yet evidence of it, and the statement is not

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borne out by such information as is available. I yesterday directed attention to a letter in *The Standard of Empire*, written by an Australian in London, which has been republished in other newspapers. If his statements are true, the cables which we get by the subsidized service come through Vancouver from trans-atlantic sources, at a cost of 3d. a word, whereas press messages by the ordinary cable service cost 9d. a word. These cablegrams, we are told, frequently "show a tainted origin," and are sometimes "absolutely groundless." Samples of the scare headlines which are affixed to them are given. On the 29th July there was a double-columned headline—

Is it War—Moroccan Crisis.
Fleet and army preparing—serious outlook.

Then came these words in heavy type—

An official cable was received in Sydney yesterday to the effect that Great Britain had issued an ultimatum to Germany on the Moroccan question.

I should like to know whether that statement was true. No similar cablegram was published in the newspapers taking the ordinary service. In my opinion, the statement was misleading and untrue. It was obviously designed to sell the newspaper in which it was published by creating a sensation, for which there was no shadow of foundation.

Mr. HALL.—Would the honorable member prevent newspapers from doing that?

Mr. W. ELLIOT JOHNSON.—We should not pay them to do it with the taxpayers' money. We should not subsidize a service which provides the public with false information about what is occurring in other parts of the world, leading readers to believe that they are getting accurate news from official sources. If grossly misleading statements continue to be supplied, we should put an end to the subsidy. We should not be parties to the wilful misrepresentation of facts regarding foreign affairs. Other statements were published regarding Mr. Asquith's speech of 27th July, and the following headlines were used—

"Immense excitement. Prepare!" "Prepare!" "The excitement in London reached an unusual pitch of intensity when it became known that 'rush orders' had been sent by the Admiralty to all the naval depôts. Similar orders have been sent from the Horse Guards to the Woolwich Arsenal. These sensational actions have convinced the British public that 'the day' long toasted by German officers is very near, and may possibly come before many hours are over."

Then follow another lot of scare headlines, such as "Bitterness in Germany," and the sentence—

Mr. Asquith's speech has not been well received in Germany, and armed class bitterness has been displayed over it.

Mr. FISHER.—That statement appeared in all the newspapers.

Mr. W. ELLIOT JOHNSON.—Through other press cable services?

Mr. FISHER.—Yes; I well remember reading it.

Mr. W. ELLIOT JOHNSON.—Will the Prime Minister say that the statement I am about to read was also published through other press cable services? On 31st July the Adelaide *Herald* published two or three inches of headlines containing such statements as "Remarkable International Activity," "British Fleet under full Steam," "France Hopeful," "Germany and Lloyd-George." Then followed a telegram professedly from Paris, dated 29th July—

All the French cavalry regiments have been ordered to be in readiness for active service, and train loads of arms, munitions, and provisions are being rushed to the forts along the German frontier. Also leave of absence for all soldiers has been cancelled.

If that statement was cabled to other newspapers by a different press cable service, I can only say that I did not see it in any of those newspapers, nor have I met any one who did. Still more remarkable were some further cablegrams published by this newspaper. On 30th July the following cable message appeared—

Germany has demanded the dismissal of Mr. Lloyd-George for his Bankers' banquet speech on the intentions of the British Government.

The writer of the article dealing with this news service states that—

Though the newspaper in question admits that this story requires confirmation, it compares the incident to the dismissal of M. Delcasse on Germany's demand in connexion with Moroccan affairs six years ago.

On the following day the Adelaide *Herald's* cablegram from London, dated 31st July, returned to the fate of the Chancellor of the Exchequer. It stated—

Telegrams from Berlin contain indications that there was some truth in the story that Germany may demand Mr. Lloyd-George's dismissal. This is causing increased bitterness in some quarters against the Germans.

The writer points out that—

In the same telegram Australia is told that the Second Destroyer Flotilla has left Portsmouth with sealed orders, and it is popularly supposed they are going to Agadir. It is sententiously added, "Many people regard this as a serious move."

If these statements are mere fabrications, as from the tenor of this article we are led to believe they are, it is time an inquiry was made as to their source, and a protest entered by the Government against misleading sensational cablegrams, purporting to be correct reports of what is doing abroad, being sent to Australia at the expense of our taxpayers. These cablegrams cause needless alarm to Australian citizens They can certainly do no good, and may possibly cause a great deal of harm.

Mr. HALL.—Perhaps they were written chiefly in the office in Melbourne or Sydney.

Mr. W. ELLIOT JOHNSON.—The honorable member supplies yet another argument in support of my demand for an investigation. We are using the money of the taxpayers of the Commonwealth to subsidize this service, and I wish to know whether steps are to be taken to see that the people are not paying, through the Treasury, simply for the privilege of being fooled in this way? I trust that steps will be taken to bring about a more satisfactory state of affairs in connexion with this cable service, and to ascertain the accuracy or otherwise of these statements. I desire now to refer to a new building which is being erected as a parcels post-office in Sydney. A huge scaffold, some 70 feet in height, was erected in the neighbourhood of the Central Railway Station, and whilst a strong wind was blowing last Saturday it suddenly collapsed. According to the newspapers, several passers-by narrowly escaped being struck by the falling timbers, and one avenue of traffic was completely blocked. I am informed that the work of ballasting the scaffold was to have been commenced on the following Monday, but I think that it should have taken place before the scaffold was raised to such a great height.

Mr. WEST.—The contractor was answerable for that.

Mr. W. ELLIOT JOHNSON.—I do not know whether the work was done by contract or day labour. I simply ask that steps shall be taken to guard against a similar occurrence.

Mr. WEST.—I am sorry for the contractor. He is a very nice man.

Mr. W. ELLIOT JOHNSON.—Quite so; I am not blaming any one—for I do not know any one connected with the work—but I have some thought for the people who may suffer injury from the recurrence of such an accident. I only ask that the responsible officers of the Government shall exercise such supervision over structural work in connexion with its public buildings as will minimize the risk of accident from collapse.

Mr. THOMAS.—Even to the extent of abolishing contract labour?

Mr. W. ELLIOT JOHNSON.—I do not know whether the work was done by day labour or by contract. I am only concerned about due precautions to insure the safety of the public.

Mr. FISHER.—Why not bring this matter under the notice of the Inspector of Scaffolding?

Mr. W. ELLIOT JOHNSON.—It is not my business, as a private member, to do so. The Government should have its own officer to supervize.

Mr. FISHER.—But we should be interfering with State affairs.

Mr. W. ELLIOT JOHNSON.—That would, of course, be something entirely new to the Prime Minister! I wish now to refer to the question of the Federal Capital, which the Minister of Home Affairs seems to regard so lightly. Here we have another case in which large sums of public money are being expended ostensibly with the intention of securing the very best brains of the world to assist us in perfecting a design for laying out the Federal City. We find, however, that expert advice on the subject has been ignored, and the conditions governing the competition are of such a nature as to cause a great deal of irritation and dissatisfaction amongst those who might reasonably be expected to compete. The determination of the Minister of Home Affairs not to try to remove the causes of objection seems to indicate that the Commonwealth is not, after all, to reap the benefit of the best brains of the world in this connexion, and that the competitive designs will be limited to a very narrow sphere. Indeed, no designs from prominent professional experts may be sent in. Protests have been entered in different parts of the world, on behalf of institutes of professional men, who have declared that the conditions are prejudicial to a fair consideration of the designs to be submitted, and that they have, consequently, determined not to submit any. That is a very serious position for the Commonwealth, and it may lead to unnecessary and prolonged delay in the acceptance of a design and the carrying out of the work. Even at this hour, however, I

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would urge the Minister to climb down a little from that lofty attitude of disdainful infallibility which he knows how well to assume, and to realize that he is dealing with practical men who desire only to be assured that they will have a fair run —that their time and money will not be spent in a fruitless effort to engage in a competition, only to learn, perhaps, that the tribunal to be appointed to adjudicate upon the designs may not insure confidence. The Minister might, without loss of dignity, at least publish the names of the three gentlemen whom he proposes to appoint, so that confidence may be re-established, and we may still have the benefit of the best professional brains available in connexion with this work.

The honorable member for Capricornia seems to think, in connexion with the immigration policy, that it is a great mistake to spend any money to advertise the resources of Australia. I suppose he, in common with others, holds the idea that if we encourage people to come here, there will be more competitors for the bread and butter available. That is an exploded economic fallacy. The more people we bring here, and employ profitably——

Mr. HIGGS.—Ah! that is a qualification!

Mr. W. ELLIOT JOHNSON.—I do not say that we should bring all the wastrels and unemployables to this country. The honorable member made no such distinction. He was against the whole business of immigration, lock, stock, and barrel. He said we had plenty to do to set our own house in order, and to provide for those already here. That statement is quite contrary to ascertained facts, as disclosed by the report of Mr. Piddington, the Royal Commissioner, who estimates that in Sydney alone there is a shortage of upwards of 3,000 skilled workers. If we carry his argument to its logical conclusion, the fewer people we have in Australia, the more there will be to go round amongst those who remain. If, therefore, we could reduce the present population to 10,000 people, the obvious conclusion, according to the honorable member, would be that the money now spent among 4,000,000 people would be divided amongst 10,000, and if we could reduce our population to a hundred, they would all be millionaires. As a matter of fact, quite the reverse would happen. If we can only induce the right kind of people to come here, and give them profitable employment, particularly in our great primary industries, opening up the vast resources of this country, we should do good in many ways. We should be providing for employment for a still larger number of people than we can now provide for, because every new arrival would give work to at least a hundred other people to supply his daily needs. Another good result of the extra population would be the obtaining of more revenue. Our trade and commerce and industry would increase according to the population, and our surest line of defence would all the time continue to be strengthened. We should, therefore, not discourage expenditure on advertising, but encourage it still further. We should make the resources of Australia known, not only in the Old Country, but in other lands, particularly in those Scandinavian countries, from which I hope we may be able to attract a good rural population.

Mr. WEST.—Foreigners?

Mr. W. ELLIOT JOHNSON.—Yes; but white people, and if we cannot get people of British extraction, we must be prepared to take foreigners. I prefer those of the virile Scandinavian races to those of the more effete and less suitable nations of southern Europe.

Mr. WEST.—Does not the honorable member think that we can find a better advertisement in England than a poster showing a pretty woman amongst wattle blossoms?

Mr. W. ELLIOT JOHNSON.—Undoubtedly. While I admire the picture exhibited in the Queen's Hall, I do not think it is quite suitable for the purpose for which it is intended. We should obtain pictures of some of our rural industries, not exaggerated, but true and faithful representations of things actually going on in Australia. These would give a fair and definite idea to the people of the Old Country, and elsewhere, as to what our actual resources are, and the type of immigrants that we desire to obtain. We ought to spend a great deal more than at present on immigration, so as to bring more people of the right stamp here. If we are to hold this country, we must fill our vast empty spaces, more particularly those areas adjacent to the coastline, and most capable of affording an adequate return for the labour expended on the land. Our surest line of defence against aggression is the peopling of our coastal areas to a distance of, at least, 30 or 40 miles inland. We could concern ourselves more

about the interior afterwards. The question of increasing our population as rapidly as possible, not only by natural means, but by assisted immigration, is of the utmost importance.

Mr. CANN (Nepean) [4.50].—I cannot say that I am opposed to immigration as such, but it seems ridiculous to spend £3,000 on a poster such as that exhibited in the Queen's Hall.

Mr. GROOM.—Was £3,000 spent on it? I doubt it.

Mr. CANN.—I am so informed. I have not yet met any one who objects to a pretty girl surrounded by pretty flowers, but that £3,000 could have been put to much better use. For instance, why not exhibit the picture of a dairymaid going out at 4 o'clock in the morning to milk the cows? That would be a much more truthful representation of Australian life. Some of the money might well have been spent in circulating photographic reproductions of the iron works, copper-smelting works, coal mines, and dairying and pastoral industries of the Commonwealth, so as to give a true representation of the life of Australia as we know it. That sum of £3,000 has been practically wasted, because the picture in question will mislead a number of girls in the Old Country to think that if they come to Australia they will need to do nothing but dress nicely and spend their time picking wattle blossom. That sort of thing will do an incalculable amount of harm to Australia, and more practical means of advertising our resources should be adopted. What is needed is to make the true facts about Australia better known, and to organize the Immigration Department in such a way that people will be brought out in the trades where there are openings for them. At present each State is doing a little bit of advertising on its own account, and the Commonwealth is doing a little, with the result that in many trades where there are already sufficient employés more are being brought out and overstocking the market. That kind of thing could be rectified by the States and the Commonwealth conferring, and adopting a common-sense system of organization. The business will have to be organized like every other business. I believe there is any amount of room for a sensible organization of the immigration proposals in connexion with our great country. In connexion with defence. I have a very hardy annual in my electorate known as the Liverpool manœuvre area. Notice of resumption was served on the tenants as long ago as 1907, and the private holders there are placed in a very invidious position. They can get no satisfaction as to what is to be done. If one goes to the State Government, he is referred to the Commonwealth. If he goes to the Commonwealth he is referred back to the State. The question has been agitated for a long time in my electorate, because I notice that my predecessor was just as much troubled over it as I am. It seems peculiar that in this particular case the Commonwealth Government should make the State the means through which they resume the area. I understand the Commonwealth Government have direct power to resume land for defence purposes, but in this instance they seem to have adopted the method of allowing the State to resume the land, the Commonwealth paying the interest on the cost of resumption. The transaction seemed on a fair way towards completion until the middle of this year, when it was mixed up with the question of the transferred properties. The Honorary Minister in the New South Wales Government informed me that, until the question of the transferred properties is settled, nothing can be done in regard to the Liverpool manœuvre area. Do the Commonwealth Government intend to allow this matter to remain at the present unsatisfactory stage? The private owners of land ought to be given some satisfaction one way or the other. If the bulk of the land is Crown land, I do not care, nor do I think the private owners care, how long the State and Commonwealth Governments carry on their negotiations.

Mr. JOSEPH COOK.—Does the honorable member think that the land ought to be resumed?

Mr. CANN.—I do; but, at any rate, the private owners ought to be notified as to the Government's intention. According to the newspapers, an understanding has been arrived at between the State Premiers and the Commonwealth Government in regard to the payment of the interest on transferred properties; and if that question is out of the way, there ought to be some definite conclusion in regard to this area.

Mr. GROOM (Darling Downs) [4.58].—A large number of workmen are employed in and about Yass-Canberra, and, in all probability, a very much larger body will shortly be employed on the transcontinental railway. Up to the present, owing to the

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fact that no large number of artisans have been employed by the Commonwealth, no provision has been made for compensation in case of accident arising out of, and in, the course of their employment.

Mr. FISHER.—We adopt the principle generally.

Mr. GROOM.—Previous to 1907 there was no method of compensation, and one case brought under my notice was that of a widow, whose only son was killed, through no fault of his own, when engaged in erecting a telegraph pole, and the Department stopped the wages for the funeral expenses. By an administrative Act the Government issued instructions that, so far as the Postal Department was concerned, widows and children should be compensated; but, as a matter of fact, there are more dependents than widows and children. It was, I think, the honorable member for Eden-Monaro, when Postmaster-General, who issued the order that the principles of the Workmen's Compensation Act should be applied as far as possible. But cases have to be reported, settled by the Department, and provided for on the Estimates before those entitled are ultimately paid. There ought to be some definite system by which the Commonwealth, in the case of men directly employed by it, shall pay compensation, at any rate equal to that paid by private employers. There ought to be some cheap method of quickly deciding the responsibility, and provision made for dependents to receive almost immediate relief.

Mr. FISHER.—We have done that in special cases.

Mr. GROOM.—That is true; but it would be much better to have a definite system under which this compensation should be paid as a right, and not have to be applied for, it may be, through a parliamentary representative, or some other person.

Mr. FISHER.—Can the honorable member say whether we have the necessary power?

Mr. GROOM.—I think that, undoubtedly, we have the constitutional power to give compensation to our own workmen.

Mr. FISHER.—I am doubtful about anything of that kind, remembering the Seamen's Compensation Act.

Mr. GROOM.—Even in regard to that, we still have definite and decided power. I think there ought to be a Workmen's Compensation Act for Commonwealth servants.

Mr. FISHER.—The Seamen's Compensation Act was held not to apply to intra-State shipping.

Mr. GROOM.—The High Court held that the measure, in covering intra-State trade, had covered too wide a field, and the whole of the Act had to go on that account. At any rate, there is no doubt that we can give compensation in the case of our own servants if an accident occurs within a State. I should also like to call attention to the working of the Meteorological Department, in regard to which I am strongly of opinion we have not yet done our duty.

Mr. FISHER.—We are doing very well!

Mr. GROOM.—Quite so; but last year Mr. Hunt reported that many of his efforts to improve the usefulness of the service were impeded by obstacles raised by other Departments.

Mr. FISHER.—I am one of those Departments! Every Department would take the whole of the revenue if it had a chance!

Mr. GROOM.—I am sure the Prime Minister has some sympathy for the vast army of settlers, producers, and pastoralists all over Australia. In New South Wales there is a full distribution of reports of the actual rainfall, and that is a good and right system, which ought not to be confined to that State.

Mr. FISHER.—Why should the States not distribute the news?

Mr. GROOM.—The news in New South Wales is distributed by Commonwealth agencies at Commonwealth expense, whereas in Queensland, whose needs in this respect are exactly the same, there is no distribution at all.

Mr. FISHER.—The Commonwealth supplies the information, and the States should distribute it.

Mr. GROOM.—The Prime Minister is quite wrong. In the first place, it is a Commonwealth instrument—in the shape of the telegraph—that is employed in the distribution of the news. The whole burden of the meteorological work, which includes the dissemination of such news, is a national obligation, and placed on the Commonwealth by the Constitution.

Mr. FISHER.—Would the honorable member have the news put into every man's door every morning?

Mr. GROOM.—The following is an extract from a report by Mr. Hunt—

> The American telephone companies vie with one another in offering concessions to probable subscribers, and one of the concessions offered by most, if not all of the companies, is the free calling of subscribers every day to give them the daily forecasts.

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I do not advocate that that should be done, and merely read the quotation to show the breadth of the sympathy which is extended to the Bureau in the United States of America—

In the year 1907, no less than 1,985,905 subscribers received the daily forecasts by this method alone. The suggestion might be submitted to the Postal authorities in Australia for consideration as a means to induce squatters and settlers in the interior to become subscribers to the telephone system. The prime producers are the chief individuals in the Australian community interested in the weather prospects, and while means of advising them at the earliest possible moment of the probable weather remains inadequate, the efforts of this Department and the Government's intentions for creating the weather service are negatived in their chief object; at the same time, in remote districts, squatters and farmers remain at a serious disadvantage, as compared with settlers near towns, where the forecasts are posted or disseminated by the newspapers, and are almost entirely at the mercy of unscrupulous dealers in their products, resident in the cities and towns, where weather advices are readily accessible. However, postal regulations have recently been framed whereby the distribution of forecasts and flood warnings by telegraph and telephone has been greatly facilitated; further, it is incumbent upon Postal officials to report any unusual meteorological occurrences or phenomena.

. . . . . .

I should like here to express the indebtedness of this Department since its inauguration for the invaluable assistance and co-operation accorded it by the Central Postal Administration, and it is hoped that it may at the earliest possible date furnish us with long deferred desired data from Queensland, the lack of which is discounting not only our efforts to improve the accuracy of the forecasts for that State, but for the whole of the Commonwealth. As has already been pointed out, this branch of our work must stagnate until these necessary data are forthcoming.

I quite agree with the Prime Minister that a firm hand should be kept on the expenditure of the Department. If he were to grant every concession asked for, his hands would be pretty full. But the Meteorological Department was established to forecast the weather for Australia, and if its work is to be of value it must be supplied with the necessary data. The meteorologist complains that he does not get sufficient data. Surely it would not cost very much to supply him with the information he needs. It would only mean the greater use of our system of telegraphs, which spread all over the Commonwealth. In this connexion I ask why, since New South Wales can have information regarding rainfall made public all over the State, that cannot be done by South Australia and Queensland? It has been pointed out to me on several occasions by those interested in the travelling of stock that it would be of great advantage to them to be informed of the weather in the districts through which they are travelling. Such information might reasonably be published at places of importance, being posted daily at the telegraph offices. That would not throw a heavy burden on the Telegraph Department, and would greatly assist persons in the distant interior. In Tasmania advice regarding the weather has prevented the spoiling of crops, and information as to weather conditions is of the greatest value to all connected with rural pursuits. Australia must not lag behind in this matter. In England, India, the United States, and Europe, the closest scientific investigation is being given to weather conditions, and we should have a Department of original research, and make our contribution to the knowledge of the world. The time will come when we shall be in yet closer touch with the weather Departments of other countries than we are now. I hope that the Prime Minister will give favorable consideration to my suggestions.

Mr. FISHER.—I appreciate the value of the suggestions, but there is a limit to the sum available for the transmitting of information regarding the weather.

Mr. GROOM.—I do not ask for the spending of more money. I merely suggest that the telegraph system might be used to better advantage.

Mr. FISHER.—If the honorable member thinks that something can be got for nothing he is mistaken.

Mr. GROOM.—Many of our country lines are not very busy, so that there would be no increase of expense, and the Prime Minister is justified in seeing that adequate data is supplied to the Meteorologist. I doubt whether, if the Department were debited with all weather telegrams, the cost would amount to £50,000 a year. I hope that the honorable gentleman will look into the matter, and see if he cannot give my suggestion sympathetic consideration.

Mr. FISHER.—Certainly.

Mr. GROOM.—With reference to the rifle range at Toowoomba, I was informed that the State Government, although it has decided to sell certain land which the Defence Department wishes to secure, has promised to postpone the sale for three months to give time for negotiations. Toowoomba, with the surrounding districts, has a population of 20,000, being an important centre from a military point of view, and rifle

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clubs from long distances out west go there to hold their annual shooting competitions. For five years attempts have been made to get a new site for the range.

Mr. Fisher.—The honorable member was in office when there was plenty of money. Why did he not see that the matter was settled then?

Mr. GROOM.—There was not plenty of money, although it was not a matter of money.

Mr. Fisher.—The Commonwealth was then returning surplus balances to the States.

Mr. GROOM.—We tried repeatedly to obtain an arrangement with the State, but could not do so. Now that the State authorities are willing to negotiate, I hope that a satisfactory settlement may soon be arrived at. I ask that the Departments concerned be requested to expedite the matter. I was sorry to hear the expression of the opinion of the honorable member for Capricornia regarding immigration. If any part of Australia needs immigrants it is Queensland. The Royal Commissioner appointed in New South Wales to investigate the matter declared that, instead of immigration having tended to reduce wages, the inflow of population had increased employment. Those who have come here are doing useful work, and the supplying of their needs gives occupation to others.

Mr. Fenton.—They join unions as soon as they get here.

Mr. GROOM.—They are quite entitled to do that. The sooner an immigrant identifies himself with Australian institutions, the better for him and for the country.

Mr. Laird Smith.—A good many immigrants have got into this Parliament.

Mr. GROOM.—We are glad to have them here, because Australia would be the poorer without their service. The honorable member for Nepean wisely urged the co-operation of the Commonwealth and States, especially in regard to advertising abroad. That, I am satisfied, would be a good thing.

Mr. Fisher.—We need, first of all, suitable offices for the High Commissioner and the Agents-General.

Mr. GROOM.—The provision of that accommodation is one of the first steps to take. Nothing is to be gained by forcing matters, but the co-operation suggested will be in the best interests of Australia, because it will prevent a conflict of effort, and the depreciation of one State by the agents of another. There is plenty of room in Australia for immigrants, according to Mr. Piddington. Farm labourers and others who come to Queensland find work at once, proving themselves, in many instances, exceedingly satisfactory workers. I hope that the Government will propose a liberal vote for advertising, and will give the High Commissioner a free hand in the spending of it. The advertisement should be of the nature suggested when he was first appointed, care being taken that no statement is published which is not absolutely true. It is better to understate than to overstate the case. I agree with the honorable member for Nepean that the truth about Australia is good enough, and that the picture does not need its attractiveness heightened by false colours.

Mr. Archibald.—That is not the policy of Canada.

Mr. GROOM.—We are not concerned with what Canada may do. I hope for a forward movement, so that Australia may grow in strength and vigour by the inflow of useful immigrants.

Mr. LAIRD SMITH (Denison) [5.23].—I am of the opinion that we must do all we can to fill the vast vacant spaces of Australia, and agree with the honorable member for Darling Downs that the immigrants should be of the right class. It is useless for men who belong to trades which are already overmanned to come here. Only this afternoon I got a letter from a man who says that he has been out of employment for six weeks. He is an Englishman, but following an occupation in which there are not many openings.

Mr. West.—A new chum?

Mr. LAIRD SMITH.—No; he has been here for some time. I suggest the advisableness of the medical examination of intending immigrants in London. Nothing of the kind is insisted on now, and the steamer by which I recently travelled from Europe brought two immigrants who were not allowed to land at any of the ports because they could not pass the medical examination. A previous vessel, I was informed, brought an immigrant who was suffering from consumption. He was refused admission, and told that he must return to England, but he jumped overboard between Fremantle and Adelaide. I bring this matter under the notice of the Minister in the hope that he will avail himself of an early opportunity to institute a proper method of medical inspection at the port of departure. We want immigrants, but they must be of the right class,

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and should undergo a strict medical examination before they are allowed to depart from Great Britain. I noticed while at Home that our High Commissioner, with the limited funds at his disposal, was doing much in Great Britain to advertise Australia. It was my privilege to attend one of the finest agricultural shows held in England—that of the Norwich Agricultural Society—and there I saw a Commonwealth exhibit under the supervision of a young man who, I understand, was at one time on the Australian press. I found that, like all pressmen, he was very well informed as to the country from which he came. I stood amongst those listening to what he had to say of Australia, and he displayed a knowledge of his subject that was exceedingly refreshing. He also encouraged an Australian farmer who was on a visit to the Old Country to say a few words to the people who surrounded the exhibit, and it was delightful to hear that man give his experiences of Australia. He did not refrain from telling his audience the actual facts of his position. Whilst he was speaking some one interjected, "Is there not a Labour party in power in Australia?" His reply was that there might be, but that that fact had not interfered with the prosperity of the farmer here. I found in various parts of Great Britain men who had made their money on the land in Australia, and who did not hesitate to tell the people how well off were the farmers of the Commonwealth. The Norwich Show proved one of the best advertisements that Australia could have. I found that New South Wales was also advertising freely in the Old Country, and that its representatives were able to say that farmers would find it easy, on arriving in Australia, to obtain land. That is the sort of advertisement that we need. We ought to be able to assure the people of Great Britain that those who come here with the object of settling on the land will be able to secure blocks without difficulty. New South Wales in this respect has set the other States of the Commonwealth an excellent example. She has a splendid irrigation system, and is making provision, by new railways and other means, for opening up her Crown lands. The Government have also resumed large estates, so as to be able to settle people on the land when they arrive here.

Mr. GREENE.—The State Government in power to-day are not doing that. They are giving up the work.

Mr. LAIRD SMITH.—I have every confidence in the present Government of New South Wales. They are practical men, and are quite capable of doing all that is necessary to settle the people on the land. Some of them have risen from the ranks; they know what it is to be out of work, and how necessary it is to provide employment for the workers when they land here. I had no hesitation in telling people of the right class whom I met in the Old Country that they would find Australia the greatest country on God's earth. In my humble opinion, there is no greater country. No country offers greater opportunities for the man with capital or the man desirous of settling on the land and making a home for himself. I do not agree with the honorable member for Nepean as to the picture of the lady and the wattle blossom. The Government, to my mind, have adopted a wise means of advertising Australia by calling to their aid the wattle blossom. Canada advertises largely by means of a botanic emblem known as the maple leaf. Wherever we went in Great Britain we heard the people speak of "Canada and the maple leaf," and whenever the Canadians were asked to sing they usually said, "We do not sing individually, but we are prepared to join in singing our National Anthem, 'The Maple Leaf.'" I could not help thinking at the time that if we Australians had sung an Australian National Anthem in preference to the National Anthem of the Empire cablegrams would have been sent at once to Australia telling of the terrible disloyalty of the Labour party. The Canadians, however, were able to do this without any exception being taken to their action. At the Dominion gathering, at which some 1,800 persons were assembled, they sang the National Anthem of the maple leaf even before the National Anthem of the Empire was rendered, and I must confess that the patriotism of those people—their love for the country that had served them so well—strongly appealed to me. If we wish to advertise this country as it should be advertised we must become more truly Australian, and have done for all time with petty parochial State Rights considerations. We never heard the Canadians speak of Quebec, Ontario, or any individual province. With them it was "Canada" every time. They taught us in this respect, an excellent lesson, which we did not hesitate to turn to account. A Tasmanian gentleman in England remarked to me whilst I was there, "I notice that you always announce yourself,

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not as a Tasmanian, but as an Australian." I replied, "In this connexion I do not know Tasmania. I know only the great Commonwealth of Australia, to which I am proud to belong." If we desire to attract people to our vacant spaces we must deal with the Commonwealth as Australia, and as Australia only. That is one reason why I hope we shall have very shortly in London a Commonwealth office, in which not only the High Commissioner, but the Agents-General of the States will be housed. Visitors to London will then know where to go to learn of the advantages to be obtained by settling in Australia. I hope that we shall not confine our advertising to Great Britain. It would be well for us to advertise in Switzerland and other parts of the Continent which I visited, and where I and other members of the delegation saw people working under terrible conditions. In Switzerland we saw men working small plots of land that would not be looked at in Australia. Land equal to our third-class country would be readily worked in Switzerland, and a great deal would be thought of it. If we could induce some of the Swiss to come out here, I am sure that we should find them excellent citizens. Again, why should we not advertise in the United States of America, and also in Canada? We should do everything possible to induce white people to come here. I do not care to what nationality they belong, provided that they become good healthy settlers, for I realize that that country is the wealthiest which nourishes the greatest number of happy and healthy individuals.

Mr. KELLY (Wentworth) [5.35].—I am beginning to smell a mystery in connexion with the wattle bush of which we have heard so much. We have had member after member from the other side referring to the picture of the mysterious lady of the wattle bush, and all vehemently trying to dissociate themselves from the suspicion of being connected in any way with her. Judging by her expression, she is a carefully brought up although rather over-nourished representative of Australian femininity; but why these honorable members should be so anxious to dissociate themselves from the young lady I do not know. I should have expected to find them only too anxious to prove that their taste was good, and their record equally so.

I do not wish for a moment to fall into the mistake of imagining that anything that may be said here on the subject of immigration will do very much good in the Chamber itself; but I am satisfied that, so far as the House has opportunities of transferring itself, through the medium of *Hansard*, into the constituencies, anything we may do to formulate a healthy public opinion must be of value. There is one credit I shall always do my honorable friends opposite, and that is that they will ever be ready and willing to exploit any public sentiment, however opposed they may have been to it, the moment it becomes politically valuable and advantageous to them. I do not say this in any offensive spirit; indeed, I am rather anxious to conciliate them.

Mr. HIGGS.—The honorable member cannot class me amongst the number in this respect, because I am opposing the proposition. It is popular, but I think it wrong.

Mr. KELLY.—I have a shrewd suspicion of the reason of the honorable member's opposition to it. Take, for instance, the views of the honorable member for Nepean, who thinks that this lady of the wattle blossom might lure into Australia a number of romantically inclined young men who might seriously disturb even the placid calm of the honorable member for Capricornia. The mere sight of this lady and the wattle blossom has put my honorable friend in a state of almost bilious indignation. I appeal to him, however, not to be over hasty in dealing with the subject.

The honorable member for Denison, who has studied this question on the other side of the world, will agree with me that we are at a very serious disadvantage in competing with Canada for immigrants, inasmuch as it is not so much the Canadian Government that attracts immigrants as it is the agents of the great land-grant railway companies.

Mr. ARCHIBALD.—The Pacific Railway Company.

Mr. KELLY.—And the shipping companies, which are all working in with the system.

Mr. CANN.—Is it not the maple?

Mr. KELLY.—The honorable member's thoughts are still running on the name of the lady. In Canada we have a railway constructed by a company in return for a grant of public lands, and the company can afterwards settle those lands with people whose freights it will carry at a profit. Any company which is working a

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transcontinental line there has a direct interest in every immigrant. It puts them on the land, and afterwards charges them probably more for the carriage of their freight than is charged on the railways of Australia. Our railway system is different, and I believe it is the right one; but the system of State-owned railways imposes upon the State, if we want immigrants, the obligation of dealing with this question in an organized way. The State must organize, as Canada has done through the agency of the Canadian-Pacific Railway and other land-grant railway companies. I do not wish to labour this question, further than to say that we shall have to try to copy the operations of the Canadian-Pacific Railway in providing for immigrants, almost down to the housing of them, so that as soon as they arrive they can be put in the way of making a living for themselves.

There are one or two other matters to which I desire to refer. During the next two months, in respect of which we are asked to vote Supplies, the Government will be free to take action with regard to various matters, and we ought to be informed now of what they are going to do with respect to trusts and combines. We were assured, during this session, that the Government proposed to institute a judicial inquiry into the sugar industry. I thought that would mean an inquiry by persons not identified with either side of politics.

Mr. WEST.—It is not possible to get them.

Mr. KELLY.—It ought to be possible to get men sufficiently divorced from politics to be able to satisfy the public mind that those who are to sit in judgment upon a question which is, after all, largely political, have not either supported monetarily a party organization, or stood as the pledged candidates of either political party. It is a public misfortune that a Commission whose verdict ought, through the absolute impartiality upon political matters of its members, to commend itself to the good sense of the Australian people, as coming from fair-minded men, concerned only with the welfare of the State——

Mr. HIGGS.—Does the honorable member suggest that the only people who hold political opinions are candidates for Parliament?

Mr. KELLY.—I do not. In appointing future Commissions, great care should be taken that no representative on them is a member of, or known to be identified closely with, either political party. Apparently we are to have, in connexion with every Ministerial statement with regard to the judicial nature of any inquiry to be instituted, the mental reservation that it is not political provided it does not contain members of Parliament! It is to be non-political, even if it contains the very cogs in a party machine! It is political only if it happens to contain members of Parliament. That is a bad precedent to establish. I understand that the Royal Commission recently appointed is composed, outside the Chairman, largely of persons interested in our party warfare. As it would, perhaps, be natural to expect, if one had little faith in the human nature comprised in the present Government, three out of four of the members of the Commission, excluding the Supreme Court Judge, have been closely identified with the movement known as the political Labour movement.

Mr. WEST.—Which one has the honorable member left out?

Mr. KELLY.—I do not wish to give names. It is possible that my honorable friends opposite, in their zeal with regard to monopolies and combines, may want to go a little further than sugar. They may wish to look into the sphere of shipping, and even into the prohibited regions of tobacco. On the notice-paper only a few days ago, there stood a motion in the name of the honorable member for Gwydir for the institution of an immediate and searching inquiry into all the phases of the tobacco industry of Australia. Even the Tobacco Trust was not to be sacred.

Mr. HOWE.—It is, seemingly.

Mr. KELLY.—And why? Because my honorable friends opposite seem to be afraid, for some reason or other, to go on with any attack upon the Tobacco Trust. I am sure that the Trust would welcome a judicial inquiry, although it might have reason to apprehend the result of an inquiry such as has been instituted into the sugar business. Why should my honorable friends be so frightened? Why should the honorable member for Gwydir, who is known to be one of the most valorous representatives of Labour in the Federal Parliament, suddenly withdraw the motion after, in a fit of almost reckless courage, putting it on the notice-paper?

Why have my honorable friends proceeded to a certain extent in the matter, and then run for their lives as soon as they realized what they had done?

Mr. HIGGS.—Under what heading does the honorable member discuss that proposition?

Mr. KELLY.—We have been asked to grant Supply for two months, and are doing it with extraordinary celerity. We are entitled to know what the Government propose to do with regard to its administration during that period. We see what they have done in relation to an inquiry into one of our big industrial organizations. Such concerns will, generally speaking, welcome any fair inquiry into their working, because it will be shown that a vast proportion of the attacks made upon them have been ill-founded, and made for party political purposes, not always by honorable members opposite, but by persons supporting them, or even by persons supporting this side of the House. If, however, the Government are going to inquire, let them inquire all round, and let the inquiry be really judicial. I do not like this habit of appearing to show extraordinary concern for the good opinion of one great institution, and an absolute disregard for the rights of another. I should have liked to see the honorable member for Gwydir proceed with his motion, but I am glad to know that, although honorable members opposite have run away from the battle as soon as the bugle was sounded——

Mr. GREENE.—What made them run away?

Mr. KELLY.—My honorable friends are strangely silent as to their reasons, but I am glad to say that the honorable member for Barker, who sits on this side, has jumped into the breach by giving notice of a motion in exactly the same terms as that of the honorable member for Gwydir. Honorable members opposite will, therefore, still have an opportunity of getting, into the doings of the Tobacco Trust, that immediate and searching inquiry which they profess to desire.

Mr. CANN.—The honorable member for Barker is stealing our thunder.

Mr. KELLY.—I do not apply the term "thunder" to a proposal which, as soon as it is hinted at, is hastily dropped! The honorable member for Gwydir has not stopped running since he submitted the motion.

I was glad to hear the honorable member for Nepean raise the question of the Liverpool manœuvre area. I hope he will be able to cause something to be done in that connexion; but I cannot understand why he should have overlooked the question of the small arms factory. That is the most extraordinary thing we have ever had in Commonwealth administration, with, perhaps, the exception of that wireless contract which has been the occasion for the display of so much business innocence on the part of the Postal Department. The small arms factory brings up a very curious problem. Some years ago, when we decided to manufacture small arms for ourselves, we sent a good Australian, in Commander Clarkson, to England to find out all about small arms. He was a very excellent engineer officer in the local Naval Forces, but he did not know, or pretend to know, anything about rifles. He was, however, sent Home at the expense of Australia to be educated in rifles, and with a view to coming back and making his knowledge generally useful to the Australian people.

Dr. MALONEY.—How long ago?

Mr. KELLY.—It was a considerable time ago, and the factory is not yet working. Commander Clarkson spent a considerable time abroad. He learned a good deal about the subject, and when he came back he found things in a fair state of tangle. He was then asked whether he wanted to go to the small arms factory; but, like a wise man, he said he would rather take up the business of authority upon naval construction on the Naval Board.

Mr. HOWE.—After all his experience?

Mr. KELLY.—After all his experience at the Commonwealth expense he returns and takes up that other position on the Naval Board. If we have a right to educate our public servants, and send them to the other side of the world, we have a right to use them in the jobs for which we have educated them. This officer, however, has gone into a job about which he knows no more than he once knew about rifles. I am not attacking him, but the system. He is an excellent engineer officer, and an authority in the engine-room of a ship. He was asked suddenly to become an authority on the construction of rifles. He struggled for two years with that subject, and learned something about it, and then, after having paid for the cost of his instruction in that subject, the Government transfer him to a new Department, about which he knows absolutely nothing. I suppose he will be kept there for another couple of years, and then, when we start

to build big ships, we will import somebody else to do it, because, by that time, he will have been put into another job. I think the Defence Department might conduct their operations in a business-like way. I make no attack upon Engineer Captain Clarkson, as he now is.

Mr. ARCHIBALD.—I think the honorable member is doing it.

Mr. KELLY.—I do not intend to. I believe he is one of the best officers of the local Navy; but a man cannot be omniscient.

Mr. LAIRD SMITH.—Will not the information he obtained abroad be valuable to him now?

Mr. KELLY.—Information about rifles will not be of the slightest value in constructing or designing battleships.

Mr. LAIRD SMITH.—In England the teaching is not confined to the question of rifles.

Mr. KELLY.—This officer went to England on that special mission. He was sent Home to arrange the whole contract for the supply of machinery for the construction of rifles. I think he spent about a year looking around rifle factories in the Old Country, and that the firm of Greenwood and Batley helped him a great deal to draw up his specifications. He did nothing in England but rifles, and thence he went to America on the same mission. Now, on his return, we are not to use him as a rifle expert, although the understanding when he went away was that when he came back he was to take charge of the small arms factory.

Mr. CANN.—He is there now.

Mr. KELLY.—Yes; but the answer given to a question to-day was that he was going on to the Naval Board, and would not take the position for which he was trained. He was responsible for having the contract made with an American firm, and he ought to put his shoulder to the wheel and see the business through. That contract is now tremendously overdue, and a sum of from £46,000 to £48,000 is due to the Commonwealth in actual penalties.

Mr. CANN.—Who let that contract?

Mr. KELLY.—I am not dealing with any particular Government. The honorable member may put the blame upon whom he pleases; but let us look at the question from a higher aspect. The penalties have been allowed to accrue during the last year or two, and we are entitled to know why they have not been paid to the Commonwealth. If this or the previous Government have been at fault in the drawing of the contract, or if, as I suspect, the Department of Home Affairs has deprived itself of any opportunity to claim a penny by varying the contract, the sooner we know the fact the better. Any honorable member who has started to build a house by contract with an architect for a structure on certain specifications at a certain figure will know that if he varies the specification in the smallest particular, he has not Buckley's chance of getting it carried out at the contract price or in the contract time. As I say, I suspect the reason those penalties have not been exacted is that those concerned on the part of the Commonwealth have been fools enough to vary the contract.

Mr. LAIRD SMITH.—The contract may have been broken.

Mr. KELLY.—Anything may have happened; but, at any rate, we ought to know why we are not getting the money.

Mr. CANN.—The specifications were altered.

Mr. KELLY.—So I understand, though I did not wish to say so. It is a public misfortune that the Department of Home Affairs should be conducted on lines so absolutely devoid of any sort of business sense.

Mr. KING O'MALLEY.—They tell me that this is a new thing—that they did not have the technical knowledge required.

Mr. KELLY.—The principle of sticking to a contract is no new thing, except, perhaps, in the case of my honorable friend; it is one of the oldest principles known to ordinary business people.

Mr. WEST.—There are contracts which it pays to break.

Mr. KELLY.—I can quite understand that; but the Minister of Home Affairs endeavours to assume a credit, of which I do not desire to deprive him, for extraordinary business acumen. If, however, the Minister himself, or through his officers, has permitted this contract to be varied, and the penalties to be lost, I shall not believe he ever was in Wall-street, but will incline to the belief that he ran a religious institution in the United States, and had nothing to do with business enterprises.

Mr. KING O'MALLEY.—I was not in Wall-street, but I was on Broadway.

Mr. KELLY.—The Minister's course has been so erratic that it might have required a very large broadway to keep him going.

Mr. KING O'MALLEY.—It was very successful for me.

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Mr. KELLY.—I do not think it would be successful for the Commonwealth.

Mr. KING O'MALLEY.—I have saved the Commonwealth thousands.

Mr. KELLY.—So the Minister is always saying; but how does it happen that in this connexion he or somebody else has lost the Commonwealth over £40,000?

Mr. KING O'MALLEY.—Not a penny.

Mr. KELLY.—I admit that the Minister is a very alert and quick person, but I would rather trust him to square the caucus than to carry out a contract. Why have we not been able to claim these penalties? This firm got the contract largely on the ground that they could do the business quicker than any other, and they have not done so.

Mr. KING O'MALLEY.—I shall make them pay up.

Mr. KELLY.—Why has the Minister not done so already?

Mr. KING O'MALLEY.—The honorable member is in too big a hurry.

Mr. KELLY.—If the Minister is ready to give an explanation, I shall at once sit down to give him the opportunity.

Mr. HIGGS (Capricornia) [6.0].—I desire to say another word or two about my position in regard to immigration. Honorable members seem to think that the present boom of prosperity is going to last throughout the years; but if they cast their minds back they will realize that there is such a thing as a crisis caused by over-production. I have no objection to immigrants if they can be employed at a good rate of wages with reasonable hours. Partly through the good seasons, and partly, as suggested by an honorable member, through the wise administration of the various Labour Governments, we are enjoying a prosperity which is being exploited. A view taken by our friend, the capitalist, is that if we bring 1,000 families, or about 5,000 people, into the Commonwealth, there must be 1,000 houses in which to place them. The newspapers show that the prices of food and rents are rising; and if hundreds of thousands of immigrants are introduced, what is to be the result? Can we maintain the standard of wages now obtaining, with reasonable hours, if these immigrants are brought here suddenly, or at a rapid rate? It is impossible; and the moment two men apply for one job wages may fall. The views held in some quarters that it is good to introduce a lot of poor people, and make them compete with men and women at present in employment; but if we do that, wages must have a tendency to come down. By Labour legislation we are increasing wages, and, in a good many cases, reducing hours. With the introduction of immigrants, rents are rising, not only for houses, but for shops and business premises. Shopkeepers, who have to pay high rents, have to increase the price of their goods; and thus the real wages of the workers are being reduced. Although, on paper, our artisans' wages are being increased, they are not getting the value for their money that we hoped when we tried to improve the Labour conditions. I dare say I shall probably be almost alone in my opposition to this expenditure on advertising. If we govern Australia properly, Federally, and through the States, we shall attract enough people at a sufficiently rapid rate to enable Australia to absorb them, and, by that means, avoid anything like a boom, with the consequent burst and misery.

Mr. RYRIE (North Sydney) [6.6].—I regret very much that the Prime Minister did not give any definite answer to the honorable member for Parramatta when he asked why two months' Supply was requested, and why there was delay in introducing the Budget. However, we are asked to vote this large amount for carrying on the several services, and, of course, it is absolutely essential that those services should be carried on. At the same time, it is the right and duty of members of the Opposition to criticise the Administration; and I should like to briefly touch on the Department of Defence, as one in which I take a special interest. Something happened quite recently which makes it easier for me to deal with this portion of the Estimates. When I first entered the House and spoke on the Address-in-Reply, I was an active member of the Defence Forces. I had the honour to command one of the regiments of Light Horse, and, therefore, I felt there was some restraint upon my utterances here. There is no more loyal officer in the service than myself—none who recognises more fully the bad taste of an officer criticising the Department, or the actions of his superiors, or the Minister. However, that difficulty has been removed, as I was placed on the unattached list during the early part of this month; and, therefore, I am more free to speak.

Mr. J. H. CATTS.—I think the Minister of Defence made a mistake in putting the honorable member on the unattached list!

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Mr. RYRIE.—It was not altogether the doing of the Minister. My period of command was more than up, having already had two extensions; and in view of the fact that I occupy a position in this Parliament I did not apply for a further extension, and went on to the unattached list. The Minister in charge of the Department of Defence holds a most important position. On that Department depends, to a great extent, the safety of our hearths and homes, and its expenditure should be regarded as in the nature of an insurance premium. I am sure that no one will grudge necessary expenditure on defence. Efficiency is vitally essential to a proper system of defence, and to secure it we must spend money. The remuneration of those whom we employ should be such as to encourage the best men to join our Forces. That is at present not the case, especially in regard to the Permanent Forces. There is nothing either to encourage men of the right sort to join or those who are already enlisted to remain. This is inimical to the public interest, because long service is one of the chief factors towards efficiency. I am surprised that the Government has not done something to place the pay of the Permanent Forces on a satisfactory basis. At present it does not correspond with that which can be earned in similar avocations outside the Forces, and it should at least be equal to it. Regarding the general administration of the Department, Ministers would be wise to revert to the old order of things, and appoint a General Officer Commanding in place of the Military Board. I say that after mature consideration, although I refrained from saying it earlier for reasons which I have already given. The present system is not satisfactory. It may be objected that Great Britain has a Council of Defence, but at Home there are many eminent military authorities to choose from in creating such a body, whereas here—I say it without disrespect to the excellent officers whom we have—there is not the same choice. The change which I suggest would require an amendment of the Defence Act.

Mr. THOMAS.—The honorable member wishes a military despotism.

Mr. RYRIE.—No; but a good man at the head of the service would give more satisfaction than the Military Board. General Hutton did more for our military organization than any other officer whom we have had. It is men of his stamp whom we need. The General Officer Commanding should be directly responsible to the Minister. Now one man shelters behind another, so that responsibility cannot be placed definitely on any one. I wish also to refer to an appointment made by the Government. A Mr. Petersen has been appointed Director of Physical Training, and given the rank of lieutenant-colonel, without any one else being permitted to prove his qualifications for the post.

Mr. DEAKIN.—What rank did he hold before?

Mr. RYRIE.—I understand that he was a civilian, and was pitch-forked directly into the position. There are men in the Imperial military service who after a lifetime have not succeeded in rising to so high a rank, and I think that this action tends to depreciate military titles. The Minister of Home Affairs would tell us that in America they are all colonels, but we do not want that state of things here. Moreover, although Ministers pose as men who wish to give every advantage to the native-born, Australia for the Australians being their motto, they have in this instance given the position to a foreigner. I have nothing to say against Mr. Petersen, who may be a very estimable man, and a good man at his job, but he is not an Australian.

Mr. THOMAS.—He has been in Australia for twenty-five or thirty years.

Mr. RYRIE.—He may have been, but he is not native-born, and should not have been preferred before an Australian whose credentials were at least as good as his.

Mr. THOMAS.—Was there an Australian whose testimonials were as good?

Mr. RYRIE.—There was another applicant for the position whose credentials were as good, a man who is native-born, and has served the Empire in South Africa, in the mounted police, and with some of the contingents. I refer to Mr. John Henry Close, who has won great praise for his special system of physical culture. He has done good work at the barracks with the Cadets, and appears to be a very capable man, who thoroughly understands his business. No doubt honorable members opposite have heard of him as an expert in physical culture. He has an institution in Sydney, and I propose to read a letter which he published in the *Evening News* setting out his claims to consideration. He was not given an opportunity by the Government to establish his fitness for the post.

Mr. DEAKIN.—Was he not considered?

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Mr. RYRIE.—He was not considered. The appointment was a back-door one. No one knows why Mr. Petersen was appointed, and no one knew that he was to be appointed until the notice appeared in the *Gazette*. Mr. Close was naturally incensed by the way in which he was treated, especially as he knew that his credentials were as good as those of Mr. Petersen. He stated his case in the following letter:—

I note that you take exception in your "Notes" of 27th instant to portion of my objections, published in the "Herald" of that date, relating to the recent Federal appointment of a director of physical training. I think there is to be found ample proof that the principle of "Australia for Australians" has been dinned into our ears by the Labor candidates for Parliamentary honors in the past.

In protesting against the curious and questionable method of the appointment of the director I feel I have every right so to do, not only on account of the satisfaction my system of training has given to the Royal Australian Engineers and the N.S.W. police, but, if for no other reason, in consideration of the high opinion formed of my physical culture work among senior cadets at the Victoria Barracks—

I know that that is quite correct—

over two years ago by their commanding officer, Major Wynne (now in command of the Coronation (?) contingent of Cadets). In the face of this and much similar documentary evidence of splendid results (including influential medical opinions), I feel that, speaking for myself, I at least should have had a chance of bringing my system under the searchlight of official scrutiny, with a view to its adoption, before the supreme appointment was made. But, no! The principal post was filled through the back door, and when the favored one was firmly seated in the official saddle applications were publicly invited for the subordinate positions. I, therefore, withdrew my application for the chief instructorship.

I consider it a monstrous thing that in this ultra democratic land to-day so very undemocratic a method of making a public appointment could possibly have obtained as to create an entirely new and important official post to be filled by private favor, instead of inviting applications in the usual way. It merely goes to prove that no Parliamentary executive body, let alone individuals, can be trusted to justly perform even so simple and obvious a public duty unless legislation be enacted to prevent such abuses of office. As regards the appointment of a foreigner, I protest on no personal, but on broadly patriotic grounds. Is it not high time that the British people here and elsewhere cease being wilfully blind to the fact that foreigners in general do not reside on British soil for love of the Union Jack, but merely to exploit the British race when, where, and how they can, ousting British interests, business firms, and individuals on their own territory. It is time the whole British nation (not Australians alone) arose to a full consciousness of our bounden duty to national kith and kin, bestowing patronage and custom among our true compatriots, where those compatriots prove themselves worthy of such recognition.

I do not wonder at Mr. Close feeling aggrieved at his not being given at least an opportunity to apply for this important position of Director of Physical Culture.

Mr. GROOM.—Is it a permanent appointment?

Mr. RYRIE.—It appears to be a permanent appointment, carrying with it the rank of honorary Lieutenant-Colonel. The complaint is a very serious one. In reading this extract from Mr. Close's letter, I am reminded of Major Wynne and the contingent of cadets who went to the Coronation.

Sitting suspended from 6.30 to 7.45 p.m.

Mr. RYRIE.—I am reminded of what I might describe as the regrettable incident which happened yesterday, in the vicinity of this House, in connexion with Major Wynne and his contingent of cadets.

Mr. FRAZER.—Hear, hear! Very regrettable.

Mr. TUDOR.—The Minister should have run after them, I suppose.

Mr. RYRIE.—I shall, at all events, state my view of the matter. I take it that Major Wynne probably came to the conclusion that, a snub having been administered to him very recently by the Minister of Defence——

Mr. FRAZER.—Where?

Mr. RYRIE.—At Home.

Mr. FRAZER.—Nothing of the kind.

Mr. RYRIE.—I say distinctly that the Minister, while in London, severely snubbed Major Wynne, the commander of the cadets; and, having that fact in mind, the Major probably was rather chary about asking him to give any recognition to the contingent which he had refused to recognise on the occasion of his visit to England.

Mr. FRAZER.—The Minister did nothing of the kind. I have denied that statement, on his authority, in this House.

Mr. RYRIE.—Let us see what the facts really are. In the first place, these cadets went Home at the expense of the general public. Many of us contributed to the fund to defray their expenses, although they should undoubtedly have been sent Home at the expense of the Commonwealth. When on the high seas—when nearing the Old Country—Major Wynne, in his largeheartedness and patriotism, thought fit to despatch a wireless message congratulating His Majesty the King. The result was that an inquiry was set on foot as to Major Wynne's standing, and the auspices under which the contingent of cadets was visiting

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the Old Country. I understand that the Minister of Defence, who was at the time in London, was asked whether this was a Commonwealth Coronation contingent, officially recognised as such, and that he distinctly said that it was not. He did not explain that the reason why it was not an official Commonwealth contingent was that the Commonwealth Government could not afford the cost of sending one Home; and it seems to me very discreditable that such a statement should have been made. With all due respect to the Prime Minister, I think that the expense involved in his taking Home to the Coronation festivities a large retinue was altogether out of place, considering that the plea of expense had been put forward by the Government as a reason for refusing to send Home a Commonwealth contingent. There is not the least doubt that Major Wynne was snubbed for having transmitted the wireless message of congratulation to the King. Remembering that snub, he was, perhaps, rather chary of approaching either the Prime Minister or the Minister of Defence, and asking for any official recognition of the boys when they landed here on the return journey, and were about to visit Parliament House. Senator Pearce, as Minister of Defence, should have been cognisant of all the movements of the contingent. It was not the commanding officer's place to approach him. When Major Wynne and his contingent of cadets landed here, an order should have been awaiting him that the Government would be pleased if he would visit the Federal Parliament House and put the lads through some drill in the presence of honorable members.

Mr. FRAZER.—And the Minister ought to have sent a motor to the vessel's side to meet him.

Mr. RYRIE.—The Honorary Minister may seek to ridicule my remarks, but the general public do not look with any complacency upon the treatment meted out to these lads.

Mr. FRAZER.—When they know the facts they are perfectly satisfied.

Mr. RYRIE.—It will take a lot to satisfy them on the point. Major Wynne may not have been *au fait* with the official etiquette relating to such a procedure as the sending of a message of congratulation to our King, but we must take it that he acted in the largeness of his heart. He was bursting, so to speak, with patriotic feeling, and thought it an excellent thing to do. When Senator Pearce, as Minister of Defence, was interrogated in London with regard to the standing of this contingent he might well have let them down lightly and have said, "It is really not on official Commonwealth contingent. The Government did not send the cadets to London, because it could not afford to do so; but I should regard it as a favour if the Home authorities would show them every consideration." That would have cleared the path for Major Wynne and his cadets. Instead of doing so, however, the Minister said, "They are not recognised as a Commonwealth contingent." I believe that Major Wynne threatened to camp the boys on the Thames Embankment, because preparations had not been made for their accommodation. But for the intervention, primarily, of Lord Roberts, in all probability the boys would even have been denied their medals. As it was, they did not get them when other contingents received their medals; but this Government has since been forced to recognise the contingent, and to give them their Coronation medals.

Mr. FRAZER.—How does the honorable member reconcile his statement with the statement I have already made in this House, that whilst in England Senator Pearce asked Major Buckley, the High Commissioner's military adviser, to see that accommodation was provided for the boys and was informed that it had been provided?

Mr. RYRIE.—We have been credibly informed that Senator Pearce distinctly stated in London that it was not a Commonwealth contingent. We know that, as the result of that statement, trouble occurred, and that Major Wynne had to threaten to camp the boys on the Embankment because of the want of preparation for them. Seeing that popular feeling was in favour of the boys, however, the Minister probably took action at that stage, and received the reply to which the Honorary Minister has just referred. There is no doubt that the Minister of Defence practically repudiated the contingent altogether.

Mr. FRAZER.—He did absolutely nothing of the kind. The impudence of the man in charge was responsible for the whole trouble.

Mr. W. ELLIOT JOHNSON.—Was it responsible for the boys having to depend on their comrades in England?

Mr. FRAZER.—Provision was made for the boys.

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Mr. RYRIE.—Happily for the boys, for every one connected with them, and for the country, I believe, it has all turned out for the best. No credit is due to the Minister of Defence or to the Government for that result, but the fact that these difficulties were placed in their way caused the boys to be made a great deal of at Home. We must all be proud of the prowess they showed, especially in connexion with the shooting tests. They won the King's Cup, and were successful in other competitions.

Mr. FRAZER.—They are a very nne lot of boys. There was no trouble about them.

Mr. RYRIE.—They are a fine lot, but the action of the Minister of Defence in relation to the contingent was reprehensible.

The Post and Telegraph Department is at present practically in a state of chaos. Any honorable member who endeavours to do a little business on the telephone will find at once that that branch of the service, at all events, is in an absolutely chaotic condition. The people of the Commonwealth are prepared to pay for an efficient service. If the trouble is want of money, then the money will have to be forthcoming. I believe the people will not grumble at the cost if they get an efficient service, but the question is how that is to be obtained. The Government, since taking office, appear to have made absolutely no *bonâ fide* attempt to place that great Department upon a sound footing. Some thousands of pounds were spent upon a Royal Commission, but its report has not been acted upon. When is it to be acted upon? It should be carried out, especially the recommendation to place the whole service under the control of an independent Board.

Mr. SAMPSON.—Would the honorable member be prepared to take it away from the control of Parliament?

Mr. RYRIE.—It should be under an independent Board of Commissioners, and not under the Public Service Commissioner. We might then get rid of a great many grievances that at present exist. The Post Office employés are absolutely the worst treated in the whole of the Commonwealth Public Service. They labour under many disabilities. Particularly is that so in the case of a large body of temporary employés. I think I shall be in order in reading a letter which I received from a number of the members of the temporary staff of the Post and Telegraph Department, but I should not like to give their names, because they would, probably, be penalized for writing the letter. It begins—

DEAR SIR,

We, the undersigned, although unknown to you personally, nevertheless take the liberty of presenting this petition, relying on your recently-expressed desire to assist the postal employés in any reasonable and legitimate way within your power. If you can see your way clear—

Mr. HALL.—Is the honorable member aware that if he reads the letter it becomes a public document, and must be laid upon the table of the House?

Mr. RYRIE.—If that is the case I will not read it, because I certainly would not lay it on the table of the House with the signatures attached to it. Perhaps I could get over that trouble by removing the signatures from the bottom. I should then be quite prepared to lay it on the table. I shall content myself with shortly stating the position of these temporary hands. They are known as the temporary staff, but many of them have had years of honorable service in the Department. They perform practically the same duties as telegraphists, with salaries from £180 upwards. They are used by the service, and are known as the handy men of the service. I know that the temporary staff, more particularly the telegraphists, are often set to run most important services, but they do not get anything like the salaries paid to the permanent telegraphists for doing the same class of work. Moreover, they are only engaged from day to day. They live practically with the dread of being dismissed for any paltry offence, or simply by reason of the fact that they are not required any longer. Their position has become most unenviable recently by reason of the circular issued by the Minister of Home Affairs to his Department. They may be put off any day and see some one else put in their places. I do not wish to say anything to hurt the feelings of the Minister of Home Affairs, but I do say that the position of the temporary employés, although it was bad enough before, is now worse than ever.

Mr. RILEY.—That is not correct; the honorable member does not know what he is talking about.

Mr. KING O'MALLEY.—Not a man has lost his position.

Mr. RYRIE.—All these temporary employés will come under the provisions of the order or circular recently issued by the Minister of Home Affairs, directing the

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granting of preference to unionists. Many of them who are not unionists will be in dread of being displaced by unionists.

Mr. Howe.—I am very glad they are doing it.

Mr. RYRIE.—The honorable member may be glad, but I do not think that policy will be palatable to the great body of public servants.

Mr. Cann.—It looks like it in Western Australia.

Mr. RYRIE.—We know what Western Australia did in the vote on the referenda. The Western Australians proved what they were then; but let honorable members look at the intelligent vote cast on that occasion by the other States. We could expect nothing else from Western Australia. An honorable member has on the business-paper a notice of motion for the adoption of the report of the Royal Commission on Postal Services, and when that matter is debated I shall have something further to say with regard to the Department. There is a great want of an official post-office at Greenwich, in my electorate. There is no official post-office between Crow's Nest and Chatswood. The district embodies a very large and populous area, and the fact that we have not an official post-office within a distance of from 4 to 5 miles is a disgrace. There are 2,300 people in the east ward of the municipality of Lane Cove, which covers this part, and the municipal revenue of the ward is £2,400. The absence of an official post-office in the locality is a bar to the progress of that flourishing district. The semi-official office is not at all satisfactory. It is at a grocer's shop, and the people get their letters and telegrams mixed up with pounds of tea, &c. There is no money-order office there. I put this forward as a very serious grievance, and trust that the Postmaster-General will take steps to have it rectified. I again enter my protest against the granting of Supply for two months. If I could prevent it, the Government would not secure it. I exceedingly regret that the Treasurer has not seen fit to tell the Committee why he wants Supply for two months, considering that he proposes to bring down the Budget in a fortnight.

Mr. Riley.—There will be an adjournment of the debate on the Budget.

Mr. RYRIE.—There might be obstacles in the way of bringing the Budget down for another two months. Unforeseen difficulties might prevent the Treasurer bringing it down during the session, but we cannot prevent honorable members opposite from doing practically what they like. We have to submit, and I will submit with the best grace possible, but I cannot do so without first entering my protest.

Mr. ARCHIBALD (Hindmarsh) [8.9].—The honorable and gallant member for North Sydney need have no fear that Parliament will not have full control over the voting of the Estimates for the year, even if Supply is granted now for two months.

Mr. Joseph Cook.—What control can Parliament have when half the year is gone and the money is spent?

Mr. ARCHIBALD.—I suppose it can have control over the other half of the year. Supply is being voted on the basis of the Estimates for the previous year. It would be singularly unfortunate if Parliament did not pass the Estimates during the current session, because, I am afraid, Major Wynne and other gallant gentlemen might run short of half-a-year's salary, which would be an unfortunate incident. I have no string of grievances to ventilate; and a Supply Bill of this character does not call for lengthy debate. I rose principally to call attention to the characteristic speech of the honorable member for Wentworth, who is a professor of everything in general, and of nothing in particular. That honorable member told us how Commander Clarkson had been sent Home in connexion with the establishment of the Small Arms Factory; and I take it that Commander Clarkson performed that work with satisfaction to the Government, and, on his return, made some suggestions with regard to the management of the factory. Commander Clarkson, however, preferred to remain in that branch of the service, where he has spent practically all his life, and has an excellent record. This gentleman, in addition to being an efficient engineer, has great scientific knowledge, being one who has a love of going beyond his profession to acquire information. A charge often made against Governments is that they hunt round for square pegs to put into round holes. If we are to have a proper Naval Unit, it is essential that, in connexion with it, there should be men who know something about the business—men who are recognised, at any rate, by the Admiralty, as efficient and able. If the proper place for Commander Clarkson is in connexion with the Naval Unit, rather than with the Small Arms Factory, all honorable members will approve of his action except,

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perhaps, the honorable member for Wentworth. Commander Clarkson is, I should say, eminently fitted for a seat on the Naval Board; and I have yet to learn that that Board is expected to turn its attention to naval architecture. I was always under the impression that that is a distinct branch of professional knowledge; indeed, I do not know of any men on this side of the world who can claim to be authorities. If there has to be success in this connexion we shall have to obtain the assistance of one, if not more, with expert knowledge. In my opinion, the Government, if they intrust the naval architecture to the Naval Board, will commit an error of judgment; and, as a matter of fact, I think the idea that the Government will do so has no more foundation than the lively imagination of the honorable member for Wentworth. It is not right for honorable members, when airing their grievances, to go out of their way to reflect on Commonwealth officers who have long records of faithful service, both State and Federal.

Mr. JOSEPH COOK.—What reflections have been made on Commander Clarkson?

Mr. ARCHIBALD.—It has been said that Commander Clarkson declined to accept the office of manager of the Small Arms Factory. Personally, I should say that it was a good thing he did decline, because, although he might prove an efficient manager, he will prove far more useful in his own branch of the service. Another suggestion was that a gentleman, who had been sent to England by the Government, had no right to pick and choose; but it will be a sad day when the public servant cannot respectfully say, "Sir, I think I can do better service in this, rather than in that branch."

Mr. GREENE.—Did he say that?

Mr. ARCHIBALD.—That is the inference to be drawn. As to immigration, I think a great deal can be done with advertisements of the character referred to this afternoon. Perhaps, in the large cities, advertising may be done to excess, and the average inhabitant, familiar as he is with broadsides, may not be so readily influenced as he was years ago. As to the competition of Canada, I look on the Dominion Government as a cipher in the matter; but by the Canadian-Pacific Railway Company, with their systematic advertising and thorough organization, much is done. I shall be the last to recommend any attempt to rival that company; but we can do a great deal more than in the past, and the sooner we Australians recognise the position the better. For obvious reasons, we have very few friends on the other side of the world. Recent troubles in England show that there is a tremendous amount of cheap labour there; and we are not an object-lesson of cheap labour, but an object-lesson of what a free Democracy can be. There are big interests represented in the English press which will not give Australia credit for anything, if that can be avoided. This is not a party question. As Australians, we ought to be, and are, deeply interested in seeing that the claims of this great country are brought before the world. An amount of money, which need not be very large, could be very judiciously spent in engaging the services of men to lay the facts before the people of the Old Country. For this work, we ought to obtain Australians; and by that I do not necessarily mean native-born, but men who have spent the best part of their lives here, possibly twenty or thirty years, and know what the country is. Australia has to fight the press and vested interests in England; and our ablest weapon is the platform. What does the average Englishman know of Australia? On the other hand, what right would I have to speak as an authority on my native land, after thirty-two years absence? I should regard any such attempt on my part as a piece of impertinence; to expect a Britisher to put the claims of Australia before the people of the Old Country is like expecting two and two to make five. Such men as I have suggested could, by the expenditure of a few thousand pounds, lecture to the people of the Motherland. And there are hundreds and thousands of men there, who are anxious to emigrate, and who would come this way if they knew the facts. At present, however, they are bewildered by agents and advertisements. People who are acting for certain countries naturally "run down" Australia. It might be said that information can be obtained at the offices of the Australian representatives in London; but there are many men who do not care to go to large official buildings on errands of that kind. Men with the requisite knowledge could tell in a popular way what Australia really is, and those associated with them could supply literature and further information. I hope that, not only the Government, but the Opposition, will consider this matter, because there is an opportunity now to turn to some good account our recent visit to the Old Country. We must not depend on the

British authorities and the press, because it would be absurd to expect them to advertise a democratic country with high wages and free institutions.

Mr. CHARLTON (Hunter) [8.24].—On the question of immigration I shall probably express a view that will be unpopular. While I recognise the necessity for peopling Australia, I also recognise that care should be taken as to how we go about the work. There is a disposition on the part of both State and Commonwealth to advertise with a view to attracting immigrants, irrespective of whether there is employment for them when they arrive. I do not say that there are not openings for employment to-day, because there is evidence in New South Wales and Victoria that artisans are required in certain quarters. We are not justified, however, in advertising broadcast, and inducing people to come here, only to find that they have been deluded—that, in their own particular occupations, there is no hope of engagement. If we are to expend money in the direction suggested the spending ought to be systematized in some way. Many persons are brought up to certain occupations, and do not find it easy to follow others. The Commonwealth and the States should make clear to the people of the Old World what class of men is required. If that were done, there would be justification for spending money on the encouragement of immigration. But to say merely that there is plenty of land available and employment obtainable in Australia will create great trouble in the future. Of recent years we have had good seasons, and there are more avenues of employment open than there would otherwise be. We hope that the good seasons will continue, but that is not certain. There may be a recurrence of bad seasons, and then there will be armies of unemployed in the cities, as there have been in the past. It has been stated, however, that a great number of immigrants may be expected during the next year or eighteen months, showing that the tide of immigration has commenced to flow this way. With bad seasons there will be a dearth of employment. Men will fight against one another to get work, and a reduction of wages and the lowering of the standard of living will come about, to the detriment of the country generally. No effort is being made by the Commonwealth, or by the States, to make known the true position of the mining industry. On the contrary, it has been said that there is plenty of room here for miners, and, following on the statement attributed to the Prime Minister, which he has made clear in this House, the proprietors of the Newcastle coal mines have cabled Home the information that there are openings in that district for 1,070 men at wages of from 7s. to £1 a day, it being added that some men can make as much as £2 a day. But a few months ago, in the Sydney and Newcastle newspapers, some of the proprietors were making it known that they expect keen competition among themselves in the near future, not because of the prosecution of the Vend, but because certain owners were not keeping faith with the rest. It was pointed out that, in that event, it would be a case of the survival of the fittest, and that the mines were being elaborately equipped for the competition. The cable to which I have referred was sent after that statement had been made public. People should not be brought to Australia unless there is occupation here for them. If it is published broadcast that there is employment for all, men will find, on arriving here, that starvation stares them in the face, and that they cannot send for the wives and little ones whom they had left behind until they could put enough aside out of the big wages they hoped for to pay their passages. It is not long since the Government of New South Wales was providing relief work for the Newcastle miners, who could not earn enough at their regular occupation to purchase the necessaries of life. They were willing to accept 8s. a day on relief work, because the steady employment given was more remunerative than the intermittent work at the mines. One of the mines at which it is said men from England could find employment is the Burwood Extended, but it has not been at work for a third of the time this year, and its miners have been idle for five or six weeks at a stretch. Similar conditions prevail at the Scottish-Australian Mining Company's mine. Owing to the intermittent employment, many of its men are now on relief works. The company is asking them to go back, and they are willing to do so on the promise of eight days' work a fortnight. The company wants the men to remain idle until business comes to it, but what is the use of 10s. or £1 a day when there is work only once a week or once a month? Some discrimination must be shown in this matter of advertising. Where labour is needed it should be brought out, but advertisements like that displayed in the Queen's Hall, al-

though very beautiful, are likely to do harm in attracting immigrants who, when they come here, will not find work. This deception will injure Australia more than anything else. It would be better to work on a system to ascertain in what trades and callings labour is needed, and to induce such labour to immigrate. The working men do not object to immigration, but they object to persons being brought here to work in occupations which are already crowded, because that means unfair competition and semi-starvation. In the Newcastle district if there were a very large number of miners offering they would be forced to fight each other to get work, and with the cut-throat competition among the proprietors, wages would come down. It is the duty of the Commonwealth and of the States to make it known in the Old Country that there is not employment here for miners, there being many collieries where work is very intermittent, and no guarantee of regular employment. The chairman of the Miners' Federation has stated the facts of the case applying to the Newcastle district. If the proprietors could guarantee regular work, they would have no trouble in getting men, but that is impossible, because so many mines have been opened up that there is not sufficient business for all. I hope that the Prime Minister, now that he is seized of the facts, will prevent miners in the Old Country from being deluded by the statement that there is work for them in New South Wales. If other honorable members know of industries which are situated similarly to the coal mining industry, they should make the facts public. I wish now to refer to the statements of the honorable member for North Sydney regarding the attitude of the Minister of Defence towards the contingent of cadets which visited England at the time of the Coronation, under Major Wynne. According to the statement set out in the paper which has been laid on the table, it is evident that the Minister tried to do what was fair and just towards the cadets. Application was made in July, 1910, for the Government to sanction a subsidy of £1 for £1 towards the expense of sending a cadet contingent Home. That was refused, and a similar application, made in October of the same year, by Major Wynne, was also refused. Later, Major Wynne was informed that leave of absence would be granted to selected officers, non-commissioned officers, and cadets, that arms and equipment would be issued on loan, and that the services of two non-commissioned officers of the Instructional Staff would be given to assist at the preliminary camp, but that the Government would recognise no liability, financial or otherwise, in connexion with the matter. Major Wynne went Home on that understanding. The Minister had previously agreed to cable to the Imperial authorities asking that a place might be allotted to the cadets on Coronation Day, and had sanctioned the issue of equipment and new pattern uniforms if they could be got ready in time. The Minister also instructed Major Buckley, our Military Adviser in England, to see that accommodation was provided, and was informed that it would be. Regarding the presentation of Coronation medals, Lord Roberts was informed, in reply to a cablegram from him, that the Commonwealth Government had no objection to the cadets being considered eligible. The honorable member for North Sydney complained that the cadets were not fairly treated when they visited Parliament House yesterday, but I understand that Ministers were not informed of the intention to bring them here, and, therefore, did not put in an appearance. The least Major Wynne should have done was to notify the Minister of his intended visit.

Mr. JOSEPH COOK.—He would have been a simpleton to run any further risk.

Mr. CHARLTON.—The statement that the Minister has acted unjustly towards the cadets is not borne out by the facts. I have put on record what really happened, because it would be unfair to allow the remarks of the honorable member for North Sydney to go without reply. He also spoke of the position of the temporary employés in the Post Office, but I have learned from the men themselves that they have been better treated since this Government came into power than they were before. They have had an increase of wages, and their conditions have been improved. The honorable member stated that these temporary hands would be dismissed, in all probability, because of the determination of the Government to grant preference to unionists. He must know, however, as other honorable members do, that temporary hands can be employed for only a limited period. When that time expires they must be dismissed, and either permanent or new temporary hands take their places. Preference to unionists has not interfered with them. If honorable members of the Opposition could point to one case of the kind they would justify their

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assertion, but I have no hesitation in saying that no temporary employé in the General Post Office has been dismissed because of the rule as to preference to unionists. In future appointments, however, unionists will have the preference. That, indeed, is very necessary, since the postal employés have their own unions, and if we recognised non-unionists trouble would be likely to arise. The inference to be drawn from the honorable member's statement was that the Government had dismissed certain persons because of its determination to give preference to unionists. I reply that they have not, and that the question of preference does not touch this matter.

Mr. FAIRBAIRN.—The trouble is that in appointing new temporary hands unionists will be selected.

Mr. CHARLTON.—I am very doubtful about that, since the Public Service Commissioner, and not the Government, has the control of appointments to the Postmaster-General's Department.

Mr. McWILLIAMS.—Some temporary hands, I believe, have been in the service for three years.

Mr. CHARLTON.—And some of them are excellent public servants. In my own electorate a young man, who has given every satisfaction, and whose services the public desire shall be retained, has been dismissed. On inquiry I found that he had been employed as a temporary hand in excess of the regulation time, and that the Public Service Commissioner could do nothing more for him. That is the true position. The Public Service Commissioner has to observe the regulations. I desire, in conclusion, only to emphasize the point that the Government should take care to make known in the Old Country the true position in regard to employment in Australia. It is wrong to allow men to be induced to come out here, in the belief that employment at good wages awaits them, only to find upon arrival that they have been deluded. Many of these men have to walk the streets, and find it impossible to earn sufficient to keep themselves, irrespective of what is necessary to maintain their wives and families in the Old Country.

Mr. JOSEPH COOK (Parramatta) [8.44].—It is refreshing to hear my honorable friend, who has just resumed his seat, trying to explain away the inexpungable records of the Prime Minister's statements while in England. I fear that he has not quite so easy a task as he would lead us to believe by the light and airy way in which he seeks to set aside the whole matter. He asks that the Prime Minister shall send word to England that all that he told the workers while he was there was untrue.

Mr. CHARLTON.—I was speaking only of the miners. The Prime Minister did not refer to them.

Mr. JOSEPH COOK.—It is precisely the miners to whom I am referring. Here is what the Prime Minister said, and he has not denied the statement—

"And now can you tell me,"

the interviewer asked—

"what are the prospects of the average working man who is thinking of going out to Australia?"

Mr. RILEY.—Is that the penny-paper interview?

Mr. JOSEPH COOK.—Yes, I am quoting from the interview with the Prime Minister, published in the *Penny Pictorial*, which has a very much larger circulation than some of the other newspapers which contained the reports of the right honorable gentleman's Ton-y-Pandy speech. The report continues—

"Excellent without doubt," was Mr. Fisher's reply. "He need never be afraid of getting work to do so long as he is willing and able to do it. Mind you, I do not say he would be able to pick and choose; far from it. But I know, in my own trade—mining—that there is a continual demand for good men from 10s. per day upwards."

The Prime Minister has never repudiated that statement.

Mr. CHARLTON.—He might have been alluding to metalliferous mining. He is a Gympie man.

Mr. JOSEPH COOK.—I make my honorable friend a present of that suggestion. I believe that the Prime Minister is a coal miner, and not a metalliferous miner. He was, I understand, a metalliferous miner for a little while; but in this interview he was referring to his own calling as a miner, and clearly he meant his calling as a coal miner. It is not correct to say of metalliferous miners in Australia that they receive from 10s. per day upwards. I believe that the Wages Board in this State has just fixed a wage of about 9s. per day.

Mr. TUDOR.—I do not think that the Wages Board has met.

Mr. JOSEPH COOK.—I think that the honorable member is quite wrong. He appears to know very little about his own State.

Mr. TUDOR.—The Wages Board, at all events, has not arrived at a decision.

Mr. JOSEPH COOK.—It has been sitting for a very long time.

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Mr. TUDOR.—Hear, hear; they do sit for a long time.

Mr. JOSEPH COOK.—Then this Wages Board must have met.

Mr. TUDOR.—All Wages Boards do sit for a long time.

Mr. JOSEPH COOK.—Will this little Jack-in-the-box be quiet for a time? I believe that the Wages Board for miners in Victoria has fixed the rate of wages to be paid those engaged in metalliferous mining at about 9s. per day.

Mr. FINLAYSON.—When was the Prime Minister a coal miner in Queensland?

Mr. JOSEPH COOK.—I believe he was a coal miner in Queensland before he engaged in metalliferous mining.

Mr. FINLAYSON.—The honorable member is quite wrong.

Mr. JOSEPH COOK.—My honorable friend, of course, knows a great deal about mining, but my impression is that I am not wrong.

Mr. FINLAYSON.—There are no coal mines in Gympie.

Mr. JOSEPH COOK.—Who said there were? The honorable member knows, however, that there are coal mines in Queensland. What he knows of mining is not very much, but, strange to say, those honorable members who know the least of a subject are those who can offer the most intelligent opinions upon it. That seems to be the invariable rule. To return, however, to the point I was making when interrupted, let me say that the Prime Minister has not denied the report I have just quoted as to statements made by him in England regarding mining in Australia. He said that any man who was willing to work could obtain employment as a miner at 10s. per day and upwards. The honorable member for Hunter, as a loyal member of his party, is seeking to put the best possible face on the situation so far as the Prime Minister is concerned; but he cannot rub out these facts, nor do I think he should attempt to do so. The Prime Minister, perhaps, did not show great wisdom in making this statement in England. A dearth of employment has prevailed in our mining communities for some time, and it is the aftermath of the disastrous strike.

Mr. AGAR WYNNE.—Only in regard to coal mining.

Mr. JOSEPH COOK.—I am speaking of coal mining, and am referring more particularly to the position in the electorate of Hunter. Miners there are undoubtedly passing through a period of great hardship, and they have my deepest sympathy. Those who know what is transpiring there must have a great deal of sympathy with the men, apart from what has happened in past times, and therefore I do not think the Prime Minister was well-advised in advising the coal miners of Great Britain to come to Australia with the object of obtaining work as miners at 10s. per day and upwards. I do not say that he should not have advised these miners to come to Australia. According to Mr. Piddington, there is plenty of work, at good pay, offering in Australia for men to-day. Mr. Piddington, who was appointed by the New South Wales Government as a Commissioner to inquire into the question of immigration and shortage of labour in New South Wales, has made a report which my honorable friends opposite will find a very hard nut to crack. If that gentleman has any sympathies at all in the matter, they are in the direction of the working men of Australia, and they have been ever since I have known him.

Mr. J. H. CATTS.—If he has, then we may well say, "Save us from our friends."

Mr. JOSEPH COOK.—I defy the honorable member to point to any statement made by Mr. Piddington during his public life that was not of a thoroughly Radical nature, and certainly sympathetic towards Labour.

Mr. J. H. CATTS.—We have never been able to find any statement against Labour on the part of the honorable member, but we know how his votes have gone.

Mr. JOSEPH COOK.—I do not think that the honorable member will find a record of any vote ever cast by this same gentleman which was antagonistic to Labour. At all events, I should think that the fact that he was appointed to inquire into this question by Mr. Holman, who was at the time the leader of the present Government in New South Wales, should be a good enough certificate for honorable members opposite.

Mr. J. H. CATTS.—He was a good man for the position.

Mr. JOSEPH COOK.—I thank the honorable member for even that admission. Here is what this "good man" says about our present conditions—

> The conclusion at which I have arrived is that as a result of natural causes there does exist in the State in most of the skilled trades and in most of the manufacturing industries a great and permanent need for the introduction from abroad of trained and competent workers.

It has been stated by honorable members opposite—and I am concerned only with the facts—that the policy of immigration is intended to reduce our wages rates and to lower our social standing.

Mr. MATHEWS.—That is the one desire of the employers.

Mr. JOSEPH COOK.—So says the philosopher of Melbourne Ports. What does this Commissioner say on the point?—

Careful consideration has been given to the position of artisans and other workers already here, regard being had to the two considerations—first, that within limits which are set by the two economic factors of productivity and consuming power in the community, every new worker, so far from taking away work, makes work; and, second, that if those limits are rashly anticipated or exceeded, the workers already here run the risk of seeing the great gains slip away that they have made of late years, not only in regard to the specific wages that are paid, or the hours and conditions of work, but also with regard to a matter of equal importance with these, reasonable continuity of employment. That the workers' success and happiness are increased the more men there are in the State, provided the volume of employment is there for them as they come, could not have been better demonstrated than by the experience of last year, when, according to the evidence called from every union before me, the number of artisans arriving voluntarily here was large, and this increase in the supply of labour had synchronized with a recognised advance in the prosperity of the working classes, and had given the unions a greater numerical reinforcement. I may add that almost all the trades dealt with in this report, so far as male labour is concerned, have the protection of industrial awards, and this in itself would be a substantial breastwork against any attack upon the wages and conditions at present enjoyed.

Later on he says—

As the evidence enables me to state with some precision the minimum number of additional hands for which State and private enterprises are now ripe, I conclude that in a country like this there is no need to fear that any weakening of producing power or any falling off in consumers' demands may bring about a decline in the volume of employment as a result of the immigration here suggested. It is rather to be expected that the flood of human energy and skill poured into the veins of the body industrial will not only vitalize it highly for its present duties, but create in all its parts so strong a pulse and so sound a growth that before long a new necessity will arise for a fresh infusion of skilled as well as other immigrants."

This report means that every man who comes brings his necessities with him, and creates his own demands, and these, ramifying through the secondary employments which are requisite in order to keep him in economically efficient employment, create a greater and not a less volume of employment. It means that the more people we have here to set to work the better for the country and the better for those who are here.

Mr. W. H. IRVINE.—That has been the experience of all new countries.

Mr. JOSEPH COOK.—Exactly. As this writer points out, where the high-water mark of immigration is reached the country responds most readily, and there is the greatest prosperity. These are the conclusions of a man who is not in politics, and connected with no political party. He was appointed by the head of the present Labour Government in New South Wales, and, after a thorough investigation of the whole problem, he says that we want 3,300 or 3,400 men at once to fill the vacancies already existing in that State, and we need not, therefore, be over nice in our discrimination as to the kind of trade followed by those whom we invite here. There is work for the miners of the Old Country to do, if not at mining, at plenty of other subsidiary employments. I have yet to learn that the Prime Minister has either withdrawn or denied the statements that are reported to have been made by him to the miners of Wales.

Mr. CHARLTON.—The subsidiary employments would not run from 10s. to £1 per day.

Mr. JOSEPH COOK.—I should not think they would.

Mr. WEST.—It will be a good day for Australia when men do get £1 a day. There will be lively times, and plenty of immigration then.

Mr. JOSEPH COOK.—I resent the imputation constantly made on that side of the House that those who favour immigration want it for the detriment of the workers who are already here.

Mr. MATHEWS.—It is true, all the same.

Mr. JOSEPH COOK.—It is a foul slander. On the authority of the Commissioner who was appointed by the Labour Government of New South Wales there is plenty of room for immigrants, and the more that come here the better for the country and the better for the men who are here. A valuable point of his report is that immigration will not put down wages or lower our social standards, but will lead to steady, permanent, and continuous employment for all classes.

I want to say a word about the New South Wales cadets and their visit to the House. The last speaker and some others have already alleged that Major Wynne would not go near the Minister of Defence

after arrival here. I should think he would not. In the circumstances I certainly should not, and there is not a man in this House who would have done so. The cadets went to London. How they got there does not matter so much; the fact is that they were there, and Major Wynne was with them.

Mr. Mathews.—A self-appointed general.

Mr. JOSEPH COOK.—Self appointed as he might be, he did precisely what other men have done, and there has not been half as much criticism of them as there has been of Major Wynne. He is not the only man who has taken a cadet corps to London; but it seems to be only Major Wynne that we criticise. Why, I do not know.

Mr. Mathews.—I do.

Mr. JOSEPH COOK.—If the honorable member knows, he had better tell the Committee. These youths went to London. I suppose we may hardly call them young men, although they look much older than sixteen or seventeen. I never saw a finer body of youngsters got together. While the Minister might have taken any steps he desired, in order to subject Major Wynne to the discipline of his Department—nobody would object to the Minister enforcing it on any officer who might be there—I do not know why he should extend that treatment to the lads. As they were there, I should have thought he would waive any feeling he might have had upon the subject, deal with Major Wynne afterwards, if he needed dealing with, and treat the boys in London as everybody else was treated who found himself there, or who was taken there by responsible officers.

Mr. Fisher.—He met them and showed them every consideration on every occasion.

Mr. JOSEPH COOK.—I should like to know what consideration he showed them. They do not appear to have had much consideration at all.

Mr. McWilliams.—Who recommended that they should not receive the medals?

Mr. Fisher.—Does the honorable member know?

Mr. JOSEPH COOK.—They have the medals now, although I do not know who obtained them for them. Having been in the Defence Department, I know the necessity of maintaining discipline, and the only point I take in the matter is that, while the Minister could have held Major Wynne to his proper and strict discipline if he had in any way violated it, he could, at the same time, have taken care that the boys received every privilege that was legitimately open to them in London.

Mr. Fisher.—And he did, too.

Mr. JOSEPH COOK.—They did not get it through his intervention.

Mr. Fisher.—He showed them greater care than any previous Minister would have done.

Mr. JOSEPH COOK.—I am told that they could have been lodged there for very much less if the Minister had gone out of his way to be kind to them. It is of no use for the right honorable member to try to bluff the matter.

Mr. Fisher.—I know more about the subject than do those who are talking about it.

Mr. JOSEPH COOK.—Probably the right honorable member does, and it is a great pity, for the sake of the Government and the Defence Department, that he does not tell the public. If he knows more than we do, had he not better enlighten our darkness?

Mr. Fisher.—We do not need to reply to "clap-trap" uttered for political purposes.

Mr. McWilliams.—Why had they to be assisted by Mr. McGowen?

Mr. Thomas.—The "strong public opinion" behind them in New South Wales left them there stranded!

Mr. JOSEPH COOK.—The strong public opinion in New South Wales would not see 100 boys stranded, as this Government did, even if they had not a home to go to. The fact that they were stranded, no matter where they came from, and could not get home decently, should have been sufficient to appeal to the Government. The Postmaster-General taunts us with the fact that they had not the public opinion of New South Wales behind them, and for that reason, I suppose, he would have allowed them to die in the street.

Mr. Mathews.—Major Wynne ought to have been gaoled for taking them Home without money.

Mr. JOSEPH COOK.—Does that help the boys? The honorable member, like the rest, is punishing 100 innocent boys because of something that one man is supposed to have done.

Mr. Hall.—What punishment did they suffer?

Mr. JOSEPH COOK.—I suppose the honorable member would have felt punished if he could not get home from the other side of the world.

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Mr. MATHEWS.—Some of them were sons of the snobocracy of New South Wales.

Mr. JOSEPH COOK.—All honour and credit to Mr. McGowen for stepping in and doing what this shabby Government would not do.

Mr. W. ELLIOT JOHNSON.—The honorable member for Melbourne Ports interjects that these boys were the sons of the snobocracy of New South Wales. As a matter of fact, many of them are wage-earners' sons.

The CHAIRMAN.—The honorable member is not in order in alluding to the Government as a "shabby" Government. He must withdraw the expression.

Mr. JOSEPH COOK.—I withdraw the expression with pleasure, and substitute the term immaculate Government—the Government that can do no wrong, so far as their supporters in this chamber are concerned. It is marvellous to hear the chorus of approbation from their followers concerning any acts of this Government. I have never seen a party sit behind a Government as those slaves sit behind this one. There is not one of them who does not behave here like a marionette. They have no minds of their own outside the Caucus, although I am quite prepared to believe that they have many minds there, and many tongues also. Here they are a solid phalanx. They are deaf and dumb outside the Caucus concerning all the enormities of this Government that are transpiring from day to day.

Mr. THOMAS.—We do not change our opinions as often as the honorable member does.

Mr. JOSEPH COOK.—I do not suppose the honorable member ever changes his opinions; the Caucus does it for him. He dare not change them himself. His position and very existence here depend on his not daring to have an opinion of his own. The honorable member sits opposite with a chain tight around him in perfect slavery to the Caucus. Whatever changes may take place, honorable members opposite never change in one particular—they are still bound by the Caucus. It is a pity that we cannot talk about the cadets without having insulting remarks from that side of the House.

Mr. MATHEWS.—What twaddle.

Mr. JOSEPH COOK. — Was it "twaddle" to speak of the cadets as sons of the "snobocracy" of New South Wales? That is to "rub it in" to the cadets in addition to the treatment they have received from this very liberal Government.

Mr. FAIRBAIRN.—I thought we had no classes now.

Mr. W. ELLIOT JOHNSON.—Many of the boys' fathers travelled in the steerage on the boat in which I went Home.

Mr. JOSEPH COOK.—From the remarks of honorable members opposite I should have thought the fathers all went Home first class. I should now like to say a word or two in reply to the honorable member for Hindmarsh. I did not hear what the honorable member for Wentworth said about Commander Clarkson, but from what I know of the facts of the case I do not think the best is being made of that gentleman's experience and ability. Had I been in charge of the Department, Commander Clarkson would now have been manager of the Small Arms Factory. He was sent Home specially to look after all the business connected with the establishment of that factory; and everything that was done was on his recommendation, after the fullest investigation. He made several trips to America in pursuit of the latest information regarding the machinery, and he advised what is now being done. The understanding before he went away was that on his return he was to be the manager of the factory, at a salary, I think, of £800 a year. I do not know what salary he was then receiving as a marine engineer, but it was probably about £400. I have yet to learn that a marine engineer, no matter how practical or qualified, is necessarily an expert naval constructor. I take it that a large part of his duty as a member of the Naval Board would be to advise on matters of naval construction, and, perhaps, reconstruction; and I do not know that we are putting him to the best use in keeping him on that Board.

Mr. ARCHIBALD.—An engineer is required on the Board.

Mr. JOSEPH COOK.—I should think that a man who has had some experience in construction would be preferable, though if, in addition, he is an engineer, so much the better.

Mr. ARCHIBALD.—Why not have on the Board some one who knows about naval architecture?

Mr. JOSEPH COOK.—There is no such member on the Board yet. Meantime, there is no manager of the Small Arms Factory, and there ought to be one after all

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these months, seeing that this is one of the most important branches of the Department. I regarded the appointment of Commander Clarkson as settled before I left the Department; but everything has been changed since, and I, for one, should like to know why.

Mr. RILEY.—Who is in charge of the factory just now?

Mr. JOSEPH COOK.—I believe that Commander Clarkson is temporarily in charge.

Mr. RILEY.—Then he is doing what he was sent to do.

Mr. JOSEPH COOK.—But he is sacrificing his duty on the Naval Board.

Mr. RILEY.—Nothing has been sacrificed up to the present.

Mr. JOSEPH COOK.—The point is that Commander Clarkson is not going to be the manager of the factory, although he made a bargain to be manager at a high salary. When we were pressing him on the matter, we gave him the option—I do not know that this is any breach of confidence, because it is a matter the public should know of——

Mr. FISHER.—It is not usual for a Minister to discuss here what he said to his officers in his own Department.

Mr. JOSEPH COOK.—I take it that this is a matter of public concern—that the public are entitled to know all the facts connected with the definite bargain which has not been kept.

Mr. FISHER.—The honorable member is alleging a breach of faith.

Mr. JOSEPH COOK.—I am not; I think a mistake has been made by this Government. I am not complaining of Commander Clarkson, because it is the Government who have made the bungle. I think that, now, Commander Clarkson ought to be sent to Lithgow as permanent manager. He knows more about the business than any other man, having been specially educated for it at the expense of the country. It is not a mere matter, as has been said, of "turning down" one job and taking another, but a matter of a bargain which was concluded about four years ago.

Mr. RILEY.—Does the honorable member blame Commander Clarkson for the delay in the completion of the factory?

Mr. JOSEPH COOK.—Will the honorable member stop his contemptible "pointing," and ask me a question that is relevant to my remarks? I decline to answer the honorable member's silly interjection.

Mr. RILEY.—The honorable member knows what is at the bottom of this.

Mr. JOSEPH COOK.—I know nothing about the cause of the delay, though I should like to. It is not for me to make allegations; but the public ought to be told why the contract is over twelve months behind.

Mr. W. H. IRVINE.—And no explanation has been given as yet.

Mr. JOSEPH COOK.—Quite so; although there are about £40,000 in penalties owing. The late Government tied the matter up in every way they could, and provided for heavy penalties in order to insure despatch.

Mr. GREENE.—The honorable member for Nepean says that the Government altered the contract.

Mr. JOSEPH COOK.—If that is so, we ought to know the facts. As honorable members over there are so pertinacious, it is time that the matter was cleared up.

Mr. RILEY.—Who ordered the alterations that caused the delay?

Mr. JOSEPH COOK.—I do not know, but I should like to know. It seems to me that honorable members opposite know a great deal more about the matter than do the Ministers. We cannot get a word about the contract except from some of the rank and file on the cross-benches. Commander Clarkson was held to his bargain in London, and, after some negotiations by cable, agreed ultimately to leave himself in the hands of the Department. I shall not go into the matter of the cable negotiations, as the Prime Minister seems to think I ought not to do so; but when Commander Clarkson left himself in the hands of the Department it meant that he was to take the management of the factory. What has taken place since I do not pretend to know. He has not taken the management, but is there only temporarily. The man who was specially trained and qualified at the expense of the country ought, at any rate for the present, to be held to his bargain, and accept the practical management. I believe he would be of more use to the country there than on the Naval Board at present.

Mr. MATHEWS (Melbourne Ports) [9.22].—We have heard of little else but championship of Wynne, whom I should dub the self-appointed general who took the New South Wales cadets to England. The Opposition keep hammering away on this point, but, if they are open to advice, they will keep quiet. The only point

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they have is the stranding of the poor unfortunate boys in England; but it is not so much of these boys they talk as of the gallant Major. In spite of what the Prime Minister and the Honorary Minister say as to what has been done, the Opposition keep denying the statements made. If they persist in that line of conduct, we may have to quote the newspaper of Major Wynne's pa, and all the inspired articles which appeared therein on this vexed question. However, I desire to address myself to the matter of immigration. During the debate I said, in an unruly interjection, that the idea of the manufacturers and employers in introducing immigrants was to do something detrimental to the workers, and I say so still. Complaints are made of the many strikes there have been, but there has never been a strike yet without the newspapers and the employers declaring that there are plenty of men to take the place of the strikers.

Mr. CANN.—That is said at Lithgow now.

Mr. MATHEWS.—It was said during the agricultural implement makers' strike that the employers could get any number of men, and yet we are told that this very industry could employ thousands more now. At one time or the other they must have been telling lies. In every industry in my electorate there are plenty of men to be obtained for a portion of the year though there are seven or eight months when they might do with more. What is to become of the extra men during the remaining four or five months? They cannot live on air, and they get no wages. The employers want to have men here so long as they are needed; but the devil may do what he likes with them when there is no longer work for them to do.

Mr. KELLY.—It is not a question of what the employers want, but of what the Prime Minister intends to do after his Ton-y-Pandy speech.

Mr. MATHEWS.—The Prime Minister can answer for himself, and I would accept his explanations in preference to the statements of the honorable member. The poster now displayed in the Queen's Hall has been condemned; but, in my opinion, it will do more than any other advertisement I have seen to attract notice to Australia. It says nothing about any particular industry, but its effect will be to draw people out here. Recently the High Commissioner addressed a meeting of the Coppersmiths Guild in London, and we know how well he is able to place the advantages of Australia before an audience. But at the conclusion of his speech the noble lord or the illustrious marquis who was in the chair said that he had listened to the speech with admiration, and felt that Australia must be a grand country, but England wanted the very class of people that the High Commissioner was trying to induce to emigrate. That, no doubt, is a fact. We certainly do not want derelicts; we have too many of our own. If immigrants come here in hordes they will do harm, not only to themselves, but to those who are already here. The statement that the Labour party is opposed to immigration is on a par with other attacks which have been made on it. What we oppose is the flooding of the markets of Australia with labour which cannot be assimilated. We have no objection to immigration for which there is occupation. But what is now taking place in Victoria? In order that the reputation of the country may not suffer abroad, native-born workers are being discharged and places found for immigrants. I know of men who, unable to find work in the iron trade in New South Wales, have had to come to Victoria. But employers generally think that wages are too high, and to suit themselves are trying to introduce surplus labour. What is said about bringing out the proper class of men to place on the land is all clap-trap. For every immigrant placed on the land, fifty or sixty are left in the towns. Do members of the Opposition expect the Government to be false to its supporters by assisting immigration for the displacement of Australian workers and the lowering of wages? The honorable member for Hunter has shown what the conditions are in Newcastle. There the mine proprietors, finding that the men are so strongly organized that they will not consent to a reduction of wages, are advertising for labour in Great Britain. What is the use of 10s. or 12s. a day to men who can get employment only once or twice a week?

Mr. CHARLTON.—There is a mine in my district which did not turn a wheel last week.

Mr. MATHEWS.—There are months in the year in which the men in many of the Melbourne factories are not half employed. Until two months ago there was a greater demand for labour, for a period of twelve or fourteen months, than ever before; but now things are not going so well, and men are falling out of work.

Mr. ATKINSON.—That state of things may be only temporary.

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Mr. MATHEWS.—My constituents are not willing to take the chance of that. The honorable member for Lang ridiculed our position by pushing it to a logical absurdity, contending that if the introduction of immigrants was a bad thing, it would improve conditions to send men away, and that if that principle were followed we should soon have no population at all. Of course, we all know that the increase of our population is desirable for the purpose of defence and for other reasons. We have not enough people here for the area that we have to defend. At present, however, the States are bringing people here without discrimination, and in their rivalry are decrying one another's advantages.

Mr. ATKINSON.—Yet each State is getting a fair number of immigrants.

Mr. MATHEWS. — Immigrants are coming out here as fast as we can take them. We are told, indeed, that more would come if ships were provided. I am certain that under this system we shall get some very undesirable characters. If there is too much clap-trap talked, we shall have men coming out thinking that they can pick up gold in the streets, like many of those who came here fifty or sixty years ago. I hope that the Government when advertising Australia in England will do their best to counteract the glowing colours in which the States are too prone to paint the conditions that obtain here. I admit that if we could settle more people on our lands it would be a great advantage to us. But to talk about settling them upon the land, whilst bringing out sixty artisans to find employment in our cities, as against every immigrant who obtains employment in the country, will only tend to make matters worse. I trust that the Government will watch the form of advertising that is undertaken in the Old Country, and will do their best to prevent the States inducing immigrants to come here at any cost. If steps be not taken in that direction, we shall, as the honorable member for Hunter has predicted, find men walking the streets with no vocation to follow.

Mr. J. H. CATTS (Cook) [9.36].—I am one of those who desire to see a large population settled in Australia. That a young country, with such magnificent resources, should possess only 5,000,000 inhabitants is not a satisfactory condition of affairs. I am merely echoing the sentiments of honorable members on this side of the chamber when I say that I desire to see our population increase as fast as it is possible for the country to absorb it. But a difference has arisen between those who enthusiastically support an advanced immigration policy and those who are alleged to be opposed to immigration, although in reality they are not. The real point of difference is in regard to the absorption of immigrants upon such terms as will prove profitable to themselves, without inflicting injury upon others.

I admit that there is a fear amongst a large proportion of the working classes—amongst those who have out-of-work periods, and who labour for small wages—that if immigrants are brought here in considerable numbers they may be still further prejudiced in their intermittent employment. I am sure that we can sympathize with the position occupied by these workers—a position which is a sad commentary upon our present industrial and social system. If we could devise a provision which would ease the difficulties of those who are faced at intervals with lack of employment, I am sure that a great deal of the objection which exists to an advanced immigration policy would disappear.

Statements have been made by employers that they have ample room for large numbers of workmen in Australia, and on the other hand, representatives of the workers have affirmed that there is abundant labour available here for both our primary and secondary industries. Quite properly the Labour Government in New South Wales desired to ascertain the real facts, and for that purpose they appointed Mr. A. B. Piddington, a well-known barrister, a Commissioner to hear evidence from the contending parties, and to submit a report to the New South Wales Parliament.

The Deputy Leader of the Opposition has referred to Mr. Piddington as a friend of the Labour movement. I challenge the accuracy of his statement. I say that Mr. Piddington is a very able barrister, that he is a gentleman who could be appointed a Royal Commission, and in that capacity could be depended upon to make an impartial investigation, and to submit an unprejudiced report. It was scarcely fair of that honorable member to insinuate that Mr. Piddington is one of the advance guard of the Labour movement. He is nothing of the kind. He has always been identified with the Anti-Labour party, and as a matter of fact he sat behind the Wade party in the New South Wales Parliament.

But I believe that he has discharged his duties as a Royal Commissioner by making a thoroughly impartial investigation. He has heard from the employers all the evidence which they chose to put before him, and he has also heard all the evidence which the representatives of trade unions cared to bring under his notice. Having done that he has presented his report, in which he states that more than 3,000 workers, male and female, can be immediately absorbed in the industries of New South Wales.

I am prepared to accept his finding. I do not think that anything is to be gained by those who hold a different opinion as to the condition of the labour market by seeking to belittle his report. They had an opportunity of placing their evidence before him, and consequently they ought to be prepared to accept his decision. At any rate, I am willing to do so, and I believe that in some of the industries of Australia to-day there is a shortage of workers, both male and female.

If it is agreed that the vacant spaces of Australia should be filled, what should be the most convenient time to institute a policy of immigration? Surely, no better opportunity offers for the introduction of some of the able-bodied workers of other European countries than when we are enjoying unprecedented prosperity. The probabilities are that if an investigation similar to that which recently took place in New South Wales were made in the other States, it would be found that there are opportunities for the absorption of workers in certain industries. Cases in point have been brought under my own notice. I have a brother who is connected with the management of one of the large Melbourne houses. He is not antagonistic to labour. His sympathies are entirely with it. Every vote he has given has been to labour, and I believe that he will always vote in that direction. He has no object to serve in misleading me in this matter, and he tells me that it is impossible to obtain the necessary labour in the business with which he is connected. Advertisements have been inserted in the Sydney press offering employment in Melbourne, and my brother has gone over there to endeavour to secure employés for an industry in this State.

If, as the result of an investigation in the different States, it was shown that a certain number of workers could be absorbed by our various industries, we should have to endeavour to show those whose fear of times of intermittent employment induces them to take up an attitude strongly antagonistic to the introduction of additional workers, that their ideas must be tempered by the actual facts as they undoubtedly exist in relation to some of these industries.

I am very glad to see a vote in the schedule to advertise the resources of Australia, for, from what I can learn from those who recently visited England, it is highly necessary that Australia should be better known, not only in Great Britain, but in other European countries. I have heard in this House observations as to some of the States having control over immigration, and as to the way in which State is being played off against State, to the detriment of the Commonwealth as a whole.

I sincerely trust that the time is not far distant when the power as to immigration, vested in this Parliament by the Constitution, will be actively exercised, and when the States will not be allowed to go into the labour markets of the world as States, pitted against each other, to the injury of the Commonwealth as a whole. This is one of the functions of the National Parliament, which has not been exercised beyond the expenditure of a few thousand pounds in advertising the resources of Australia.

Sir JOHN FORREST.—It is only a co-ordinate power.

Mr. J. H. CATTS.—Quite so. But when a law of the Commonwealth conflicts with a law of a State, the Commonwealth law must prevail. That being so, the Commonwealth is in a position to set the pace, and to lay down the outstanding principles that should regulate not only the advertising of Australia, but the introduction of suitable immigrants. No doubt, within the next few years, as we exhaust some of the more pressing powers of legislation that have been referred to the Federal Parliament, greater prominence will be given to those of less urgency, and this Parliament will be able to inaugurate, as against the various conflicting State policies, one great national policy in respect of immigration to Australia.

Mr. RILEY (South Sydney) [9.50].—I shall watch very carefully any proposed vote on a large scale to attract immigrants to Australia. We have heard the Opposition quote the report of the Royal Commission appointed to inquire into the shortage of labour in New South Wales, but the conclusion arrived at by the Commissioner, after builders, contractors, and manufacturers in that State had given their evi-

dence, was simply that there was room for a little more than 3,000 skilled artisans in New South Wales. That is a great discovery.

Mr. GREENE.—In Sydney, not New South Wales.

Mr. RILEY.—Sydney, at all events, is busier at the present time than is any other part of the State. Every steamer coming to Australia from oversea has more than her full complement of passengers, and before the end of the year, there will arrive by steamers already on the high seas more than 3,000 individuals. That fact in itself is an answer to the Commissioner's report. There is room for a little over 3,000 skilled artisans, and we are getting them. Some of my friends who arrived recently from the Old Country tell me that it is necessary to book three or four months in advance in order to secure a berth on a steamer coming to Australia. The Commonwealth has been freely advertised, and a great stream of immigration is being directed to our shores. The whole trouble is that certain people are anxious to secure an over supply of labour for their own pecuniary benefit. Let me name a few of the classes who have that desire at heart. In the first place, boardinghouse-keepers believe in a constant stream of immigrants, knowing that their arrival from time to time will keep their rooms engaged. Then, again, hotelkeepers favour a large stream of immigration because the immigrants will help to consume their beer, and to use the accommodation which their houses afford. Ladies requiring lady helps always desire a large stream of immigrants, so that they will be able to pick and choose, and make the poor unfortunate girls work all hours of the day. Because there is not a sufficient supply to meet their requirements, they are constantly calling out for more immigrants. They raise an outcry, because many of them do not treat their servants as well as they ought to do, that they cannot get girls and need a further supply of labour. Property owners are likewise calling for more immigrants. In Sydney alone, rents have lately gone up from 40 to 50 per cent. Many people cannot obtain houses. Such a state of affairs is very nice for the property owner. He calls out for more immigration, because immigrants help to swell the demand for property. In Sydney, the rents of whole streets of shops have been increased from £1 to £2 per week. The result is that the workingmen have to pay increased house rents, and, by way of higher prices for their goods, to pay the increased rents of the shopkeepers. Then, again, employers call for a stream of immigrants because they desire what they describe as a "healthy labour market." When they advertise for a workman they want a crowd of men to offer their services. Because there is a scarcity of labour, and they cannot pick and choose to the extent that they have hitherto been able to do, they ask for more immigration. We, as a Labour party, desire immigrants to come to Australia. We desire that the country shall be developed, and we shall welcome immigrants if there is employment to offer them. When the construction of the transcontinental railway is entered upon, we shall be able to offer inducements to people to settle on the land along the line. We shall then be able to afford people opportunities to take up land instead of crowding into the cities. When we develop the Northern Territory—which comprises some of the best lands in the Commonwealth—we shall also be prepared to support a vote to attract to our shores people who will be able to settle along the route of the railway to be constructed there.

Mr. CANN.—On the sandhills?

Mr. RILEY.—No. The Northern Territory contains some of the finest country to be found in Australia, and it all belongs to the Commonwealth. If we are going to construct a railway through the Northern Territory, at a cost of millions, we should spend a few more millions in settling persons on our land. But I object to immigrants being brought into the congested cities. According to what I have read the cities in the Old Country are over-crowded. I fear that we are following its example. In Australia we want to develop the country and not the cities. Those who emigrate to Australia to-day try to live in the cities. We cannot blame them for taking that course, because they were brought up to city life. They do not seem to like to go into a healthier atmosphere, where they could earn a comfortable living, and rear healthy children. No matter what Government may be in power, I shall exercise my influence to prevent the provision of any large sum for bringing out immigrants until we have suitable land for them to settle on, and, of course, a demand for labour in the country.

Mr. CANN.—Does the honorable member like the picture which has been referred to?

Mr. RILEY.—Yes, I like anything which displays Australia. I believe that we can do great good by letting the world know what Australia is like. We can secure more immigrants than can Canada. People are leaving the latter country because it is too cold, and does not possess the same attractions as does Australia. The present position is very complimentary to the Government. It was prognosticated that when a Labour Government came into power all capital would leave the country, and ruin would stare us in the face. But what has been the result of the change of Government? Never has there been greater prosperity witnessed before in the history of Australia. Never has there been before a larger influx of immigrants, and at less cost to the country. Persons are coming here of their own accord, because wages are a little higher and inducements are better than elsewhere. I trust that the Government will remain long in power to keep the country in a state of prosperity, and at the same time develop its resources without bringing in an undue number of immigrants.

Schedule agreed to.

Preamble and title agreed to.

Bill reported without amendment, and passed through its remaining stages.

PETHERICK COLLECTION BILL.

Bill received from the Senate, and (on motion by Mr. THOMAS) read a first time.

House adjourned at 10.1 p.m.

Senate.

Friday, 13 October, 1911.

The PRESIDENT took the chair at 10.30 a.m., and read prayers.

PERSONAL EXPLANATION.

Senator ST. LEDGER.—During the course of the discussion on the Naval and Military Decorations Bill yesterday afternoon I used a remark with regard to Senator Walker in, as I think was apparent to every one in the chamber, a jocular fashion, namely, that he had "almost acted the part of a political traitor by supporting the Government." The remark appears in *Hansard* in cold print. It, of course, ought not to have been made, even in a jocular fashion, and I feel that an explanation is required from me and, to some extent, an apology, which I now offer to the honorable senator.

RAILWAY GAUGE.

Senator McCOLL asked the Vice-President of the Executive Council, *upon notice*—

If he will lay on the table of the Senate copies of all correspondence between the Governments of the several States and the Government of the Commonwealth on the question of the railway gauge for the East and West Transcontinental Line?

Senator McGREGOR.—Yes.

MAILS: FLINDERS ISLAND.

Senator KEATING asked the Minister representing the Postmaster-General, *upon notice*—

Will he include in the next schedule of postal services for which tenders may be called, direct mail services for the Flinders group of islands with both Launceston and Melbourne?

Senator FINDLEY.—The answer to the honorable senator's question is—

Consideration will be given to this matter before the expiration of the existing contract.

POSTAGE RATES.

Senator KEATING asked the Minister representing the Postmaster-General, *upon notice*—

Will the Government include in any Post and Telegraph Rates Acts Amendment Bill introduced this session an amendment of the existing rates of postage for Savings Bank and Building Society Pass Books and similar postal articles?

Senator FINDLEY.—The answer to the honorable senator's question is—

The Government do not purpose making any change in the rates of postage on the articles mentioned.

Motion (by Senator KEATING) agreed to—

That there be placed upon the table of the Senate copies of all correspondence with, and representations made to, the Department of the Postmaster-General since the passing of the Postal Rates Act 1910, relative to the now existing postal rates for Savings Bank and Building Society Pass Books, and similar postal articles.

SUPPLY BILL (No. 3).

SENATE AND SUPPLY BILLS—TREASURER'S ADVANCE—CONTINGENCIES.—POST AND TELEGRAPH DEPARTMENT: FATALITY TO LINE REPAIRER: DEPARTMENTAL ACCOUNTS: TELEGRAPHISTS' GRIEVANCES: STAMP MARKING MACHINE: INCREASE OF EXPENDITURE: COUNTRY OFFICES: POST CARD RATES — DEVELOPMENT OF NORTHERN TERRITORY: FINANCE—IMMIGRATION—FEDERAL CAPITAL DESIGNS—QUARANTINE — GOVERNOR-GENERAL'S RESIDENCES—LITHGOW SMALL ARMS FACTORY—PAYMENT FOR WARSHIPS—SITE FOR LONDON OFFICES—OLD-AGE PENSIONS—COMMONWEALTH FINANCE: NOTE ISSUE—PUBLIC WORKS EXPENDITURE: BORROWING—STATE DEBTS—RETIREMENT OF MILITARY OFFICERS—SUBSIDIZED PRESS CABLE SERVICE—DESTROYERS: CREWS — COMPULSORY TRAINING: INSUBORDINATION: SEDITIOUS LITERATURE.

Bill received from the House of Representatives.

Motion (by Senator McGREGOR) proposed—

That so much of the Standing Orders be suspended as would prevent the Bill passing through all its stages without delay.

Senator MILLEN (New South Wales) [10.33].—I do not desire to do more than to again draw the attention, I am afraid uselessly, to the practice which is growing up of systematically ignoring the Senate as a branch of the Federal Parliament. There is no question that it was within the competence of the Government to have brought down before to-day the business in connexion with which we are asked to suspend the Standing Orders. I expect that we shall be told later that the Supply asked for is on the ordinary footing. If so, it was just as competent for the Government to bring in this Bill a week ago as it is now. There is a systematic endeavour on the part of the Government, aided by the officials, to purposely hold back these measures until they are able to come here and throw upon us the responsibility, if we refuse to suspend the Standing Orders, of leaving them in the position of being unable to pay the public servants. We are to be coerced into legislating under circumstances of that kind. There is not an honorable senator, I do not care on which side he sits, who does not know perfectly well that the procedure which is growing up, and in connexion with which this Government has been the worst offender that we have ever had——

Senator PEARCE.—No.

Senator O'KEEFE.—They have all been alike.

Senator MILLEN.—I have made that statement again and again, but I hold that this Government is certainly the worst offender that we have ever had. The remarkable feature is that this Government was going to alter all the wrong-doing of the past. We are now to be told that we must suspend the Standing Orders which were shaped in order that the Senate should have a full and fair opportunity to consider any proposals submitted; in other words, to prevent the rushing through of proposed legislation which, on maturer consideration, the Senate might desire to amend. Our rules are systematically being suspended simply that the Government may deny to us the opportunity of criticism, or throw upon those who wish to criticise the onus of blocking the payment of public servants. That this is being systematically done is proved by the presence on the business paper of this contingent notice of motion. It was put there, not because of a sudden emergency arising, but because a month ago the Government determined that there should be no fair consideration of a Supply Bill. Not merely have the Government taken up this attitude, but it is characteristic of the Department. In order to avoid, as they are doing, a full and fair examination of proposals, the Treasury hold these measures back until the last moment. I defy any Minister or officer of the Treasury to say that this Bill could not have been put in print a week or a fortnight ago. So far as ordinary services are concerned, it does not contain an item which the Department did not know of a month, aye, two months, ago. There can be only one reason why the Bill has not been submitted here before. The Department knows that if it can withhold the Bill until the clock is striking the eleventh hour, it will be saved a lot of trouble, because there will be no time for us to press inquiries on points on which we desire information. If the Senate is prepared to tolerate that state of things, the Opposition is, of course, impotent to do more than to enter a protest. I do not expect, nor should I invite, honorable senators on the other side to do anything to place the Government in an awkward position. I do not intend to take the responsibility of doing any-

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thing which would delay the payment of salaries which are earned, and which ought to be paid; but I do invite honorable senators to let their views be known to the Government, in order that we may look forward to a better state of things than that which has grown up, and which, as is shown by the presence of this contingent notice on the business-paper, it is the intention of the Government to continue until Parliament declares that it will have no more of such procedure.

Senator PEARCE (Western Australia—Minister of Defence) [10.41].—I wish to say a few words in explanation, which perhaps may avoid a debate on this subject. Senator Millen has attempted to show that the Senate has been placed in a worse position than the other House. That is not so. The other House had exactly the same time to deal with the measure as the Senate will have.

Senator MILLEN.—You are wrong there, because if the other House had not passed the Bill yesterday it would have continued its consideration to-day.

Senator PEARCE. — The honorable senator's statement that the Senate is placed at a disadvantage as compared with the other House is not correct, because both have exactly the same rights in debating the measure. The honorable senator attempted to make out that some injustice was done to the other House by delaying the introduction of a Supply Bill until the end of the month. As he has held Ministerial office, I was rather surprised at him making the statement.

Senator MILLEN.—It was because of that that I made the statement.

Senator PEARCE.—The fact that the time is approaching when the Budget statement must be delivered makes it uncertain as to when the Supply Bill can be introduced, because the Government are always called upon to determine whether they will withhold certain items from the Budget, or include them in the Treasurer's Advance. There is a disposition on the part of this Government to avoid including items in a Supply Bill which ought properly to appear in the Budget statement. In such circumstances, the introduction of a Supply Bill is left as late as possible, so as to avoid the inclusion of contentious matters, which ought properly to be submitted with the Budget. The introduction of the present Bill was left to a late date, in order to avoid the very thing which Senator Millen has been talking about, and that is the hurrying through of debatable items which ought to receive proper discussion in connexion with the Budget. With regard to the statement that the Senate has only to-day in which to deal with the measure, I desire to point out that there again the Government are, to a very large extent, the victims of circumstances. Had it not been for the unfortunate occurrence of Mr. Batchelor's death——

Senator MILLEN.—It is cowardly to bring that in—absolutely scandalous.

Senator PEARCE.—It is only right to state the facts.

Senator MILLEN.—Is that the reason why this contingent notice of motion is on the business-paper?

Senator PEARCE.—The facts have to be stated in justice to the Government. We were not aware last week that a sitting of the other House would be lost this week.

Senator MILLEN.—Why did not the Government bring this Bill forward in the other House a day earlier?

Senator PEARCE.—Will the honorable senator allow me to make an explanation? He can believe me or not as he thinks fit.

Senator MILLEN.—You are ignoring the facts.

Senator PEARCE.—Had the Government known that a sitting of the other House might be lost this week, they undoubtedly would have brought in this Bill last week if they could have done so. The Government are not to blame for the loss of a day's sitting in the other House. It was only a right and proper thing for the House to adjourn, and but for that fact this Bill would have reached the Senate yesterday instead of to-day.

Senator MILLEN.—Why was not the Bill introduced into the other House a day earlier? Had that been done we could have had the Bill yesterday.

Senator PEARCE.—The Bill was introduced into the other House as soon as possible. If the business of the other House had been advanced by an additional sitting it could have been introduced a day earlier. Under the circumstances, honorable senators will see that the Government have studied parliamentary control over public expenditure by deferring the introduction of the Bill as late as possible in the month, and that it is owing to the loss of a day in another place that this measure reaches the Senate a day later than it would otherwise have done. Consequently

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the contention of the Leader of the Opposition is entirely groundless. Further, the Bill is based upon the ordinary Estimates except so far as it relates to certain items which will be fully explained to the Senate.

Senator ST. LEDGER (Queensland) [10.46].—It would be an insult to the intelligence of honorable senators to expect them to believe—despite the statement of the Minister of Defence—that this Bill could not have been brought forward last Wednesday. The Minister has failed to give anything like an adequate explanation of the reason for the delay which has occurred. But I would point out that in connexion with this Bill there is a much larger question at issue. It must be abundantly evident to everybody that the Senate has no control whatever over the financial policy of the Government. That has been a feature of the administration, not only of this Government, but of all past Governments. It is now the middle of October, and it will be well into November before we shall have an opportunity of critically examining the position revealed by the Treasurer's Budget. It is a maxim which has long been established by experience that finance is government, and government is finance. How can the Senate at this late stage of the year discuss critically and exhaustively the financial policy of the Government as contrasted with that of other Governments, and from the stand-point of the urgent necessities of the Commonwealth—that is to say, of the enormous expenditure to which we are committed? For this reason I say emphatically that the Standing Orders should not be suspended.

Senator Givens.—The longer the honorable senator continues talking on the motion the shorter will be the time at our disposal to discuss the details of the Bill.

Senator ST. LEDGER.—I know that every word which I utter is delaying the payment of salaries to our public servants who have earned them. But this *ad misericordiam* appeal is always made in connexion with Supply Bills. On the present occasion there is absolutely no excuse for it. It is perfectly plain from the statement of the Minister of Defence that this measure could have been introduced very much earlier. But the practice is becoming more intensified every year of transmitting Supply Bills to this Chamber under circumstances which prevent us from exercising any control whatever over the financial policy of the Government. If we could successfully resist the suspension of the Standing Orders on the present occasion we have ample justification for adopting that course, and I, for one, will willingly support it.

Senator SAYERS (Queensland) [10.51].—I confess that I heard no reason—either from the Vice-President of the Executive Council or from the Minister of Defence—why the Government could not have introduced this Bill into another place last Wednesday, so that it might have reached the Senate yesterday. If that had been done we should have had time to adequately discuss it. But the whole of yesterday was absorbed in debating a matter which is absolutely of no importance to the Commonwealth. I am sorry that not only the present but previous Governments have adopted the practice of bringing forward Supply Bills at the eleventh hour, and asking us to pass them. We have repeatedly heard the cry raised, "Unless this Bill be passed immediately our public servants must remain unpaid." I hope that we have heard the last of that sort of thing, and that in future we shall be afforded ample time to adequately discuss important measures of this description. Unless a departure is made from the practice which has been hitherto followed there might as well—as Senator McDougall has remarked—be no Senate at all.

Senator McGREGOR (South Australia—Vice-President of the Executive Council) [10.53].—I have no objection to the Leader of the Opposition discharging his functions by finding fault with anything that the Government may do, and I am sure that Ministerial supporters will not object if he continues to do that for a long time. We all recognize that Senator Millen is a very capable Leader of the Opposition.

Senator Millen.—Let the honorable gentleman take the private opinions of his own supporters on this question.

Senator McGREGOR.—The Minister of Defence has explained the position occupied by the Government in this connexion. Had I attempted to do so the debate would have been closed, and Senators St. Ledger and Sayers would have been denied an opportunity to urge their objections—objections with which I have been familiar ever since the establishment of the Commonwealth.

Senator Sayers.—If the honorable gentleman wishes to get his Supply Bill through he had better be a little more civil.

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Senator McGREGOR.—To be uncivil was the last thing in my mind, and I am sure that Senator Sayers ought not to object to the jocular manner in which I feel disposed to treat this question, because he is a bit of a joker himself. The Minister of Defence has explained not only why this Bill has been introduced a day or two later than it would have been under other circumstances, but why Supply Bills are almost invariably brought forward a day or two later than they ought to be. The Leader of the Opposition stated that it was the deliberate intention of the Government to introduce Supply Bills late in the month because a contingent motion in reference to them had been placed upon the business-paper. I can assure him that not a single member of the Ministry is responsible for the motion save myself. I placed it upon the business-paper without consulting anybody. I did so because from the inception of this Parliament I have recognised that a difficulty may arise in connexion with the presentation of a Supply Bill, if we have to rely upon the passing of the motion without notice to secure the suspension of the Standing Orders. As honorable members know, such a motion requires to be carried by an absolute majority. Consequently I thought it wise to place upon the business-paper a contingent motion relating to all Supply Bills, so that if anybody is to be blamed in that connexion it is myself alone. I hope that honorable senators will permit the Bill to pass through all its stages to-day, and that they will exhibit the same expedition that they have always shown in dealing with Bills of this description.

Question resolved in the affirmative.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [10.58].—In moving—

That this Bill be now read a first time,

I merely wish to observe that the motion will afford honorable senators an opportunity of criticising the administrative acts of the Government, and of dealing with any other matters to which they may desire to call attention. Upon the present occasion we are asking for two months' Supply in the hope that it will prove sufficient to enable our various public services to be carried on until the Budget has been presented and the Estimates approved. The amount of Supply for which the Government ask is £1,409,534. On a previous occasion, when Supply was granted for only one month, the amount involved was £1,038,016. Honorable senators may think that the sums asked for by the Government are excessive when compared with the amounts granted under previous Supply Bills. Honorable senators must bear in mind that the Supply Bill for two months, passed at the latter end of last session, the Bill for one month's Supply passed recently, and this Bill for two months' Supply, involved a total amount of £3,023,000 for five months. When we come to consider that under the circumstances previously existing the Supply asked for a similar period would have amounted, approximately, to £2,700,000, the amount asked for the five months of the current financial year shows an apparent increase of £323,000. But it must not be forgotten that in taking over the Northern Territory we accepted responsibility for interest payments as they matured on the Port Augusta railway and to cover the deficit on the Territory itself. These obligations amounted in the first instance to £40,000, and in the other to somewhere about £50,000. We must realize, also, that during the last year or two there has been a very material increase in the staff of the Post and Telegraph Department, and honorable senators must be aware that the ordinary annual services of the Commonwealth are gradually increasing. In connexion with the Defence Department, an increased expenditure of £206,000 is necessary to defray the cost of services that have been instituted and to give effect to the compulsory training of our boys and youths. This increased expenditure of itself almost entirely accounts for the total increase of expenditure for the five months of £320,000. As a matter of fact, the necessary increases in respect to the items to which I have referred account for a total increase of £412,000 on the amount ordinarily provided in previous years for five months' Supply. I am further able to show that there are very few cases in which the amount asked for in this Supply Bill for two months is double what was asked for in the previous Supply Bill covering one month's Supply. For the Parliament for the two months we are asking £4,943. For one month in the previous Supply Bill we asked for £3,070. For the External Affairs Department we are asking in this Bill for £80,416, and in the last Supply Bill for one month £124,725 was asked for. For the Attorney-General's office we are in this Bill

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asking for £7,636 for two months, whilst in the last Supply Bill for one month £3,923 was asked for. For the Home Affairs Department we are asking in this Bill for a little more than the proportion for other Departments. This is because the Home Affairs Department is the one in connexion with which most work involving expenditure has to be done. We are asking for £96,200 for the two months covered by this Bill, whilst we asked for £30,975 for one month for this Department under the previous Supply Bill. For the Treasury Department we are asking in this Bill for £26,013 for two months' Supply, and in the last Bill for one month only we asked for £20,960. For the Trade and Customs Department we are asking for £58,424 in this Bill, and for one month only we asked for £34,885 in the last Supply Bill. We are asking in this Bill for £270,215 for the Defence Department to cover two months' Supply, and in the last Supply Bill we asked for £233,277 for one month's Supply. For the Postmaster-General's Department we are asking for two months £575,687, and in the previous Supply Bill we asked for one month's Supply £366,201. There are two items which have appeared in Supply Bills for some time past to which a reference may be made. One is for refunds of revenue. In the last Supply Bill we asked, to cover one month's Supply on this account, for £20.000. In this Bill we are asking for £40,000 to cover two months' Supply. For the Treasurer's Advance account, a vote which is necessary for the purpose of keeping works going which are provided for in the general Estimates, we are asking for the two months £250.000. In the last Supply Bill for one month we asked for £200,000 on this account. Honorable senators will, therefore, see that the amounts provided for in this Bill have been kept very much below double the amounts asked for in the last Supply Bill for one month's services only. If this Supply is granted, we earnestly hope that, before it is exhausted, the Budget will be before honorable senators, and, when the Budget papers are laid on the table of the Senate, the Government will afford an opportunity for a full-dress debate on the administration and financial policy of the Government. If honorable senators will consider the matter from a common-sense point of view, they will agree that that is the occasion for which they should reserve themselves. It is not on every paltry Supply Bill, to meet the ordinary services of the Commonwealth for one month or two months, that grievances and complaints should be ventilated. They should be reserved for the debate on the Budget itself, and less time should be wasted in the discussion of current Supply Bills than has been the case in the past.

Senator MILLEN.—Before the honorable senator resumes his seat, he might point out the items of the Bill which Senator Pearce said could not be decided on until the last moment.

Senator McGREGOR.—The Postmaster-General, for instance, could not tell exactly what amount he would require to carry him over the passing of the Budget until he knew at what time the Budget statement would be made.

Senator MILLEN.—Does he know now?

Senator McGREGOR.—Well, he has a better knowledge now than he had a week ago, because the Treasurer is in a better position to say how far his work in the formulation of the Budget has advanced through the returns sent in from the different Departments. Honorable senators must see that the Post and Telegraph, the Defence, and the Home Affairs Departments have not an easy task in estimating what will be required to carry on the services under their control. The Attorney-General, the Treasurer, and the Minister of Trade and Customs might put in an estimate of the requirements of their Departments at any time. They might, in fact, have a standing return to cover monthly Supply, but the three other Departments to which I have referred are in an entirely different position. I have no desire to curtail debate on the Bill, and, between now and 4 o'clock, honorable senators should have plenty of time at their disposal to say all they desire to say on the various items of the measure. If it should be necessary to reply to their statements, I hope that any information that is desired will be forthcoming. Members of the Government who represent the different Departments in the Senate will do all they possibly can to satisfy, not merely the curiosity, but the earnest desire for information of honorable senators.

Senator MILLEN (New South Wales) [11.10].—I have no desire to refer again to the matter we were discussing a few minutes ago on the motion for the suspension of the Standing Orders, except to reply to two statements made by Senator Pearce, who followed me in that discussion.

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It is greatly to be regretted that the honorable senator should have used as a reason for the delay in the introduction of this Bill the sad event in connexion with which the Senate recently passed a resolution. To my mind, it was little short of contemptible for the Government to shield their neglect under that unfortunate occurrence. There was no reason why this Bill should not have been introduced in the House of Representatives on Wednesday last, and that would have enabled us to have dealt with the Bill yesterday. The attempt to shield themselves behind the unfortunate event, for which we all feel regret, was little short of contemptible, and was quite unworthy of the Minister of Defence. The statement was flatly contradicted by the Vice-President of the Executive Council, who asked us to permit the Bill to go through because it is intended to meet the ordinary current services. If that is what it is for, there is no reason why it should not have been drafted a month ago. Senator Pearce declared his surprise that I should have raised the objection I did, in view of the fact that I had some Ministerial experience. But it is because I have had that experience that I feel there is upon me the obligation to say that what I saw of the attitude of the officials of the Treasury justifies me in making the statement that there is, of set purpose, a deliberate attempt to hold back these Bills to the last possible moment. I did what I could then, and I am doing what I can now to combat that.

Senator W. RUSSELL.—The statement is unworthy of the honorable senator.

Senator MILLEN.—Is it unworthy of me when I see an evil to speak about it? I wonder what frame of mind the honorable senator can have got into if, when he sees what he regards as an evil, he will not speak about it for fear of ruffling the susceptibilities of the Ministry he so slavishly supports. I am sure that the honorable senator would himself be the first to protest against anything of the kind. Any one who sees what he regards as an incorrect way of doing public business has imposed upon him the responsibility of speaking about it, if he is to be worthy of the position he occupies as a member of this Parliament.

Senator W. RUSSELL.—The honorable senator did not practise what he preaches.

Senator MILLEN.—I certainly did; and I remind Senator W. Russell that in the early days of the present Government the Minister of Defence was candid enough to admit that the predecessors of the present Government had done much in the direction we all desired of affording the Senate an opportunity to discuss finance. That admission can be found in *Hansard*. I asked the Vice-President of the Executive Council for information in connexion with the items of this Bill, some of which Senator Pearce said could not have been determined upon until the last possible moment. I venture to say that the answer I received will not carry conviction to the mind of any one. He told us that the Postmaster-General could not determine exactly what amount would be required for the ordinary current services. There is no reason why he should not have known months before, or at any time after the 1st July last.

Senator McGREGOR. — The honorable senator should remember that the services of the Post and Telegraph Department have been increasing every month since the end of the last financial year.

Senator MILLEN.—They have not increased much during the last week, and this Bill could have been introduced a week ago, because there is that extremely elastic vote —the Treasurer's Advance—which is intended to meet cases of that kind. And here let me draw attention to another evil which is growing, and it is decidedly an evil from the stand-point of those who believe that Parliament ought to exercise a real, and not an imaginary control, over the finances of the country. When we started Federation, the first Treasurer's Advance amounted to £25,000. For a long time it hovered in the region of £40,000; but it has been gradually growing, until to-day it has reached no less a figure than £250,000 on this one Supply Bill. The amount on the last Supply Bill was £200,000. That is to say, during three months we have given blank cheques to the Treasurer to the amount of £450,000. That enormous sum having been advanced in so short a period, it means, if that rate continues, that little short of £2,000,000 a year is passed by Parliament without the Senate or another place having the slightest knowledge as to how the money is going to be spent. It is perfectly true that later on Parliament must be informed; but we must not lose sight of the fact that we are only informed as to the expenditure of the money when it has actually been spent. I

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admit at once that there must be a Treasurer's Advance Fund, but do not honorable senators think that the fund is growing to a dangerous extent, when we find £1,800,000 a year, at the present rate—assuming that it does not continue to grow—being expended without Parliament knowing anything about the direction of the expenditure? Is it not dangerous that this Advance Fund should continue to be augmented at this enormous rate without Parliament exercising any check over the channels down which the money flows? I cannot regard as financially satisfactory a system which declares that something like a sixth or a seventh of the total revenue may be spent without Parliament being informed as to how it is to be spent. I consider that a more careful scrutiny on the part of the Government, and of the Treasury officials, might obviate the necessity for making these big demands—for asking for these blank cheques. Fuller information ought to be given to us as to the purpose for which the money is required, and as to why the Treasurer's Advance has been allowed to mount up from a few thousands until we are within reach of a couple of million pounds, concerning which we are not told a single thing. I wish to take advantage of the opportunity—which is furnished by our Standing Orders—when we are dealing with Bills of this kind, to refer to a few other matters. One to which I wish to direct attention is an extremely unfortunate occurrence, which will, I am sure, command the sympathetic attention of the members of the Senate. I refer to the recent fatality to a line repairer in this city. Every one who has read the newspaper reports to-day concerning this event must come to the conclusion that there is somebody upon whose shoulders the weight of blame rests, and it is a very heavy one. The facts reported cannot be lightly passed over. The evidence is not of an *ex parte* character, because the Post and Telegraph Department was represented officially at the Coroner's inquiry. We cannot assume that the gentlemen who were there representing the Department would allow an unjust imputation to rest upon the service. The facts show that the unfortunate linesman, in the course of his duty, was required to climb a pole which was so rotten that it collapsed under his weight, resulting in his death. The remarkable circumstance is that the pole was known to be rotten months ago. That information was disclosed on the evidence of the Department's own officers. I will make first a quotation from the remarks of the Coroner. He said—

> The post was certainly rotten; there seemed to be definite evidence on that point. But the question seems to be how long a post should be allowed to stand after it is condemned. I think it should not be allowed to stand at all. How it stood so long I am at a loss to conceive.

That was the coroner's summing up after listening to the evidence of the departmental officers. Further evidence showed that the unfortunate linesman was required to climb a post which was known to be rotten months ago. Here is the evidence of Mr. J. E. Braddock, lines foreman. He said that—

> He had examined the post in July, when he saw a cross on the pole.

Other evidence intimated that when a pole was condemned it was the practice to place a cross on it.

Senator Rae.—That is the usual practice.

Senator Millen.—It is the usual practice. The witness went on—

> It then looked all right. He tested it with a tomahawk, and it appeared fairly sound. He condemned the next post. On an inspection on 9th September, he "shoved" the post, and it appeared to be all right. He would examine about sixty-six posts in a day. The condemned posts should be renewed in a reasonable time.

Mr. Durcks, electrical engineer, also gave evidence. He was asked by the coroner—

> Do you allow posts to stand until something serious happens, or leave them until you can get the contractor to remove them?

The answer was—

> Until we can get material to renew them.

That answer discloses a state of impotency and stupidity little short of criminal. When a post is condemned the only standard which the Department has for determining whether it shall be removed is when the officials can get material to renew it. If the material is not at hand the rotten post is not removed. I venture to say that if a private employer had spoken as did this official of the Post and Telegraph Department concerning a fatal accident to a workman, there would have been—and rightly so—an outcry of indignation from one end of Australia to the other. Further, the witness said—

> In some cases, a life of two years is allowed after the pole had been "condemned." On account of cost in some districts, it is customary to renew a number of posts at a time, and not singly. After inspection in July, steps were being taken——

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And we know how long a Department can be "taking steps"—

to procure material to renew these posts. The cross is a signal to men to be careful.

I direct attention to the fact that the Department, according to this evidence, knew that the post was condemned in July last. It then proceeded to "take steps" to get material to renew it. Does it not occur to honorable senators that a Department which is in constant process of requiring material for renewals ought to have plenty of that material on hand, and not wait until a post is so rotten that it is ready to fall down before being prepared to effect a renewal? Surely it would have been an ordinary business-like proceeding to have stores and material ready for use. Further, the witness said—

The pole in question was in a very bad condition. It should have been renewed some time ago. We had a report that the pole was condemned in July.

The coroner remarked—

But it was condemned before that?

The witness replied—

Yes; but I do not know where the previous report is.

This matter would be a subject for Gilbert and Sullivan but for the unfortunate tragedy connected with it; and I can only say again that, to my mind, the facts revealed at the coroner's inquest indicate an amount of stupidity which is little short of criminal. If such conduct were exhibited by private employers in the management of their business, and such an occurrence resulted as was the case here, it would, in my judgment, justify a charge of manslaughter being launched against some one.

While on this subject, may I express an opinion which I have previously enunciated in the Senate. It is that the time has arrived when we should introduce in connexion with our Public Service a provision—call it what you will—tantamount to the obligation which is imposed upon every private employer whose business requires the lives of his workmen to be risked in the performance of their duty. There should be a system by which compensation should be paid to those dependent upon a workman whose life is taken under such circumstances as these. If we call upon a private employer to make compensation, why should the Government escape? As we call upon private industry to carry this obligation, why should not the same responsibility attach to a Government Department? I hope, before long, that steps will be taken to insure that all employés of the Public Service who may be injured in the course of their duties shall receive compensation in the same way as do persons in private employment.

While I am dealing with the Post and Telegraph Department, I should like to draw attention to another reform which is greatly wanted there. Of course, there are many reforms which are required in connexion with the Department, and I am not going to detain the Senate, and tie up this Bill, by dealing with all of them. But there is one in particular that I had hoped the Government would have seen fit to deal with. It is this: So far, we are still without satisfactory accounts to show the financial workings of the Department. We have none of that knowledge which an ordinary business man would consider that it was his first duty to require concerning his business operations. We are told in the report which has been issued by the Postmaster-General that the revenue of the Department for the year amounted to £3,901,000, and that the expenditure amounted to £4,122,000. But there is no proper system of accountancy by which we may be able to see which particular branch is responsible for the leakage, and which particular branch is profitable. I do say that we can never regard this Department as being worked on a satisfactory footing until accounts are presented to Parliament in such a way that we may know exactly how each branch stands. We are told that quite a new system of keeping accounts has been introduced. It may be new. I do not doubt it. It may be regarded by the officials as a vast improvement upon any previous system. But, so far, it does not enable Parliament and the country to understand the business side of this great business undertaking, and therefore from our point of view the new system is not one whit better than the old one. Also, dealing with the same Department, I should like to ask the Minister representing the Postmaster-General whether the Department has yet received any communication from the meeting of telegraphists held in Sydney yesterday, at which four "demands" were formulated. The first was—

That this meeting demand that no alteration in staffs take place until after consideration of the Royal Commission's report, and that all voting in favour sign the resolution.

The second "demand" was—

That this meeting strongly resents the Commissioner's action in repudiating his ruling, as

laid down in his classification scheme, that six hours be a day's duty for telegraphists in the Head Office, and seven hours in country offices.

The third "demand" was—

That the executive telegraph to the Prime Minister, asking him to have the introduction of broken shifts and hours of duty lengthened beyond their statutory limit in the Sydney Head Office postponed until our delegates interview the Postmaster-General in Melbourne on Tuesday.

The fourth "demand" was—

That if the demand of this meeting on the Prime Minister for postponement is not complied with, Head Office telegraphists ignore broken shifts, and sign on their usual staffs on Monday.

I should like to know whether a communication conveying these resolutions has been received by the Postmaster-General, and whether it is the intention of the Government to comply with the "demands"? It will be interesting, both to the general public and to these telegraphists, to know at once whether these "demands" upon the Government are to be met in the same way as they have been submitted.

Passing from the Post and Telegraph Department, I have to express a regret, which I believe will be shared by all members of the Senate, that, so far, the Government have given no indication of having developed, or even considered, a policy in relation to the Northern Territory. Whatever differences of opinion may have existed with regard to the terms upon which the Commonwealth should take over that vast area, there can be none, and will be none, as to the fact that it is one of the big tasks awaiting Australia to open up and develop that country. It was, however, idle for us to take over the Northern Territory if we are to leave it there. We might just as well have left it to South Australia as have it remaining idle under our control. It was a public pronouncement that we accepted the responsibility of opening up and developing the Territory.

Senator FINDLEY.—Did you expect us to have developed it already?

Senator MILLEN.—I did not expect the Government to develop the Territory, nor do I ever expect them to do so. But I did expect that within eighteen or twenty months they would have brought down some proposals, or at least have given us an indication of their intentions. If they had merely said that they were preparing a scheme which they hoped to submit to Parliament the position would be different, but so far as the Senate is aware we are not one whit further ahead to-day than we were when we signed the agreement with South Australia.

Senator CHATAWAY.—They have reversed the policy of South Australia about subsidizing prospecting parties.

Senator MILLEN.—All that the Government appears to have done has been to pass Ordinances regarding licences and the control of aborigines, but they have not done anything which has taken us one step further towards the development of the Territory. Are we to allow it to remain a dead loss as it is, or are we going to vigorously approach the solution of this problem? I am convinced that the one great problem which confronts Australia to-day, which is going to tax all our resources, financial and otherwise, and which is making the heaviest demand on the capacity of Parliament, and I believe on the capacity of people outside, is the opening up and satisfactory development and settlement of this great Territory. It presents problems from which other portions of Australia are entirely free. We all know the capacity of any Ministry to find excuses and apologies for failure to act, but I cannot help thinking that, quite apart from party politics, honorable senators recognise that the Northern Territory represents a great responsibility and a great danger. I believe that every honorable senator regrets with me, even if he does not make the statement publicly, that we have not made more progress towards the satisfactory solution of this great problem.

I desire to refer now to a matter which I admit at once is on a very much lower level, so far as importance is concerned, and that is the trouble which appears likely to arise from the action of the Home Affairs Department in regard to the procedure for the adjudication on the designs for the Capital. Seeing that Parliament has decided on a course of action, we are entitled, I think, to seek the best assistance and advice which the civilized world can offer to us. When we find that the Minister, for what appears to be a quite insufficient reason, has decided that he will only proceed in one way, and that the members of the great unions which are concerned in the matter will proceed only according to union rules——

Senator GIVENS.—Are you advocating unionism now?

Senator MILLEN.—I always advocate unionism, particularly when I am in the union, but that does not put me in the

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position of those who, whilst standing by their unions, denounce every one else.

Senator RAE.—Who does?

Senator MILLEN. — Ask Senator Givens.

Senator GIVENS.—He cannot supply the information.

Senator MILLEN.—This is the first time that the honorable senator has not pretended to be able to do so. In connexion with the designs for the Capital we certainly want the best ideas which the world can offer us. Irrespective of our differences as to the location of the Capital, we agree that we want to build up a city of which Australia can be justly proud for all time. That means that we have a right to ask for the assistance of the most experienced men in the world. But the procedure adopted by the Department, which might, at first, have appeared to be right and proper, is now shown to be of such a character that it will exclude from the competition all those who have made names for themselves in the world as the designers of cities.

Senator GIVENS.—Architects are not the only designers of cities.

Senator MILLEN.—It is not the architects alone who are concerned. What is the difficulty in the way except it is the unfortunate frame of mind into which the Department has allowed itself to drift—that, because it has said that it will do something, it is going to do it. There is no virtue in the particular composition of any Board. The Minister has said that he intends to appoint a certain Board. Those whose assistance we seek would like to know its composition before they make a start. It is only fair that they should know who are to adjudicate on the designs. If I were a competitor, I should like to know something about the men who were to judge my work; and if the information sought is not given, men of outstanding ability may, after going to great trouble and expense, find that their work has been turned down because of the incompetence or inexperience of the judges.

Senator ST. LEDGER.—But the Minister of Home Affairs says that he could carry out any work on earth.

Senator MILLEN.—I am not questioning that statement for a moment. The intending competitors are not asking the Minister to appoint a partial or incompetent Board. All that they want is a Board composed of men whose standing will afford a guarantee that they will be competent judges. Is that an unfair request? Yet, because the Department has said that it will proceed in its own way, it will not even make an intimation as to the composition of the Board later.

Senator RAE.—Is it possible to get any adjudicators as competent to judge as those who are expected to take part in the competition?

Senator MILLEN.—If that is so, the correct course for the Government would be to ask one of the men who have decided to stand out to become an adjudicator. Every competitor wants to feel assured that his plans will be submitted to competent judges. On more than one occasion, when a Government has required the services of a professional man, it has asked the association representing the profession to make a nomination. That course has been taken on more than one occasion in New South Wales, and, if I recollect aright, a Commonwealth Government—I think it was the previous Government—asked the Association of Accountants to nominate a man for a certain purpose. That course might be taken in this instance, or, if the Minister should think that it would whittle away his dignity too much, let him select three competent men, whose names will be a guarantee to the competitors that their plans will be adjudicated on by a Board whose composition and integrity no one can challenge. It will be little short of a disaster if, because of the difficulty which has arisen, we receive plans from only those who, however great their ability, may hardly possess the experience which older members of the profession can rightly claim.

Senator GIVENS.—Marconi had no experience when he invented wireless telegraphy.

Senator MILLEN.—He had had a great deal of experience as an electrician.

Senator GIVENS.—No, because he was a very young man.

Senator MILLEN.—According to the honorable senator, the men who ought to be placed on this Board are budding schoolboys from a bush township, who, although they have had no experience, may become great architects and engineers. I know my honorable friend's tendency to humour, but I ask him not to stretch it too far on an occasion of this kind.

Senator GIVENS.—Any of these villages might possess a great genius, like the "mute inglorious Milton" of the country churchyard.

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Senator MILLEN.—That is right, but the mute Miltons do not appear in this Chamber.

Senator GIVENS.—Certainly not in the guise of the Millens in the Chamber.

Senator MILLEN.—Some time ago a Bill was passed by the Senate authorizing the use of a franking machine, and if I recollect aright, it became law.

Senator MCGREGOR.—No; it was not passed by the other House.

Senator MILLEN.—Is it intended to revive this measure? When it was first brought before the Senate I expressed very grave doubts as to whether it would not be possible to tamper with the mechanism; but at a later period, after having had an opportunity to examine the construction of the machine, to see it at work, and to ascertain the experience of New Zealand, I came to believe that it would be labour saving as well as economical to the Department, and a very great convenience to the public. I remember the Bill passing through the Senate. It is a simple little measure which might with advantage be revived. If there is still any doubt in the mind of any one as to whether the franking machine could be tampered with, the best course for the Commonwealth to take when the Bill was passed, would be to install the machine in telegraph and stamp offices, and not to allow it first to pass into the hands of private firms. At present when a man wishes to send a telegram he hands over the money and receives a stamp, which he is required to attach to the telegraph form. If this franking machine were introduced into telegraph offices the clerks at the counter would receive a telegram and the money, and the machine would make an impress on the stamp at the same time as it registered the amount received. That would be a very great advantage indeed.

Senator GIVENS.—There is always a possibility of these machines being faked.

Senator MILLEN.—I entered into the discussion of the measure with that belief, but I have since come to the conclusion that with ordinary precautions the machine would be as safe as any other machine which is being utilized.

Senator GIVENS.—The genius who invents a machine can always fake it.

Senator MILLEN.—I am not doubting my friend's capacity to tamper with any machine—political or otherwise. Take, for instance, the cash register. Whether my honorable friend can give me his personal assurance that the cash register can be tampered with or not, it does not affect the question that it is being used more largely every day of our lives. Why? Because it is a convenience. If that is a convenience to private firms, surely this franking machine—which is at once a cash register and a stamping machine—would be a still greater convenience—a convenience both to the Department and to the public. I trust that the Government will take an opportunity to revive the Bill to which I refer. Apparently it has not very much business to submit when it allows members of its own party to spend two or three days in discussing whether or not a man should be allowed to give a medal to somebody else. Surely it can find time to again introduce the useful measure I have mentioned?

Senator W. RUSSELL.—Assisted by the Leader of the Opposition.

Senator MILLEN.—Yesterday, time was so scandalously monopolized by one or two honorable senators, that I never had an opportunity of expressing my views on a matter which, at one time, seemed to me to be leading up to a national crisis.

Senator GIVENS.—It is not the first time you have found yourself in that predicament.

Senator MILLEN.—No; I have known the Senate to come to a decision on a big question when the honorable senator, and myself, never had an opportunity of saying what we thought.

Senator BARKER.—It was a unique experience, I expect.

Senator MILLEN.—It was, as far as Senator Givens is concerned. Passing away from this banter, I wish to say a few words on another question which, to my mind, is an all-important one. That is the question of immigration. Curiously enough, we seem to have drifted into this position: that whilst the Government profess a desire to assist immigration they are not doing very much to stimulate it. I have no wish to raise a discussion upon the general question of immigration to the settled States, but I do suggest that, if the Government can screw their courage to the sticking point in the matter of formulating a policy for the Northern Territory, they might simultaneously address themselves much more strenuously than they they have done to the question of immigration. Whatever difference of opinion may exist upon other points, there ought not to be any difference in our minds as to what

we should do with the Northern Territory. It does appear to me that any scheme to develop that Territory must have closely associated with it a policy of immigration.

Senator RAE.—We must have a big policy of State enterprise to induce immigrants to go there.

Senator MILLEN.—That may be so. The task which we have taken in hand there will call for a very much more vigorous display of what Senator Rae euphemistically calls "State enterprise" than has been displayed in the older States. The conditions are so different from those which obtain in the older States, and what is more, the element of time enters so seriously into the consideration of the question of the settlement of that Territory.

Senator RAE.—Some of the earlier settlers of Australia came out here for very serious reasons.

Senator MILLEN.—I do not think that the honorable senator ought to load up our debates with any family reminiscences. But, speaking seriously, events of world-wide import, with which we are all familiar, must bring home to us the fact that, to-day, time is the biggest element in the contract of settling the Northern Territory. We must act, and act promptly. We cannot allow that Territory to be settled by the procedure which obtained in the older States—that is, by the slow method of ordinary pastoral development, followed by early farming settlements, and later by the establishment of towns, &c. In my judgment, we must make an effort to equip a community in the Northern Territory almost from the start. That means that we require not only any surplus people that there may be in the rest of Australia, but that we must attract a population to that Territory from abroad. This result can only be accomplished side by side with a vigorous immigration policy.

Senator W. RUSSELL.—Surely New South Wales is doing well enough.

Senator MILLEN.—I have endeavoured to omit all debatable elements connected with this proposition. I wish only to centre thought upon the necessity for promptly establishing settlement in the Northern Territory. We cannot hope adequately to develop that portion of Australia unless we adopt in connexion with it a very vigorous immigration policy.

Senator RAE.—It must be under the fostering care of a State.

Senator MILLEN.—I do not wish to anticipate difficulties. I admit that they are present. But differ as we may upon the question of immigration in regard to the settled States, there ought to be absolute unanimity on the point that in the Northern Territory there is room for all the immigrants whom we can attract. If we wish to people that country, we must look abroad for our settlers. Of course, the terms and conditions upon which they may be brought out from other lands is a matter for consideration at a later stage. On the main point, however, there ought to be a pleasing unanimity.

There are other matters which I should like to discuss, but I recognise the necessity for passing this Bill to-day. In submitting this motion, the Vice-President of the Executive Council expressed the hope that before the Supply which is now asked has been exhausted, the Treasurer will have submitted his Budget. I hope that in making that statement the honorable gentleman was unduly pessimistic. If we are to wait two months for the presentation of the Budget, five months of the current financial year will have elapsed. I do not know of any occasion upon which a Budget has been presented so late in the year. It has not occurred previously in the history of the Federation.

Senator LONG.—Surely the reason is obvious.

Senator MILLEN.—I admit that it is obvious. But what is the reason which Senator Long has in his mind?

Senator LONG.—Has the Parliament ever met so late in the year before?

Senator MCGREGOR.—Who said that the Budget would be delayed for two months?

Senator MILLEN.—I have already said that I hoped the Vice-President of the Executive Council was unduly pessimistic in the statement which he made to-day. He merely expressed the hope that before the Supply which we are now asked to grant becomes exhausted the Budget will have been presented. I should have liked an absolute assurance that it will be submitted at an early date, instead of the pious expression of a hope. We all know how Ministerial hopes are often disappointed.

Senator FINDLEY.—The Prime Minister announced yesterday that the Budget will be delivered within a fortnight.

Senator MILLEN.—But I am not a member of the other branch of the Legislature. No doubt it is a misfortune to it that I am not. The Vice-President of the

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Executive Council should have given us the same assurance in respect of the Budget that has been given elsewhere. With Senator Long, I agree that the reason why the Budget will be presented so late this year is obvious. The reason is that the Government are not prepared to proceed with business. This is not because of the long recess which we enjoyed, because the longer the recess, the better prepared they should have been to proceed with business. The financial accounts closed on the 30th June last. The Treasury officials are competent officials, and I feel sure that they have performed all the routine work connected with the Budget, so that the only matters which the Government have to consider are matters of policy. I venture to say that the figures in connexion with the Treasurer's Budget have been ready long since. It is either because the Government have not been able to agree upon matters of policy, or because they have not bothered themselves, that the Budget has not yet been presented. My own opinion is that, realizing, as they do, that they have a majority behind them, they have grown indifferent. They are so confident of the individual and collective loyalty of their supporters that they have become careless to the point of arrogance in the way in which they treat this Parliament. They are thus introducing a very bad system into our public life, and one which, if they occupied the Opposition benches, they would soundly resent. If anything that I have said will impress my honorable friends opposite with the belief that a dangerous practice is growing up, perhaps their communications to the Government, even in private, will do something to bring about a great reform.

Senator WALKER (New South Wales) [11.55].—There are certain items in this Bill which require explanation. For instance, in the Department of External Affairs, there is an item in connexion with the Northern Territory which reads, "Interest and sinking fund, £55,000." Perhaps the Minister representing the Minister of External Affairs will be good enough to tell us what is the total indebtedness which the Commonwealth is taking over in connexion with the Northern Territory, and what steps are being taken to finance that indebtedness.

Senator McGregor.—There was a debt of £2,700,000, an accrued deficit of £800,000, and a further sum of £2,200,000 in connexion with the Port Augusta to Oodnadatta railway.

Senator WALKER.—Is the Commonwealth going to take over the debt of the Territory?

Senator McGregor.—We have to pay the interest upon that debt.

Senator WALKER.—But have we not to recognise our obligation to meet the principal upon the due date?

Senator McGregor.—We have to meet the interest upon the debt, and to provide a sinking fund.

Senator WALKER.—I also notice under "Miscellaneous," that no reference is made to Papua, from which I gather that there is to be no expenditure there during the next two months. I understood that we were spending £20,000 a year upon Papua, and consequently I thought that about one-sixth of that amount would appear upon these Estimates. Then in the Department of Home Affairs, under the heading of "Governor-General's Establishment," there is an item which reads "Sydney Government House, £600." Have the Government yet made any arrangement to renew the lease of that establishment, or have they considered the propriety of resuming a portion of the grounds—say 15 acres—upon which to establish a residence for the Governor-General?

Senator Rae.—Why should they?

Senator McGregor.—Does the honorable senator wish to provide a permanent residence for the Governor-General in each State?

Senator WALKER.—I want him to be as well provided with residences as are the Governors of New South Wales, Victoria, and South Australia.

Senator McGregor.—We will provide the Governor-General with a residence at the Federal Capital.

Senator WALKER.—The Federal Capital seems to be slowly dragging its weary length along, and I imagine that it will be quite ten years before we get there.

Senator Rae.—Why should the Government maintain a vice-regal residence in Sydney?

Senator WALKER.—Senator Rae is a representative of New South Wales, and his colleagues expect him to stand up for the rights of that State.

Senator Millen.—I entertain no such hope.

Senator WALKER.—At any rate, he was not sent here to decry the State which elected him. I wish also to know whether

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the Department of Trade and Customs controls Papua in the matter of quarantine? In the Defence Department, in connexion with the Small Arms Factory, there are contingencies for which £2,000 is provided. Does that amount cover the cost of preparing residences for the staff? I happened to be in Lithgow a few weeks back, and the train by which I travelled was met by 200 or 300 people in the belief that a very important person would arrive by it. I see that he has since arrived and had a very hearty reception. I think his name is Dixon. I understand that the vote of £2,000 for contingencies is to cover residences for the staff, and I should like to say that there is a school there capable of accommodating about sixty people, which would be available on reasonable terms if required by the Department. I desire to ask the Minister what steps have been taken to finance the building of our ships in the Mother Country. The amount must run into £1,000,000, and there is no reference to the matter in this Bill, unless some instalment is provided for in the vote of £250,000 for advance to the Treasurer.

Senator McGREGOR.—Does the honorable senator not recollect that we put £960,000 into a trust fund for this purpose at the end of last year, and that £250,000 was put into the same trust fund before.

Senator WALKER.—But have we not to pay some amounts upon account as the work progresses?

Senator McGREGOR.—Could they not be paid out of the fund to which I refer? Does not the honorable senator recollect, also, that at the same time we put about £900,000 into a fund for old-age pensions?

Senator WALKER.—I know that, by something which approached very near to tiddly-winking, the State I represent did not get what she was entitled to on that account.

Senator RAE.—I did not hear the honorable senator stand up for his State.

Senator WALKER.—I did, indeed, many times, and long before the honorable senator entered the Senate.

Senator RAE.—I was referring to last year.

Senator WALKER.—I referred to the matter last year also. I pointed out that, under the Constitution, the States were entitled to so much, and that the fixed payment of 25s. per head should not have commenced on the 1st July of last year, but on the 1st January this year.

Senator RAE.—Was not that in accordance with the agreement arrived at at the Premiers' Conference?

Senator WALKER.—It was not right to evade the provisions of the Constitution in that way. I am glad to hear that something is to be done to provide premises for the High Commissioner in London, and I should like to know whether it has been decided to secure the Strand site. Senator Millen made a very trite remark with regard to the Northern Territory, and I am going to make a suggestion which, I think, will bring the matter prominently before us. Would it not be well to have a special session of this Parliament at Port Darwin? That would enable us to better realize our responsibilities, in view of what is taking place at the present time in the north of Africa. We know that a certain Power has seized Tripoli, and what is there to prevent some Power seizing the Northern Territory without giving us any notice?

Senator FINDLEY.—The honorable senator should not raise imaginary difficulties.

Senator WALKER.—I wish to see the Northern Territory populated. I do not think we properly realize our responsibilities in this connexion. I think we might have a special session up there.

Senator McGREGOR.—We could try it on the Opposition.

Senator WALKER.—With regard to the Federal Capital, I desire to emphasize what Senator Millen has already said. It really looks as if the Government were playing ducks and drakes with that question. We had hoped that an opportunity would be afforded to the best experts available to assist us in establishing here one of the finest capital cities in the world. Yet, apparently, the Government are prepared to discourage the very best men from sending in plans for the city, since they do not know what Board will be appointed to judge their work. Much as one may respect the present Minister of Home Affairs, he is not exactly an Admirable Crichton. I am not aware that he can claim to be an architect, engineer, surveyor, and capitalist combined. I know that he has said that if he had been presented with £1,000,000 to manage the Commonwealth, we should now have been the richer; but I think it is likely that we should have been £999,999 19s. 11d. the poorer. I do not wish to waste time in the discussion of this Bill; and, speaking

as I have done on the first reading, I shall probably not have much to say when the items of the schedule are under consideration in Committee.

Senator GARDINER (New South Wales) [12.6].—I join with Senator Millen in taking exception to the large vote set down for the Treasurer's Advance. But I direct attention to what I regard as a more serious matter indicated by some of the items in this Bill which we are asked to hurriedly consider. As the Bill has been placed in our hands only this morning, there is not time to go into the details of the expenditure proposed, and discover what the different items really involve. I can quite understand that Senator Millen, with Ministerial experience, should realize that here begins the battle between the Departments and Parliament. The Departmental officials, knowing that inquiry may be made into the Estimates, may endeavour to delay their preparation so that Parliament may be deprived of a proper opportunity to discuss them. I direct attention not only to the enormous amount asked for the Treasurer's Advance, but to the extraordinary amount set down for contingencies. If honorable senators will look at the votes for the Attorney-General's Department, they will see that, under the heading of the Crown Solicitor's Office, there is a vote of £570 for salaries, and one of £300 for contingencies Under the next heading, that of the High Court, the salary vote is £480, and the contingencies vote £1,000. Under the following heading there is a vote of £100 for salaries and of £400 for contingencies. It would appear that the bulk of the Estimates is made up of contingencies. Are these contingency votes to cover fees to barristers? Is some one being paid to inquire into something that we know nothing about? If honorable senators will look at the vote for the Home Affairs Department, they will find evidence of the same objectionable system. Under one heading there is a vote of £1,400 for salaries, and a vote of £2,300 for contingencies. For the Public Works staff a vote of £1,500 is asked for salaries, and a vote of £1,400 for contingencies. I direct attention to the fact that these votes are set down for Departments that have been on a working basis for years. It may be that I am new to the Senate, and to the way in which estimates of public expenditure are prepared; but I have to confess that I fail to understand why such enormous votes should be set down for contingencies as compared with the votes for defined expenditure. I should expect that the heads of Departments would have, as any ordinary business man would, such a good idea of what was required to carry them on, that only very small amounts would be asked for to meet unforeseen expenditure. These huge votes for contingencies indicate, to my mind, looseness in administration. I do not desire that the debate should be reduced to a discussion of whether the present or previous Governments are responsible for this kind of thing. I may say that, in common with the bulk of the people outside, I look for better administration and management of the country's affairs from the present Government than we have had from previous Governments, and I complain of the very vague way in which these votes are submitted to honorable senators. Even at the risk of compelling the whole of the public servants of the Commonwealth to wait for a month for their salaries, I am prepared to compel Ministers to give some definite statement of what all these contingency votes are required for. I believe that the public servants have sufficient common sense amongst them, if such a course were taken, to put the blame on the right shoulders, and not upon those who are asking for better administration of our public affairs. In a total vote of about £1,250,000 asked for, we have contingency votes running into about £250,000, and a Treasurer's Advance of £250,000; and I venture to say that probably no one outside the Ministry knows how this money is to be expended.

Senator McGregor.—If the honorable senator were to consult the complete Estimates for last year, or the Estimates for the present year, when they are presented, he would discover what all these items are for.

Senator GARDINER.—No doubt, if one had time, one might be able to go into the details, in that way.

Senator McGregor.—Surely the honorable senator does not want the whole of the Budget with a Supply Bill?

Senator GARDINER.—I do not see much advantage in these Supply Bills. The Government cannot plead want of time on the present occasion, because, judging by the Bill which was under discussion here yesterday and at the previous sitting of the Senate, the Government have any amount of time on hand. Why the

whole Budget could not have been submitted at the commencement of the year I do not know.

Senator McGregor.—Because it was not ready.

Senator GARDINER.—I admit that there may be difficulties in preparing the Budget for the whole of the year. There should be some excuse made for the present Government, because, in the carrying out of their public duties, Ministers were separated for a considerable time, and could not give attention to the works they proposed to carry out and the amounts which ought to be expended upon them. But I think there is still a good deal of pretence about the plea of want of time in connexion with this Bill.

Senator W. Russell.—I think that is a very cruel statement.

Senator GARDINER.—I do not care very much what the honorable senator thinks about my statement; but I should be greatly pleased to know that he is thinking about anything.

Senator W. Russell.—I think the honorable senator ought to sit on the other side.

Senator GARDINER.—I shall be happy to take my place there, as soon as honorable members on this side indicate that I am no longer of any service to them, or as soon as I get an intimation from them that I have outstepped what they consider to be a reasonable exercise of my rights in this Chamber. I recognise that if I were dealing with the party opposite I might have to submit to what Mr. Willis had to submit to—bottles, books, and that kind of thing.

Senator Findley.—That is the Liberal party.

Senator GARDINER.—I quite recognise that. But, so far as this party is concerned, I think there will be no serious objection to any reasonable criticism of the administration of the Public Service of this country. Referring to the Northern Territory I quite agree that, having been taken over by the Federal Government, we ought not to waste one day, or one hour, in undertaking its development. From the very moment when that huge responsibility was assumed the duty rested upon the Commonwealth Government, upon the party that supports it, and upon Parliament, of seeing that it was put to good use.

Senator Findley.—There are some parts of New South Wales that are not developed yet, although that State has had responsible government for fifty years. We have not had control of the Northern Territory for more than a few months.

Senator GARDINER.—The very neglect of previous Governments to do things has brought into existence in Australia a new kind of Government. I do not want this Government to follow the example of its predecessors.

Senator McGregor.—Would the honorable senator bring immigrants into the Territory before we know anything about the country?

Senator GARDINER.—I was led to believe, particularly by the Vice-President of the Executive Council and the South Australian representatives, that there is a large quantity of most excellent land in the Territory.

Senator McGregor.—So there is.

Senator GARDINER.—Then the sooner it is developed the better it will be for the Commonwealth.

Senator Findley.—What is the use of putting people there unless we have roads and railways? We cannot have them in a day.

Senator GARDINER.—Give people facilities for getting there, and we can make the roads and railways as they are required. Of course, such works take time. But if we are to wait until roads and railways are built before populating the country we shall not do much good with it.

Senator Findley.—Railways must precede settlement.

Senator GARDINER.—I think the two should go side by side. If the money for the purpose is not forthcoming from any other source I should be prepared to allow some of our naval expenditure to remain in abeyance for awhile, and use that money for developmental purposes. I am satisfied that the settlement of the Northern Territory would afford us a far more efficient means of defence for that north-west corner of Australia than the expenditure of money on an army and navy.

Senator St. Ledger.—I would borrow heavily to develop the Territory.

Senator GARDINER.—I am not anxious to borrow money for any purpose. I think that a rich country like Australia, where the people are probably the lowest taxed community in the world, ought to be able to carry out developmental schemes for such a national purpose as this without running to the money-lender. We all know that there is a tendency for Governments

to leave things as they are. "Leave good enough alone," it is sometimes said. But we cannot allow that policy to be pursued by a Labour Government. I supported the taking over of the Territory, and am anxious to see an active policy of development immediately entered upon. As far as immigration is concerned I am one of those who do not believe that there is any great amount of surplus employment in Australia at the present moment. There is more than sufficient labour for immediate purposes. Men are looking for jobs in this very city. Of course, there are never enough workmen for the kind of employer who likes to skim the cream of the labour market, and who is never satisfied unless there are a dozen men clamouring for one job. But there are quite enough for the employer who is willing to pay a fair day's wage for a fair day's work. At the same time it has to be recognised that the fact that a Labour Government has been in office eighteen months has done a great deal to promote prosperity, and cause a demand for labour. Every ship that comes to Australia is bringing a desirable class of workmen who are anxious to settle in this country.

Senator Needham.—Does the honorable senator attribute that fact to the existence of a Labour Government?

Senator GARDINER.—We have just as much right to attribute the present prosperity of the country to the existence of a Labour Government as honorable senators opposite had to predict that if a Labour Government came into office capital would leave the country, and there would be no employment for anybody. At the end of eighteen months of Labour administration, not only is there general prosperity, and not only are ships bringing hundreds of new immigrants, but passages are being booked months ahead.

Senator Millen.—Does the honorable senator attribute the seasons to the Labour Government?

Senator GARDINER.—The seasons are very much the same now as they have been for years.

Senator Millen.—Does the honorable senator recollect the Drought Relief Fund in New South Wales?

Senator GARDINER.—I am not speaking of exceptional periods when droughts have to be encountered. I am quite aware that recently there has not been sufficient rainfall in some parts of Queensland. But, nevertheless, the prosperity is so general that the effect of a drought is not felt so severely as it was under the administration of past Governments. A number of factors tend to relieve the ordinary effects of a drought. For one thing, we have £1,400,000 coming into the Treasury in land tax paid by about 15,000 people. Previously that amount of money, if required by the Government of the country, would have had to be made up by thousands of the poorer members of the community who would thus have felt the effects of a drought the more keenly. But I am not satisfied with things being "good enough." I am not satisfied with what has already been done. I want things to be much better, and I want this Government, between now and the time when the Budget is brought down, to lay before us some proposal for the development of the Northern Territory, so that we shall have something tangible to point to as another accomplishment of good government by the Labour party. I am not anxious that thousands of people shall be brought to this country to compete with artisans in our cities. But by all means let people be brought to the Northern Territory, and participate in its development for the good of the country and for their own advantage. Senator Findley has reminded us that roads and railways will have to be built. I admit that. But I hope that the Government will devise some means whereby developmental works can be carried out by people who would be prepared afterwards to make their homes in the Territory. Recognising the great affairs with which the members of the Government have been dealing in the brief period since they have held office, I can quite understand that they have not been able to do all that they would have desired in this connexion. I quite recognise the strenuousness of departmental work, and the strain that has been thrown upon Ministers. But while giving them credit for what they have done, I must point to the work that remains to be done. For one thing, I hope that we shall have no more of these Supply Bills. I trust that the Budget will be introduced as soon as possible, and that we shall be able to deal with the finances effectively. I quite admit that this Government have done better than previous Governments did. All Governments are bad, though some are better than others. But we want our Government to be better than other Governments, not worse. I wish to bring a matter under the notice of the

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Minister who is responsible in the Senate for the Department which administers the Old-age Pensions Act. In the asylums of New South Wales there are, to my knowledge, a few men who, under the State law, were unable to obtain old-age pensions. As far back as three years ago, one of them was unable to get an old-age pension under the Federal law. These men have been of good character for three years, and I want to know whether the Minister cannot go out of his way to give them at least a chance, towards the close of their lives, to obtain old-age pensions. They are anxious to get out of institutions and to maintain themselves, but they always find themselves confronted with the fact that some two or three years ago they were refused old-age pensions.

Senator RAE.—And the Federal authorities are acting on old State reports.

Senator GARDINER.—In many cases, they do. Possibly, there is a fear in the minds of the managers that, if too many of the old men were allowed to leave, the institutions would cease to exist. I want the Government to deal generously with the old men. I think that, in the closing years of their lives, they are entitled to be dealt with generously. Suppose that a man did expend in a free and easy way the last few hundred pounds of the money which he had hardly earned. It is too great a penalty to inflict upon that man to say, "Because you have spent your money in that way," or "because your conduct for two or three years has not been good, you will not be allowed to go outside the institution, and enjoy some freedom." Months ago, I brought some cases under the notice of the Department, but the men are still in the same position. My efforts on their behalf have been fruitless, probably because the Department has to depend on old reports by State officials. I find that the bitterness of party spirit—and I admit that I am not free from that spirit—has so permeated the management of many State Departments that it is better for me to get somebody else to urge the claims of old men seeking old-age pensions. That is particularly the case where State Departments have to report on claims. I could give the names of men who have applied for old-age pensions under a particular Ministry, and who have been told that if they wanted to succeed they would have to apply to the State members. That is going on at the present time.

Senator MILLEN.—It is not so much a question of party as a feeling between State and Federation. I am equally conscious of the existence of the feeling to which the honorable senator refers.

Senator GARDINER.—Perhaps I have been misled by my own bitterness of feeling. I confess that I formed the impression that the other side were "getting home" upon me through the poor old men. At any rate, this bitterness of feeling should cease altogether. The sooner the granting of the pensions is controlled by the Commonwealth Government absolutely free from State officials the more effectively will the Department be managed. In other words, the sooner the Commonwealth Government get sole control of those who administer the old-age pensions the better it will be for their good name. Perhaps I may be excused for mentioning these matters, which, although they may seem little to us, are of great importance to the persons concerned. I hope that, in the future, the amounts for contingencies will bear a fair proportion to the amounts for salaries, and then, perhaps, the Budget will go through the Senate with less criticism.

Senator O'KEEFE (Tasmania) [12.35].—Before the Minister replies, I desire to ask for a little information regarding the vote for quarantine. First, we are asked to vote for general purposes £260 for salaries, and £220 for contingencies. Then we are asked to vote for New South Wales £150 for salaries, and £700 for contingencies; for Victoria, nothing for salaries, and £900 for contingencies; for Queensland, nothing for salaries, and £600 for contingencies; for South Australia, nothing for salaries, and £350 for contingencies; for Western Australia, £35 for salaries, and £700 for contingencies; for Tasmania, nothing for salaries, and £200 for contingencies; and for the Northern Territory, £100 for contingencies. I cannot understand why, in conducting the business of quarantine, so much is required for contingencies for each State as compared with the amount which is asked for salaries. I hope that the Minister will be able to furnish some information on this point when he replies.

Senator RAE (New South Wales) [12.38].—I desire to refer to one or two items. In regard to immigration, I would point out, in the first place, that the interim report by Commissioner A. B. Piddington, which is being made so much of by the press, is not to be taken as final. In the second place, notwithstanding the high attainments of Mr. Piddington, and, I

believe, fairness, I would point out that the value of the report was vitiated by the disclosure of the fact that one unscrupulous employer in New South Wales discharged immediately a girl who had given evidence against his wishes. We have every reason to believe that there has been nothing like that free submission of evidence that there would have been only for that scoundrelly intimidation which was practised by an unscrupulous employer, who escaped scot free under the law of the State. We have no right to pay any special attention to the report, whatever its ultimate form may be. There is not the slightest doubt that those who were most competent to give evidence on the other side of the question were prevented from appearing by fear of consequences. I hold that once an inquiry is poisoned at the very fount, the report becomes valueless, no matter how high or honorable the Commissioner may be. That so far dismisses Mr. Piddington's report from consideration. As regards the Northern Territory, we should not hesitate one moment about putting our heads together to devise a scheme or method by which it can be effectively settled.

Senator W. RUSSELL.—I think that it should be carefully studied before much money is spent.

Senator RAE.—A thing is not carefully studied by being left alone. In fact, a good many of the matters in connexion with the Northern Territory are so entirely novel that the only way of studying them will be by experiments, and profiting by our failures and mistakes. I wish to reply to an interjection which, I think, Senator Findley made as to the length of time we have allowed things to drift in the other States, notably in New South Wales, without effecting certain developments. That is entirely beside the point. The sole reason for taking over the Northern Territory was that the Commonwealth might develop it as South Australia admittedly could not do. Therefore, it devolves upon us to spare no time in perfecting schemes to that end.

Senator O'KEEFE.—Do you not recognise that necessary preliminary steps are being taken?

Senator RAE.—I do not know anything about what is being done.

Senator NEEDHAM.—You received a copy of the report which was circulated, and which shows what is being done.

Senator RAE.—I have not heard anything definite.

Senator ST. LEDGER.—The route of the proposed railway is not fixed yet.

Senator RAE.—That is a proposal which is embodied in the agreement, and for which I voted. While I agree that a railway is necessary before we can obtain anything like closer settlement through the Northern Territory generally, yet there is a coastal belt which could be reached by means of vessels. Some action might be taken towards settling the northern littoral without waiting for the construction of railways. It is of no use for the Commonwealth to drop immigrants into the Northern Territory, and allow them to shift for themselves. Most of them would drift into the more highly developed southern and south-eastern States, so that as fast as they were dropped in at one end they would pour out at the other. It almost goes without saying that the foundation of any scheme for the settlement of the Northern Territory must be State subsidized enterprises, which will pave the way for many of those necessities and comforts of life being bestowed on settlers in that country, which the residents in more favoured regions enjoy.

Senator O'KEEFE.—There is an item of £70,000 set down on the Estimates for this year.

Senator RAE.—Yes; but most of that money is required for purely administrative purposes.

Senator NEEDHAM.—A large portion is to meet interest.

Senator RAE.—Yes; and the remainder is required for purely administrative purposes.

Senator O'KEEFE.—Not altogether; it shows that there are new things being undertaken.

Senator RAE.—I think that a comprehensive scheme must be undertaken before we can hope to hold the country by means of population.

Senator NEEDHAM.—It shows that an honest attempt is being made to get a basis for future operations.

Senator RAE.—We must have a comprehensive developmental scheme prepared, which Parliament will have an opportunity of discussing. A mere increase of the protectors of aborigines, or the resident magistrates, or anything of that kind, will go a very little way towards attaining our object. It would take a thousand years to develop the country on such lines. It is a matter of urgency. The defence of this continent is absolutely impossible unless the

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Northern Territory can be effectively settled and held. I shall take every opportunity of urging, both here and elsewhere, the necessity for the Commonwealth losing no time in this matter. Concerning the Capital, Senator Walker made some very heated remarks about the rights of the State, as if I was not upholding them. That was in connexion with the expenditure on Sydney Government House. I fail to understand the antediluvian view-point that expenditure on Government Houses in State capitals is in any way upholding State rights. I make bold to say that in an alleged democratic community that is an indefensible expenditure. I consider that our Government is much to blame for consenting to such a tremendous expenditure on house rent for one man and his missus. We are called upon to vote £600 for Sydney Government House; £1,000 for Melbourne Government House; and £800 for non-recurring works, whatever they may be—repairs, I suppose. We are asked to vote £2,400 in a Supply Bill, which covers two months' Supply. Multiplying the amount for rent by six, we find that nearly £14,000 is expended in housing one man. It is a rotten thing for a democratic country to spend such an unreasonably large amount in housing the Governor-General. In reply to the remarks of Senator Walker I wish to say that I am defending the rights of New South Wales by condemning this unwise and extravagant expenditure. Let the Governor-General be provided with a residence at the Seat of Government, and if anything more be necessary, let him be reimbursed the expenses which he incurs in travelling through the different States. But to maintain a gubernatorial establishment in each capital when such establishments are not occupied for nine months out of the year, is a sheer waste of money.

Senator NEEDHAM.—The Commonwealth is not maintaining a gubernatorial residence in each of the States, but only in two of them.

Senator RAE.—If this policy is to be pursued by a Labour Government, I should not wonder if the present expenditure were multiplied by four should our opponents ever regain office. To spend money in renovating the Sydney Government House, which the State Government propose to resume, would be an indefensible proceeding.

Senator WALKER.—There is no reason why the people should not have the use of the gardens when the Governor-General is not residing there.

Senator RAE.—At any rate, the people are absolutely shut out from those gardens, which form one of the most beautiful portions of the city of Sydney. In regard to the question of immigration, there is ample evidence to bear out the statement of Senator Gardiner that in nearly every branch of industry throughout the country the cry for more workmen is merely part of a conspiracy to obtain cheap labour.

Senator ST. LEDGER.—Is it not evident that we cannot develop Australia unless we have more people?

Senator RAE.—I quite admit that.

Senator ST. LEDGER.—Then why does the honorable senator blow hot and cold?

Senator RAE.—I am not blowing hot and cold. I am quite aware that Australia might well hold ten times her present population. If 5,000,000 people in this country can help each other, 10,000,000 can do the same thing. But the cry for more labour, which is being raised by employers and by the press which exists for employers, is largely a false one. It emanates from employers who wish to see tip-top workmen waiting on their doorsteps for jobs.

Senator ST. LEDGER.—Our cry is for more people.

Senator RAE.—The shopkeepers say that they cannot obtain dressmakers, and the factory-owners declare that they cannot get sufficient factory hands. It is the same in other branches of industry. The employers generally are responsible for the outcry. A similar cry is being raised in regard to domestic service, and, at the bottom of it all is the fact that employers cannot obtain hands at the wages which they are prepared to pay. Take the industry in which I am engaged—that of fruit-growing—as an example. In a big belt of orchard country quite recently one of my neighbours said to me, "I cannot get men." In reply I stated, "If you pay good wages you can get them." He answered, "I offered 8s. a day, and could not get them." My reply was, "But you offered them only a fortnight's work."

Senator CHATAWAY.—Does the honorable senator pay enough to a man for a fortnight to keep him the entire year?

Senator RAE.—I do not say that. But I do say that it is only casual labour which is scarce at the wages which are offering. If employers will pay good wages they can get ample labour. I know very well that

there is no difficulty in securing the services of good men for any class of work so long as good wages are forthcoming. We were told in by-gone days that we must not strike for, or form trade unions to, demand higher wages, because of the inexorable law of supply and demand. But now that men and women can command higher wages than they could previously, the employers object to the law of supply and demand. I protest against the statement that the crying need of this country is immigration. We are meeting the demand of Australia for population by means of land taxation, which will have the effect of breaking up the big estates, and thus affording more people an opportunity of sharing the land which has hitherto been held by a few. The cry for State-aided immigration is a hollow sham, so far as there is any need for it, but a very real thing from the point of view of cheap labour. If we make this country sufficiently attractive by improving the position of the workers in every calling, ample labour will be available to double its population within a very few years. When we reflect that the waste places of the earth are being rapidly filled—that the United States and the north-west provinces of Canada are being speedily settled, because they are nearer than we are to the congested centres of Europe—we must recognise that the time is fast approaching when the stream of immigration will be diverted in this direction, and when possibly we shall have more immigrants than we can find room for. But the way to attract people to our shores is to continue to improve the conditions which obtain here, until immigrants are prepared to come voluntarily. These are the best class of immigrants. Those who come out with the aid of the State will include wasters of the worst type—the flotsam and jetsam of the Old World. But if we improve the conditions which obtain here we shall attract to our shores the most self reliant of the people from abroad.

Senator LONG.—There are millions in England who have not enough money to pay their fares to London.

Senator RAE.—That may be true. Certainly it should never be the policy of the Government to subsidize employers to bring to Australia immigrants who will make it more difficult for the men here to obtain employment at remunerative wages. When there is only one man looking for a job he can demand a good wage, but when there are two or three men looking for the same job the successful individual has to accept a lower wage.

Senator CHATAWAY.—And when there are two or three jobs looking for one man?

Senator RAE.—Nothing but a tissue of misrepresentations has been brought forward by the press to substantiate such a claim.

Senator MILLEN.—Then when Mr. Fisher made the statement in London he was wrong.

Senator RAE.—I am not aware of what Mr. Fisher said. But I do say that no reliable information has been forthcoming to prove that there has been anything more than a temporary demand for a little more labour than is available, and the reason for this temporary shortage is that the wages paid in some industries are so low that men have been driven out of them into more remunerative industries.

Senator MILLEN.—If we raise wages in the industries which they have deserted, they will go back to those industries, and leave the industries in which they are now employed short of hands.

Senator RAE.—Fluctuations of that sort are inevitable.

Senator CHATAWAY.—The Melbourne Trades Hall officials admitted in the inquiry, instituted by Mr. Watt, that a shortage of labour does exist.

Senator RAE.—But in most instances that shortage is due to the temporary improvement in other industries.

Senator MILLEN.—Was it because of a temporary shortage of labour that Senator Findley sanctioned the admission of a number of contract immigrants?

Senator RAE.—I do not deny that there may be some new branches of industry in which the supply of labour may be rather short.

Senator LONG.—Scarcely a day passes without three or four men calling upon me to ask if I can direct them to some employment.

Senator O'KEEFE.—I have a similar experience.

Senator RAE.—That merely proves that this is not the time to expend the taxpayers' money by introducing immigrants to this country to compete with those who are already out of work.

Senator CHATAWAY.—If a blacksmith asks for a job, that does not prove that there is not a shortage of labour in the saddlery industry.

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Senator RAE.—There may be a shortage of labour in skilled trades, but certainly there is none in unskilled branches of industry.

Sitting suspended from 1 to 2.30 p.m.

Senator RAE.—As the time for the consideration of this measure is limited, it is not my intention to prolong the debate on the first reading.

Senator ST. LEDGER (Queensland) [2.30].—I wish to make a few observations on some outstanding features of what must be the financial policy of the Government, as I anticipate that there will not be much time afforded to discuss the question when the Budget is under consideration in the Senate. It will be remembered that a short time ago I asked some questions with regard to the relation between the note issue and the gold held by the banks and the Treasury, and the position of the Government on the matter. I find that notes have been issued to the value of £9,600,000. The gold held against these notes amounts to £4,683,684. The Government have disposed of this by investments in loans to the States to the extent of £4,642,500, and there are contingent and outstanding liabilities on current accounts which the Government must have amounting to £600,000. A simple sum in addition will show that the whole of the note issue is thus accounted for, I am pleased to say, exactly as it was anticipated it would be by the Statute and by the Administration. But if attention is given to the figures, it will be found that they show that so far as the note issue is concerned there is not a single penny available, by reason of it or of its administration, for carrying out the huge works expenditure to which this Commonwealth Parliament is committed. I mention the fact for the reason that it is notorious that many of the Government supporters, and possibly members of the Government, believe that there is some magic in a note issue by which it may be used or manipulated to provide, in a cheap and easy way, for the construction of public works. I take it that honorable senators opposite will soon become convinced that that is a delusion.

Senator NEEDHAM.—The honorable senator said so when the Australian Notes Bill was under consideration.

Senator ST. LEDGER.—What did I say?

Senator NEEDHAM.—That the Act would be a failure.

Senator ST. LEDGER.—I give that statement an emphatic denial. I said nothing of the kind, and I am not aware that a single honorable senator on this side made the statement that the Act would be a failure. In order to refresh the memory of the honorable senator, which is growing internally somewhat hazy, I may tell him that what I did say was that there was not the slightest necessity for that measure.

Senator GARDINER.—Did not the honorable senator, in common with other members of the party to which he belongs, describe the Australian notes as "flimsies"?

Senator ST. LEDGER.—I never used the expression "flimsies" in or out of this Parliament to describe the notes.

Senator READY.—The honorable senator has forgotten.

Senator ST. LEDGER.—I have not forgotten, and I challenge honorable senators now to show that I did so, and remind them that there is *Hansard* to refer to. I have not the slightest hesitation in saying that if I did use the word "flimsies" in connexion with our notes it was only by way of a joke, as I referred to some honorable senators opposite yesterday.

Senator NEEDHAM.—The honorable senator is pleading guilty now.

Senator ST. LEDGER.—No; I say that, so far as my memory serves me, I never used the word, but I repeat that my criticism of the Australian Notes Bill was that it was unnecessary. I hold that opinion still. The point to which I wish to direct attention is that the banks now hold the notes against the Government. It is true that the Government have received gold for them. But we have to look at the expenditure to which we are committed, and if there is one thing which not even the grossest cant or whistling by the other side to keep up their courage can obscure, it is that there is not a single one of the works to which this Parliament is especially committed, or to which past Governments were committed, that can be constructed except from loan money.

Senator RAE.—Why?

Senator ST. LEDGER.—The only other method would be to construct them from revenue derived from direct taxation, and we have already exhausted that source of revenue to the limit.

Senator RAE.—Nonsense.

Senator ST. LEDGER.—I am glad to hear that remark from Senator Rae, because I know that he believes that the

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resources of direct taxation are not yet exhausted, and that he has a considerable following on the other side; but I know also that if the honorable senator and those who agree with him in this matter could force the Government to give effect to their views, the Prime Minister would be compelled to admit that the tenure of office of his Government would not be worth an hour's purchase. The whole financial history of the States of Australia goes to show——

Senator RAE.—Extravagance.

Senator ST. LEDGER.—Nonsense; but I shall deal with that remark in a moment. The history of finance in the different States goes to show that public works cannot be carried out without recourse to loan expenditure. I am prepared to give Senator Rae his alternative, and let the party on the other side attempt to carry out the public works to which this Parliament is committed by having recourse to revenue derived from taxation, and I am confident of what the result would be. I dismiss the possibility of the Government seeking to carry out the works to which we are committed by further taxation, and that means alone, and what then is the alternative? They must borrow. That is the only alternative, and if they borrow, the banks holding our notes will have the Government at once at their mercy.

Senator NEEDHAM.—Has not injudicious borrowing prevented Australian progress?

Senator ST. LEDGER.—I make bold to repeat what I have said here, and on many a platform, and that is that, allowing for the errors and, if honorable senators please, the extravagance of State Governments in the past, there has been no Government expenditure on the face of the earth which has proved a sounder asset than has most of our loan expenditure. I have taken this opportunity to refer to the matter with a view to emphasize the line which must, and I hope always will, separate the financial policy of the Opposition from that continually urged by honorable senators opposite. We urge that it is only by a judicious repetition of the loan policy of the past that the States of Australia, or the Commonwealth, can successfully carry out the necessary developmental works for the advancement of the country. I repeat now what I have said before, that the £160,000,000 odd of borrowed money invested in the railways and other public works of Australia is not a debt, except technically, for purposes of bookkeeping. Treasurers are bound to enter on the debit side of their books every £1 that is borrowed. In that sense the loan money invested in railways and public works in Australia represents a debit, but not a debt. Our railways are to-day, and have been for some little time past, paying every penny of interest on capital cost, as well as working expenses, and many are returning a substantial surplus to revenue.

Senator RAE.—That is largely accounted for by further influxes of borrowed money, and indicates only a hollow prosperity.

Senator ST. LEDGER.—Honorable senators opposite appear to me to be always reasoning in an inverted circle. The £160,000,000 invested in Australian railways represents a revenue-producing asset, and if we borrowed another £150,000,000 with a similar result, it would also represent an asset to the country.

Senator RAE.—Talk about reasoning in an inverted circle!

Senator NEEDHAM.—Has the honorable senator ever seen an inverted circle?

Senator ST. LEDGER.—What I mean is that honorable senators opposite reason in a circle, and continually go back upon their reasoning. I will leave this matter and proceed to deal with another. From all the information we can gather, it would appear that the Treasurer does not intend to be tied down very much longer to the restriction requiring him to keep a reserve of 25 per cent. of gold against the issue of Treasury notes, and I say now that any serious departure from that policy will be followed by the consequence that when the Government enter upon loan expenditure they will be more at the mercy of the banks who have their notes in their tills than any State Government has ever been in the history of Australia.

Senator READY.—We shall have a Commonwealth bank to help us.

Senator ST. LEDGER.—Exactly; but that is too big a subject to go into at present, and we shall deal with it only when the occasion arises. The reference to the possibility of the Government entering upon a borrowing policy at once suggests the fact that they have taken no step towards the settlement of the most pressing financial need of Australia at the present time, the consolidation and conversion of the State debts. The indebtedness of Australia amounts to nearly £250,000,000, and I remind honorable senators that one of the great reasons which induced the States to approve of Federation was the hope that a

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centralized and national authority having control of the Customs, and indirectly control over other sources of revenue, would, in an elastic state of the money market, be able to convert the loan debts of the States at a less rate of interest than those at which they were originally incurred.

Senator RAE.—What need is there to go to the trouble to convert book entries? The honorable senator said just now that they were nothing but book entries.

Senator ST. LEDGER.—If the Commonwealth Treasurer, in one of his deliverances, were to tell the bond-holders that these debts were only book entries——

Senator RAE.—It was the honorable senator himself who said so, just now!

Senator ST. LEDGER. — Honorable senators opposite are simply insulting themselves when they misunderstand an argument in that fashion. I said that these loans were practically book entries so far as the State Treasurers were concerned. I also said that these book entries were not so much debts as debits. My reason for making that distinction was to mark the difference between what people commonly called our "national debt," and what is really implied by the term "book entry." When you have assets of a reproductive character standing against loans, and when those assets are more than paying interest on the loans, it is not fair, nor is it sound bookkeeping, to regard those loans as debts, though it is sound to put them on the debit side of the account.

Senator GIVENS.—Does not the honorable senator think that the State Governments have been the principal opponents of the Commonwealth in regard to the conversion of the State debts?

Senator ST. LEDGER.—I am not aware that that is so. It has been pointed out repeatedly that, by the conversion of the debts at lower rates of interest, there would be a saving of £7,000,000 to the respective States; and, further, by the establishment of a sinking fund, it would be possible, in fifty or sixty years, to extinguish the debts altogether. That is surely a financial operation that it is desirable to accomplish. The subject has been referred to the people by referenda, discussion and criticism have taken place with regard to it, and the electors have authorized the transfer of the State debts to the Commonwealth. But, hitherto, no Commonwealth Government has had sufficient confidence in our financial soundness to put to the test statements made before we entered into Federation, as to whether or not we can assist the credit of the States, and, at the same time, maintain our own credit by at once promulgating a scheme of conversion.

Senator RAE.—What is the use of taking over the present debts if the States are going to establish new ones immediately after?

Senator E. J. RUSSELL.—How would the honorable senator establish a sinking fund?

Senator ST. LEDGER.—A sinking fund is established simply by the insertion of a a short section in an Act of Parliament authorizing a loan.

Senator E. J. RUSSELL.—Does not the honorable senator anticipate being able to establish a sinking fund by savings by conversion?

Senator ST. LEDGER.—Certainly.

Senator E. J. RUSSELL.—But the honorable senator, the other day, quoted Mr. Coghlan to prove that the Commonwealth could not borrow more cheaply than could the States.

Senator ST. LEDGER.—How the honorable senator mixes up things! The proposition is frequently advanced from the other side that the conversion of the State debts cannot take place until the States are restricted in regard to further borrowing. It is said that the Commonwealth should have the money market to itself. That was what Mr. Coghlan's statement, furnished to his own Government, was directed against. I agree so far with Mr. Coghlan that, rather than attempt the conversion of the State debts at the price of restraining the States from going into the market to borrow further, I would take no action in the matter at all.

Senator E. J. RUSSELL.—What was the honorable senator's object, then, in quoting Mr. Coghlan the other day?

Senator ST. LEDGER.—I do not know whether the honorable senator recollects the quotation, and how I applied it.

Senator E. J. RUSSELL.—I have done the honorable senator the justice of reading his speech.

Senator ST. LEDGER.—Then, it is not my fault if the honorable senator fails to understand my point. The quotation from Mr. Coghlan was clear and distinct. At that time, a clamour was being raised against the States for their borrowings. It was urged that the Commonwealth Parliament was about to undertake the conversion of the State debts, and that the reduction

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of State indebtedness could not be successfully carried out unless the States were restrained from further borrowing. That has been the bone of contention throughout. I do not believe that the present Government would be allowed by its supporters to attempt the conversion of the debts, unless it secured power to restrain the States from going into the loan market. There is another matter to which I wish, briefly, to refer. This also arises out of questions which I have asked. It relates to the expenditure of the present Government upon immigration. I speak from memory, but I think that the Government has spent about £15,000, and that £20,000 is the sum which was voted for the purpose. I admit, at once, that the expenditure of the Government on immigration, in comparison with the expenditure of past Governments, reflects very creditably upon them. Expenditure in this direction is in a high degree judicious and necessary. Of the £15,000, £5,000 was spent on publications printed in Australia and distributed elsewhere; whilst £10,000 was spent in Great Britain for similar purposes, and in connexion with the agency at the High Commissioner's office. To the further question, whether any money was spent anywhere else, the Ministerial answer was in the negative. Though there is a temptation to follow Senator Rae's remarkable utterance with regard to immigration and its relation to the Australian labour market. I do not wish to follow him. I do, however, wish to say that, when we talk about immigration to this country, we are not talking about the importation of labour only. We are talking about the necessity of bringing people of every class. To suppose that the object is to flood the labour market, is wilfully to misunderstand the position. Population is needed by Australia in the interest of her own safety. An important cablegram, which has recently been published in the newspapers, bears upon this point. We read that the Japanese Government is about to apply itself to the building of a Navy in the Pacific, which will be little inferior to the Navy of any European Power, excepting Great Britain herself. In other words, Japan intends to take the command of the Pacific if she possibly can. At present she is our ally. How long she will remain our ally we do not know. But it is no disrespect to the Japanese to say that they, and other nations, are looking with envious eyes towards this unpopulated country. We cannot continue to keep Australia in this conditon for fear of Senator Rae's spectre about the labour market. The question of population, and the question of the sufficiency or the insufficiency of labour, are in no way related. We are bound, as a matter of high policy, to see to it that the population of Australia is rapidly increased. To raise 5,000,000 of people as quickly as possible to 10,000,000 or 15,000,000, is the first great task of statesmanship in this country. If we do not solve the problem, we shall continue to present Australia, with its vast unpopulated areas and its immense resources, as a provocation to every country in the world. Therefore, looking at the matter from the high national point of view, we cannot allow that policy to be interfered with by talk about the congested or uncongested condition of the labour market. Unfortunately, whether there are five millions or forty millions of people in the country, there will still be unemployed. There will always be men looking for jobs, and there will always be jobs requiring men. I have never heard of a Government on earth, and I cannot conceive of a Government that will ever exist, that could solve that difficulty satisfactorily, so that it would be able to say that for every job there was a man and for every man a job. But the fact that there will always be some unemployed is entirely apart from the great national question that confronts us. The greatest of duties and obligations resting upon us is that the number of people in this country shall be increased as rapidly as possible. I should have thought that this argument would appeal strongly to the High Tariff party. They ought to realize how economically desirable it is to increase the population of the country. The best market we can have is our own home market. If there is anything economically sound in the Protectionist doctrine, it is that the best way of building up your home manufactures is to increase your home market. Unless we have an increased population in Australia, the Protective policy cannot be effective. The very best way to make that policy effective, from the point of view of manufacturers and artisans alike, is to develop the home market by increasing the population and so keeping up a continuous demand for our manufactures. I cannot understand any Protectionist, whether he is representative of the workers or of the manufacturers, who does not urge upon every Government incessantly the necessity of adding rapidly

to the population, because the most remunerative of all users of manufactured products are the consumers in the home market.

Senator E. J. RUSSELL.—Hear, hear; you are coming on to good ground now.

Senator ST. LEDGER.—I am putting the Protective policy as soundly as the honorable senator has done.

Senator E. J. RUSSELL.—It is a pity that your votes have not been as sound.

Senator ST. LEDGER.—I do not suggest that that is the first and last necessity. I hope that when we do get the Tariff, which seems to be the skeleton in the closet with this Government, we shall use this very argument against my honorable friend. When I was a little more than a schoolboy I undertood the proposition which I have put. But that to me, although it is a pretty strong reason in itself, is not a reason why I should go on assenting to higher and still higher duties. Even if I were economically wrong in not supporting the Protective policy of various Governments on that point, I am glad to hear from Senator E. J. Russell that on the other ground I am sound. It is almost the corollary of Protection itself that we should build up rapidly our population. I am astonished to find Protectionists on the other side who, whenever we call for further means to increase the population, try to block us and speak about the introduction of people as a deliberate attempt to flood the labour market. To speak of these two things in the one breath is to speak with a contradictory tongue. It is almost as foolish as to say to a lad in the one breath, "It is hardly necessary that you should learn to swim, but there is one thing you must never forget—you must never go near the water." The two things cannot stand together.

Senator LONG.—Or, to use another simile, it is like an anchor which is always in the water but never learns to swim.

Senator ST. LEDGER.—I hope that in this matter the Government will learn to swim. I trust that they will not give undue prominence to the vexed questions of the bringing of people into the country and occasional unemployment on the part of the worker. The two things are not necessarily correlated. If there is unemployment in the market the introduction of people who will be industrious will mean an addition to the consuming resources of the country, and will, indirectly, promote labour. Further than that, the most powerful magnet you can have for attracting capital is that of population. Capital always follows population. If the doctrine of Senator Rae is sound, how does he explain the fact that there is not a country to-day which has gone ahead faster than has Canada during the last six or seven years? And in the influx of population it is still going ahead by leaps and bounds. The rates of wages have never been so favorable to the labourer in Canada as they are to-day, when it is carrying out strongly its immigration policy. I believe that great as the resources of Canada are, they are in some respects almost insignificant as compared with our resources. If Canada and the United States of America have not suffered—and they have not suffered—from the point of view of labour and industry generally, how can it be said that if we were to bring in thousands exactly the opposite result would be produced? The fact is that on the question of borrowing money and encouraging immigration the Government are obsessed with the craven fear of being great. We on this side believe that our country can absorb millions of the finest population, and many of those millions will find in Australia as good homes as they can find anywhere on earth. They will find here a Government which will insure, not only to the worker, but to every class, as fair a chance of advancement and promotion as any other Government can offer.

Senator McCOLL (Victoria) [3.6].—I join with other speakers—and they do not all belong to this side of the Chamber—in objecting to the late introduction of this Bill. I can remember that at one time this was an opportunity for the Government of the day to declare their policy to a considerable extent, and for a searching examination of the public finances. But the introduction of a Supply Bill seems to be regarded as a mere matter of form. We are expected to rush this Bill through practically under duress, because, if it goes over to-night, the public servants will have to wait for their money. It is not a fair way of treating the Senate. It is little wonder that we hear, all round, talk about the decadence of the Senate. Not only are we criticised in leading articles in the press, but our fellow members go about the country saying that the Senate is a useless encumbrance on the body politic, and ought to be swept away. All these things tend to lower the Senate in public estimation. Unless honorable senators are prepared to stand up for the right

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of the Senate, to have the public business done in a legitimate manner, to see that revenue and expenditure are properly criticised, it will simply sink lower and lower in public opinion. I do not propose to occupy very much time to-day. I do not often trouble the Senate with a speech, but there are a few matters to which I wish to call attention. I join with Senator Millen in protesting very strongly against the manner in which the competitive designs for the Federal Capital are likely to be treated. I feel that the Commonwealth is in a somewhat disadvantageous position with a man like Mr. O'Malley at the head of the Home Affairs Department, and having full control of this matter. I hope that the Cabinet will take it into their own hands and see that a Board is appointed which will be competent to examine the designs and report on them, and will not leave the Minister of Home Affairs to be the final arbiter. It will be nothing short of a calamity, I think, if, as is threatened, the leading architects, builders, and engineers of the United States of America, Great Britain, and Australia, are shut out of this competition. Ours is the latest capital to be built, and so we ought to employ for this purpose the best skill and talent that we can secure. The Minister of Home Affairs professes to know everything, and talks of the great work which he has done.

Senator W. Russell.—And so he has.

Senator McCOLL.—The earliest reference I find in *Who's Who* to the man who manages the Home Affairs Department is to his arrival in this country. If he had carried out stupendous works, as he claims to have done, and was such a great man in the country from which he came, surely there would be some reference in the book to his career in that country.

Senator Needham.—Is there any reference in *Who's Who* to the work of any other men whose names are mentioned therein?

Senator McCOLL.—Yes.

Senator Needham.—Who are they?

Senator McCOLL.—In many cases the honorable senator will find such references.

Senator Needham.—By men who wrote their own biographies. It shows how modest Mr. O'Malley is.

Senator McCOLL.—I had hoped that on this measure we would have had a definite statement made in regard to the Government's policy on immigration. During the recess I travelled 300 miles about the north of Victoria, and since then I have been over New South Wales for a few hundred miles, and everywhere the cry is for more workers. We cannot get our lands cultivated and dairies carried on because of the scarcity of labour. There has lately been published a report by Mr. A. B. Piddington in which he, after having gone carefully into the matter, without political or trade bias, recommends that there should be imported 3,247 workers, namely, 1,722 men for the Sydney metropolitan area; 205 men for the country; 416 men for the Government Dock; 255 men for railway construction and maintenance; and 550 female workers. His recommendation does not include any rural workers, that is, men who are required to develop the country, to work our farms and dairies, in order that we may have that measure of production of which the country is capable. I admit that previous Governments have not faced this question as they should have done, but I hope that the present Government will take it in hand. I am not satisfied with the way in which the question has been treated. In my opinion the exhibition of the beautiful picture, a copy of which is exhibited in the Queen's Hall, will not attract one person to the Commonwealth. If we had representations of farm life and products it might have some effect, but certainly that picture will not. If we want people to come here we shall have to pursue the same policy as Canada and the United States of America.

Senator W. Russell.—The trouble is to get ships to bring persons out.

Senator McCOLL.—You will always get ships if you have the freight.

Senator W. Russell.—If we have a drought for a few years where will they be?

Senator McCOLL.—I notice that there is a large increase in the expenditure on the Post and Telegraph Department. According to a statement which has been laid before the other House, the increase since the 1st January, 1910, has been £79,700, distributed in the following manner:—Telegraph messengers, £18,000; telephonists, £18,000; letter-carriers, £13,000; mail drivers, £600; assistants and postal servants, £17,000; linemen, £6,500; mechanics, £6,000; and monitors, £600. The ultimate increased cost for these classes of officers will amount to £107,000. I do not intend to raise any objection. I have no doubt that all the increments were deserved

and that we are doing, perhaps, tardy justice to a number of valuable public servants. But I do object to the fact that the increases are confined to persons employed in the towns—that is in places where a number are bound together, who have a certain amount of political influence —while nothing is done for poorly-paid persons anywhere else. A little while ago I raised the question of the mail services. I do not intend to raise it again to-day, but I wish to refer to the case of the receiving officers. They are not mentioned in the *Postal Guide*, and, therefore, I do not know the number. There must be some hundreds who are taking mails on two, or three, or four, or five, or six days a week. The highest rate paid is £8 a year, and the lowest is £1. That is simply a scandal. If it is desired to do justice to those who are in the centres of population, I ask the Government to lay before the Postmaster-General the condition of the people in the country, and pay them something better than the mere pittance which they now get. I think that for being always in attendance for mails, the least allowance which the Department should pay is £5 a year, and I commend that suggestion to the Government. Had the Minister of Defence been here this afternoon, I should have asked for some information regarding the retirement of certain officers a few months ago. As the matter was put to me —and I may mention that it was not put to me by any one who has been retired, as I have not spoken to any of them—it seems to me that a very great hardship has been inflicted on a number of men who have rendered splendid service—one man had left the country for Africa, and done magnificent work there—by retiring them several years before their time. To some of them pecuniarily it did not matter, because they had means, but to others the retirement came like a thunderclap. They had made no provision; they thought that they had five or six years' salary to look forward to. It was most unjust to come down on them without warning and dragoon them out of the service.

Senator McGREGOR.—Tell us the names of some who had five or six years of salary to look forward to.

Senator McCOLL.—Some men were retired at 56 and 57 years of age, who had expected to be retained until over 60.

Senator McGREGOR.—I do not know them.

Senator McCOLL.—I can deal with the point on another occasion. I am bringing the matter forward to-day in order that we may have justice done. I am told that some of these men did not receive the courtesy of an official notice that they were to be dispensed with. Whether that is so or not I am not prepared to say. I join with Senator Gardiner in taking exception to the number of items marked "Contingencies." Under 200 items in the schedule between 90 and 100 are marked "Contingencies." If the accountant to a company were to prepare a statement for its shareholders in which nearly half the amount involved was put down as "Contingencies," it would be returned at once with a request that the details be supplied. In the future we should be supplied with the fullest details. I think, too, that the points which have been raised by Senator St. Ledger ought to receive the serious attention of the Government. That honorable senator devotes a great deal of time to the preparation of information for the Senate, and his remarks concerning the note issue are worthy of the closest scrutiny.

Senator CHATAWAY (Queensland) [3.16].—There are one or two matters to which I desire to refer before the motion for the first reading of this Bill is agreed to. In the first place, I wish to direct attention to an extraordinary article which appears in the *Standard of Empire*—a newspaper in which the Commonwealth advertises largely—in regard to the press cable service, that the Commonwealth is subsidizing. This matter might not be of so much moment if the *Standard of Empire* were not a paper of such high standing, and if it did not excuse the article in question by declaring that the Commonwealth Government are manufacturing war scares by the aid of this press cable service, in order to encourage the people of Australia to adopt compulsory military training.

Senator FINDLEY.—We have adopted that principle already.

Senator CHATAWAY.—The *Standard of Empire* of 8th September of the present year—the last issue which has reached Australia—in an introductory paragraph, apparently editorial, says—

> An Australian in London writes asking if he may be permitted to draw attention in England to what he regards as the "dangerous misleading of Australian public opinion." It must, of course, be remembered that the most intelligently patriotic section of the community in Australia has had, and may still be said to have, a great task to perform, in arousing in the minds of the Australian public a full and alert sense of

citizen responsibility for National and Imperial defence. Australia's isolated position and sparse population make very urgent indeed the need of public-spirited realization and action where defence is concerned. We feel that these facts should be borne steadily in mind in judging the tenor of newspaper interpretation of despatches dealing with an undoubtedly critical situation. We print our correspondent's statement hereunder.

This is the article in question—

If the people of Australia paid much regard to the cable service of the new Independent Association they ought to have been greatly alarmed over the information supplied by that organization respecting the Morocco crisis. The two daily papers served by the Independent service are the *Sydney Sun* and a new Labour paper, the Adelaide *Herald*. These and some weekly papers publish syndicated cablegrams, in all respects alike. The news is mostly gathered at Vancouver from Transatlantic sources, and cabled across the Pacific at threepence a word. Press messages from England cost ninepence a word.

The cablegrams selected in Vancouver from Transatlantic sources (unfortunately Canada is largely served by United States organizations) frequently show a tainted origin, and are sometimes absolutely groundless.

On July 29 there appeared the following, with big double-column headlines: "Is it War?" "Moroccan Crisis." "Fleet and Army Preparing." "Serious Outlook." And then these words, displayed in heavy type: "An official cable was received in Sydney yesterday to the effect that Great Britain had issued an ultimatum to Germany on the Moroccan question." Next came a few words setting forth Mr. Asquith's statement of July 27, and more headlines: "Immense Excitement." "Prepare! Prepare!" "The excitement in London reached an unusual pitch of intensity when it became known that 'rush orders' had been sent by the Admiralty to all the naval depôts. Similar orders have been sent from the Horse Guards to the Woolwich Arsenal. These sensational actions have convinced the British public that 'the day' long toasted by German officers is very near, and may possibly come before many hours are over."

I would remind honorable senators that this is the sort of stuff for which the Commonwealth is paying £2,000 per annum. The article proceeds—

This is followed by another scare headline: "Bitterness in Germany," and the sentence: "Mr. Asquith's speech has not been well received in Germany, and armed class bitterness has been displayed over it." Another big headline is: "Volunteers Mobilising," and the cablegram proceeds: "As the Volunteers are mobilising for the annual manœuvres Britain will be found with her Army primed and ready. Throughout London the excitement is intense, and eager crowds are watching the bulletin boards for the final word. The King is positively ill with worry and fatigue over the foreign tension, and the constant conferences that he has been holding."

Still more startling was the news published in this Adelaide paper on July 31. Two or three inches of headlines contained such statements as: "Remarkable International Activity," "British Fleet under Full Steam," "France Hopeful," "Germany and Lloyd George." Then followed a telegram, professedly from "Paris, dated July 29":—"All the French cavalry regiments have been ordered to be in readiness for active service, and train-loads of arms, munitions, and provisions are being rushed to the forts along the German frontier. Also leave of absence for all soldiers has been cancelled." Then comes a cheerful ray of sunshine in a cablegram from London, under the usual heavy-typed headlines, "A Hopeful Sign." And this is the sign:—"The King has definitely arranged to attend the regatta at Cowes. This is regarded as a hopeful sign. Also, the Ministers are preparing to leave town for the week."

Nevertheless, the clouds have not wholly rolled by, for we read in the next sentence, under more crushing headlines: "Throughout last night Portland Harbor was a hive of industry. Orders were given to the First Division of the Home Fleet, including the Dreadnoughts attached thereto, that all provisioning and coaling should be completed at 5 a.m. The orders were obeyed to the letter, and at 4 a.m. the last ship signalled 'All ready.'" Next follows a most disturbing announcement, dated London, July 30, to the effect that "Germany has demanded the dismissal of Mr. Lloyd George for his bankers' banquet speech on the intentions of the British Government." Though the newspaper in question admits that this story requires confirmation, it compares the incident to the dismissal of M. Delcasse on Germany's demand in connexion with Moroccan affairs six years ago. On the following day the *Herald*'s cablegram from London, dated July 31, reverts to the fate of the Chancellor of the Exchequer. It sets forth that "telegrams from Berlin contain indications that there was some truth in the story that Germany may demand Mr. Lloyd George's dismissal. This is causing increased bitterness in some quarters against the Germans." In the same telegram Australia is told that the Second Destroyer Flotilla has left Portland with sealed orders, and it is popularly supposed they are going to Agadir. It is sententiously added: "Many people regard this as a serious move."

This is the comment of the paper—

This is curious stuff with which to feed Australian readers, and the circumstance is the more remarkable when we remember that the new cable service is supported by the Federal Government of Australia. The Commonwealth Parliament grants it a subvention of £6,000, spread over three years. That sum was advanced on the demand of Labour members. The political intelligence sent from England by this service is equally grotesque with anything above described.

Senator W. RUSSELL.—Do the Government advertise in the *Sporting and Dramatic News?*

Senator CHATAWAY.—Not to my knowledge. I have absolutely nothing whatever to do with that newspaper, though I have often had occasion to quote the remarks made by Labour members which have appeared in it.

I did so in the recent referenda campaign, and the result seems to have justified my action. Is it reasonable that we should subsidize a press cable service which produces such absolute rubbish as that which I have read?

Senator FINDLEY.—It is a far better service than is the other one.

Senator CHATAWAY.—My honorable friend is evidently a partisan. He is a newspaper man, and believes in publishing that which will sell best. But I do not believe in endeavouring to manufacture public opinion here by raising war scares about happenings in Europe.

Senator FINDLEY.—That is what the daily newspapers have been doing ever since they came into existence.

Senator CHATAWAY.—Then, why should we subsidize a cable service to enable other daily newspapers to do the same thing?

Senator FINDLEY.—We have only the honorable senator's statement that they are doing it.

Senator CHATAWAY.—My honorable friend has the best possible evidence of the accuracy of my statement. If he can get all the war scares that he wants from the daily newspapers, why should we subsidize another cable service to manufacture new scares. The other day I asked a question to which I did not receive a clear reply. It had reference to sending to England a number of men to be trained in naval matters. My information is that we sent Home a considerable number of men to be so trained, and that, since their return to Australia, these individuals, who cost the Commonwealth at least £25 and £30 each—probably a great deal more—have left the service. As a matter of fact, we have had on our torpedo-boat destroyers what is little better than an absolute mutiny. The greater number of the men on board those vessels have turned round to the Government and said, "We wish to leave the service," and the Government have allowed them to do so, although they were under agreement to serve for a considerable time. This matter of discipline in our Defences Forces is not a small one. I referred to it the other day in connexion with the publication of a certain article which urged insubordination amongst our Cadets. Upon that occasion the Minister of Defence, and others, declared that I had gone too far, and that I was attempting to make a mountain out of a molehill. But what are the facts? An article appeared in a newspaper called the *Pioneer*, which is published at Mackay, in Queensland, on 9th September last. Three weeks later the *Standard*, another journal which is published in the same town, contained the following paragraph—

> The insubordination among the local detachment of cadets grows more serious, and the most stringent measures should be adopted to put down the gross insolence that is displayed by the children. On Monday night one of the officers was subjected to a most discreditable attack after leaving parade, the cadets following him and hurling various epithets at him, accompanied by not a few stones. Last night during drill, at intervals, eggs were thrown at the officers—

It is to be hoped that, at least, they were fresh ones—

> in such a manner as to render the detection of the culprit impossible, but the co-operation of parents should be secured to put down these unseemly acts of lawlessness. A few constables at the parade ground might have a good effect.

I ask the Senate to picture to itself this great Australian Government, with its wonderful military system for the training of our people, calling in the State police to keep order and prevent the cadets throwing eggs at their officers.

Senator O'KEEFE.—The Government do not suggest that. That is the suggestion of other persons.

Senator CHATAWAY.—No; what the Government suggest is that I should hold my tongue, and say nothing about the matter. That is what the Minister of Defence suggested the other day. This difficulty is not becoming less serious, as the Minister anticipated, but more serious, since the publication of the article to which I referred on a previous occasion. Numerous instances have occurred in different parts of the country in which cadets have been fined for one form or another of insubordination and insulting behaviour. I notice that, according to the Brisbane *Daily Mail* of Saturday, 7th October, a case was inquired into at Townsville in which a boy pleaded guilty to a charge of disobedience and insolence to his officer on parade. The magistrate imposed a fine of 1s., with professional costs amounting to £1 1s. The Commonwealth Government are collecting fines and costs from the unfortunate parents of these lads, who have been instigated by seditious and really treasonable articles, to cheek their officers.

Senator MILLEN.—Articles which the Government will not suppress.

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Senator CHATAWAY.—But here is the most delightful part of the whole business: The magistrate in the case I have just referred to warned the defendant—this small boy of thirteen or fourteen years of age, who put out his tongue at his officer on parade—that he must understand clearly that, in the event of a similar offence in the future, the punishment would be much more severe, and he reminded him that he had power under the Act to impose a sentence of three months' imprisonment. I ask the Government, in all seriousness, if they intend to permit magistrates to commit children to gaol for three months rather than take action to suppress the seditious utterances of grown-up people, who ought to know very much better than do what they are doing? The longer the matter is left undecided, the worse things will become. The practical desertion of large numbers of men from the torpedo flotilla is only an indication of the way in which the spirit of insubordination is spreading in the ranks. If military training is to be placed on a proper footing, the Government must insist upon discipline, whether it costs them votes or does not. Another matter to which I should like to refer is the curious position which has arisen in connexion with our postal rates. We have a penny postage on letters, and also on post-cards, which, of course, is absurd. I get many post-cards from the Old Country, and they come out for a half-penny postage. I ask whether the Government intend to take any action to remove this anomaly. A card with the words "post-card" printed on it can only be sent through the Post Office on payment of 1d. postage, but if these words do not appear upon it it can be sent through the post for ½d.

Senator MILLEN.—The same card?

Senator CHATAWAY.—Yes. One has only to scratch out the word "post-card," and write "Printed matter" in its place, and it can be sent through the post for ½d. I discovered this in the following way: Not very long ago I had occasion to change my residence, and I thought it would be a good idea to send cards to various people I knew notifying my change of residence and my new address. I got a number of cards printed, and had one taken down to the post-office in Melbourne to find out what it would cost to send it through the post. I was told that if the word "post-card" appeared on the card the postage would be 1d., and if those words did not appear upon it the postage would be ½d. I sent 400 or 500 of these cards through the Post Office for ½d. each. This is a matter which the Vice-President of the Executive Council might very well bring before his colleague the Postmaster-General. It is a silly, stupid sort of thing, which should be remedied. There are many other stupid things in connexion with the Post Office, but this particular stupidity seems to have been created by the introduction of penny postage on ordinary letters. At present it costs a man, in the ordinary way, as much to send a post-card through the Post Office as to send a half-ounce letter. I did not hear the whole of Senator Gardiner's remarks, but I learned from him subsequently practically all that he said, and I must say that his observations were very much to the point. This Parliament has pretty well, if it has not already completely, lost control over the finances of the Commonwealth. I took up a newspaper a few days ago, in which I read that the cost of running the Post and Telegraph Department had been increased by from £70,000 to £100,000 a year. This was due to increases of salary. I am not saying whether the salaries should be raised or lowered, or kept as they are.

Senator W. RUSSELL.—If these cards are to be delivered for ½d. each, can the honorable senator wonder at the increased cost of running the Department?

Senator CHATAWAY.—Senator W. Russell is an old card himself, who has done pretty well. Apparently the honorable senator has just woke up, and is trying to fit something which I said ten minutes ago into what I am saying now. I do not say that because cards may be sent through the Post Office for ½d. each we should lower or raise or keep as they are the salaries of postal officials. The statement to which I have referred was a tabulated statement, and such particulars are supplied to the newspapers by the Department itself. The point is that the cost of running the Post and Telegraph Department has been increased by £100,000 a year by a Ministerial order. Parliament was nowhere in the matter. I have to go back to my constituents and tell them that the taxes must be raised to find the money required to carry on the government, while I am given no opportunity of saying whether Ministers should have incurred the extra expense which renders such extra taxation necessary. If there is one

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thing more clear than another in the history of British constitutional government it is that the Parliament must always control the public purse. One King lost his head, and another his throne, because they chose to butt up against that principle. But now King Demos is at the head of affairs, and he wants to be an absolute autocrat, with the right to spend money just as he likes, without consulting the representatives of the people. The sooner the Government are true to the promises, pledges, arguments, and opinions which they expressed when on this side, and give the Senate an opportunity, such as that given by the Deakin-Cook Government, to fully discuss the financial affairs of the country, the better it will be, not only for us and the country generally, but also for the working man, whom my honorable friend Senator W. Russell always mouths about when he is on a public platform.

Senator SAYERS (Queensland) [3.42].—I have a matter to bring before the House, and this is the first opportunity I have had to refer to it. During the referenda campaign I was in Queensland, and in what is called the far north. While there, I was shown post-offices the condition of which was a disgrace to the Department. Time after time requests have been made for repairs to old buildings or the erection of new buildings. I was shown buildings the boards of which had been so eaten through by white ants that it was possible to stand in the street and see what was being done in the office. We have been told by Ministers that the Post and Telegraph Department has been placed on a better footing. I should like to know where is the evidence of that. It may be evident around Melbourne, and within a short radius of Parliament House; but let me say that the outside districts, inhabited by the pioneers of this country, are being starved by the Department, while money is being squandered in the southern parts of Australia. I draw attention to this important matter, and to the practical rebellion in the service. The statement was made only last night in another place that the Post and Telegraph Department is now almost perfect, and is, at all events, in a far better condition than it was under any previous Administration.

Senator McCOLL.—I call attention, sir, to the fact that there is not a quorum present. [*Quorum formed.*]

Senator SAYERS.—To my surprise, I read in the newspapers this morning that the telegraphists of New South Wales had made demands against the Government and were threatening trouble. It is quite possible that there are not many honorable senators who take an interest in the matter that I have been speaking about, because the place is too far from the centre of Government. But, unless steps are taken to remedy this disgraceful state of affairs, we are likely to hear of more trouble in the Department. Whenever I mentioned this subject previously, the reply was that there were no funds. But now the Government cannot make that excuse. They have more money than they know what to do with. They are lending to the States at $3\frac{3}{4}$ per cent.

Senator NEEDHAM.—Cheaper than the States were ever able to borrow before.

Senator SAYERS.—The honorable senator's statement is incorrect. I know that a number of loans have been arranged by the States at $3\frac{1}{2}$ per cent., and a few at as low as 3 per cent. We all remember how Ministerial supporters clamoured for the rectification of grievances when they sat in Opposition. What sort of men must they now appear to the people at large when they do not say a single word to force the Government to remedy evils that they know to exist? As long as I am a member of this Parliament I intend, no matter what party is in power, to use my best endeavours to compel the Government to do what is right and just. I shall not be restrained by any party ties. I do not go to a party meeting and enter my protest against something that is proposed to be done, and then vote with the majority in favour of doing it. I claim always to be a free man; and no matter what is done at party meetings, I reserve to myself the right to express my views fearlessly upon the floor of the Senate.

Senator MILLEN.—The honorable senator should not allow himself to be drawn off the point as to what the Government are going to do with the Sydney telegraphists.

Senator SAYERS.—I do not intend to be diverted from that point. When Ministerial supporters were sitting in Opposition they drew sorrowful pictures of the hardships of widows and children of postal employés. Now they sit supporting Ministers, and are dumb. They have forgotten all their previous expressions of sympathy. But the people will not forget what they are now doing. I have protested, no matter what Government was in power, against this sort of thing, and shall continue to do so. Whenever honorable

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senators opposite meet with the case of a man who is a bad employer they denounce him. The worst employers in the Commonwealth sit on the Government benches to-day. If they liked, they could put the service on a proper footing. Their supporters, if they liked, could compel the Ministry to do so. We should not then hear of all this strife and discontent. Why should people be compelled to put up with such hardships as I have described? I know of post-offices in the north of Australia that are so rotten that one can poke his finger through the boards. If those buildings were in the suburbs of Melbourne they would be condemned by the press, honorable senators opposite would take out parties to inspect them, and Boards of Health would denounce them. Yet the Government do nothing. Another matter to which I wish to refer relates to the Defence Department. I saw that the Minister, in answer to a question, stated that the Commonwealth sent Home sixty-four men to be trained to take positions in the Australian Navy; but that since fifteen of them have left the service. That is a little over 22 per cent. What service on God's earth could be carried on under such conditions? Why were these men either dismissed or allowed to leave the service before their term was completed?

Senator Chataway.—They broke their agreement.

Senator SAYERS.—I suppose the Commonwealth Government were not prepared to make them stick to their agreement. We are spending vast sums of money on the construction of vessels in the Old Country. I had the pleasure of seeing some of them while I was there. How can we conduct a navy if 22 per cent. of the men who sign agreements leave the service before their time expires?

Senator Blakey.—Not 22 per cent.

Senator SAYERS.—The honorable senator has no right to interject; and I particularly object to his giving me the lie direct.

Senator Blakey.—Some of them were sick men, and had to leave.

Senator SAYERS.—Why is not the honorable senator man enough to stand up on the floor and say what he wishes to say?

Senator McDougall.—Do not get angry.

Senator SAYERS.—I am angry when I see men expounding one set of views when they are in Opposition, and not having the courage to maintain the same opinions when they are sitting behind a Ministry. What are we to say to the taxpayers of Australia when they ask us why these things are so? No explanation is made by the Government. We are simply told that fifteen men out of sixty-four have left this service which we spent a considerable amount of money on training them for. If 22 per cent. of our men are dissatisfied with the conditions, how can we hope to build up an Australian Navy? There must be something rotten. Either the men are not being paid sufficiently, or their treatment makes them discontented. We talk a great deal about our great Commonwealth, and of the liberality with which we are prepared to treat men. I say that this great Commonwealth is not treating its men liberally and fairly when they want to leave the service in this fashion. The Minister of Defence owes some explanation as to why there have been such a number of desertions.

Question—That the Senate do now adjourn—put under sessional order, and resolved in the negative.

Senator SAYERS.—The interjections from the other side have caused me to speak longer, and, perhaps, a little more warmly, than I had intended. To-day we have heard a lot about immigration. When I was in England a short time ago a large number of persons questioned me about the facilities which Australia offered to immigrants. The Prime Minister made certain statements on the subject. I am sorry that he made some of the statements, but, perhaps, he spoke with a fuller knowledge than I possess. I do not agree with him, for instance, that there is ample room in Australia for miners. I think that we have plenty of miners here to-day. There is ample room, however, for men who are willing to go on the land. Whenever I was questioned by persons on the subject I said, "Are you prepared to take any job you can get? If so, there is plenty of room in Australia for you, but if you want a particular job, or are not prepared to rough it, I advise you to remain where you are." There is a home for people in Australia if they like to put up with the rough usage of the bush for a few years, but if they wish to remain in towns, go to theatres, and sleep under mosquito curtains, they should stay in England. I was written to from various parts of that country. Some of the letters I took to the Queensland Emigration Agent. I mentioned that I had seen the writers, and asked him to communicate with them. I

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told him that I was advised that they were mainly farm labourers. I was interviewed on behalf of a gardener who was working about a house. His employer came to me and said, "Now that the lad is getting on in years I cannot afford to pay him a fair wage, but I am prepared to help him to emigrate to Australia if you think it is a good country for him to go to." I said, "It is, send him along to-morrow morning." When he came he seemed to be a hard-working man—just the type of man we need. We do not want men to come here to hang about the towns. If, instead of having 500,000 persons in Melbourne and nearly 600,000 in Sydney, we had a much larger number distributed throughout the country we should be a great deal more prosperous than we are. If we wish to people the land we should hold out inducements to settlers. Compared with Canada there was no inducement, so far as I could see when in England, held out to persons to come to Australia. In nearly every street, Canada announced that it was a desirable country for persons to emigrate to. In the Mall, in London, there was an arch showing the resources of that great Dominion. They also had a building where every article they produced was exhibited. But what was the position in regard to this Commonwealth. One had to climb two flights of stairs, or to go up in a lift, to find the office of the High Commissioner. Compared with the results we have obtained we have spent far too much money I think. Instead of the money being spent in a proper manner it has been frittered away, and we have got practically no return. Perhaps, in our eyes, Canada is not of as great importance as Australia. Judging by what I have seen I prefer Australia to Canada, or any other portion of the British Dominions, as a country for young men to emigrate to. We have only to look round this chamber to realize what a fine opportunity Australia offers to young men. How many men do we see here to-day who, if they had remained in their own country, would have had a chance to obtain a seat on the floor of the House of Commons? I came to this country forty-seven years ago, but young men who arrived here only a few years ago, have been in this Parliament pretty well since they landed. In Great Britain they could not win a seat in Parliament or get £600 a year there.

Senator MILLEN.—The cost of living is higher here.

Senator SAYERS.—That is a great inducement to young men to leave the plough or to drop the pick and shovel, and to come out to Australia. It is about time, I think, that the Government took steps to reorganize the Post and Telegraph Department. I do not doubt that my opinion is shared by honorable senators sitting on the other side. There can be no excuse on financial grounds. I hope that, before this session ends, the Government will take steps to put the Department on a proper basis, and to secure to those who are a long way from head-quarters reasonable accommodation and a proper scale of pay. I wish to make some remarks on the subject of old-age pensions, but very likely I shall have an opportunity to speak fully on another occasion. I find that there is a vast number of eligible persons who, for some technical reason, are unable, even after a delay of twelve or eighteen months, to get old-age pensions. It should be made as easy as possible for a man who is qualified to get an old-age pension. I have referred to the Prime Minister two letters from persons who before I left for the Old Country tried to secure an old-age pension each. I can take an oath that they are over the prescribed age, but, for some reason or other, they tell me that their application has not been approved of yet.

Senator BARKER.—Perhaps they could not get a birth certificate.

Senator SAYERS.—Surely when a man can certify that he has known the applicant in this country for forty years the authorities ought to be satisfied. These old persons do not know as much about the procedure as we do. They go to a neighbour who fills in a form and forwards it to the Department. The Government should find some means to assist the applicants. Why should persons be kept waiting for a year or two for old-age pensions? That is a hardship which I hope the Government will find a way to rectify.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [4.10].—Mr. President——

Senator SAYERS.—I call attention to the state of the Senate. [*Quorum formed.*]

Senator McGREGOR.—I regret very much that so much time has been wasted in dealing with discursive matters. In ordinary circumstances I would be very pleased to reply to the remarks of honorable senators, but, on the present occasion, I find that it would not be

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advisable to make the attempt. I can assure honorable senators, however, that when the Budget is before the Senate, and there is ample time at our disposal, I shall have very much pleasure in dealing with the matters to which they have referred today, and I am sure that my colleagues here will be only too willing to assist me. I hope that the Bill will now be read a first time and passed with expedition.

Question resolved in the affirmative.

Bill read a first and a second time.

In Committee:

Clause 1 agreed to.

Clause 2 postponed.

Clauses 3 and 4 agreed to.

Schedule.

FLAGS AND SHIELDS IN QUEEN'S HALL—PAPUA: QUARANTINE — COMPULSORY TRAINING: CIRCULATION OF SEDITIOUS LITERATURE.

Senator CHATAWAY (Queensland) [4.12].—I desire to refer to a matter which, I believe, comes more under the control of the President and the Speaker than of any one else. Some time ago we entertained Admiral Sperry, and other representatives of the American Fleet, in the Queen's Hall, in which we had put up some flags and shields. The flags are moth-eaten, collecting dust, dirt, and fleas, and everything else you can think of. They make the Queen's Hall look like the stage of a theatre during the daytime, when nobody is about. Generally they are giving to the Queen's Hall, which, I believe, is Grecian architecture, a tawdry and miserable appearance. I ask whomever may be responsible to see that these stage effects which were put up for a banquet for one evening, are taken away. The wooden shields are covered with badly-drawn lions, tigers, and other animals. All this rubbish is entirely out of keeping with the place, and the architecture of the Hall. They are a complete eyesore, not only to members of Parliament, but to those who visit the building. I hope that the Minister will bring my request under the notice of those who are responsible for the appearance of the Queen's Hall.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [4.14].—I shall bring the matter before the House Committee, which, I am sure, will do its duty.

Senator CHATAWAY (Queensland) [4.15].—The Minister has given a reply which has nothing to do with the matter. The House Committee is not the body which erected the flags and shields. I ask the honorable senator whether he will bring my request before the President and the Speaker, or whoever is responsible for the decoration of the Queen's Hall?

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [4.15].—I will make inquiries of the House Committee, and if that body be not responsible for the decorations, I will find out who is the responsible authority, and make representations in that quarter.

Senator WALKER (New South Wales) [4.16].—I should like to know whether Papua is under our quarantine law?

Senator McGREGOR.—Yes; but its administration is under a local Ordinance.

Senator CHATAWAY (Queensland) [4.18].—Will the Minister of Defence give me a more definite reply as to what action the Government propose to take in order to stop the circulation of seditious literature? The offence is not dying out, but is growing, according to the information which I have received.

Senator PEARCE.—I was not present when the honorable senator spoke, but I will take an opportunity of perusing his remarks upon the subject.

Schedule agreed to.

Postponed clause 2 agreed to.

Preamble and title agreed to.

Bill reported without request, report adopted.

Bill read a third time.

PAPERS.

MINISTERS laid upon the table the following papers—

Invalid and Old-age Pensions Act 1908-1909—Statements in accordance with Section 54 of the number of pensions granted, &c., during the year 1910-11.

Defence Act 1903-1910—

Regulations (Provisional) for the Military Forces of the Commonwealth—New Regulation 64A.—Statutory Rules 1911, No. 161.

Financial and Allowance Regulations (Provisional) for the Military Forces of the Commonwealth—

Amendment of Regulation 107.—Statutory Rules 1911, No. 162.

Amendment of Regulation 166.—Statutory Rules 1911, No. 163.

First Annual Report of the Postmaster-General's Department.

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ADJOURNMENT.

ORDER OF BUSINESS.

Motion (by Senator McGREGOR) proposed—

That the Senate do now adjourn.

Senator CHATAWAY (Queensland) [4.23].—Can the Vice-President of the Executive Council tell the Senate definitely what will be the order of business on Wednesday next. According to the business-paper to-day, the medal joke was to be proceeded with before the Electoral Bill.

Senator O'KEEFE.—Is the honorable senator in order in referring to any business of the Senate as a "joke"?

The PRESIDENT.—Senator Chataway is entirely out of order. He has no right to refer to any business of the Senate as a joke.

Senator CHATAWAY.—All I desire to know is what will be the order of business for Wednesday next.

Senator McGREGOR.—The order will be the same as that of to-day's business-paper.

Question resolved in the affirmative.

Senate adjourned at 4.24 p.m.

House of Representatives.

Friday, 13 October, 1911.

Mr. SPEAKER took the chair at 10.30 a.m., and read prayers.

POSTMASTER-GENERAL'S DEPARTMENT.

TELEGRAPH OPERATORS' DISSATISFACTION —DANGEROUS TELEGRAPH POLES— COMMONWEALTH POSTAGE STAMPS.

Mr. FINLAYSON.—The information has reached me that considerable dissatisfaction is felt by the telegraph operators in the General Post Office at Brisbane, and it is stated in this morning's newspapers that a similar state of affairs prevails at Sydney, the trouble being due to a regulation issued by the Public Service Commissioner on the subject of broken time. Has the matter come under the notice of the Postmaster-General, and, if so, will he cause such inquiries to be made as will satisfy the telegraphists that no unreasonable calls will be made on them in regard to hours?

Mr. THOMAS.—The policy of the Government is to do away with broken time as much as possible, and everything in reason will be done for the convenience of the men in the service, but the public interest must be considered.

Mr. McWILLIAMS.—Some two years ago I drew attention to the very dangerous condition of some of the telegraph poles in and about Melbourne, and I think a direct question on the subject was asked by the honorable member for Melbourne. I should now like to know whether the Postmaster-General's attention has been drawn to the sad accidents to line repairers, and whether he is aware that some of the poles are in such a state that a stick or umbrella can be pushed into them? Does the Postmaster-General intend to have a full report on the subject, and to explain how it is that the poles have been allowed to remain in this state until repairers have met their death?

Mr. THOMAS.—My attention has been called to the accidents, which we all regret very much. I must ask the honorable member to give notice of the other question he has asked.

Mr. McWILLIAMS.—There has been two years' notice of the question already.

Mr. HIGGS.—Will the Postmaster-General depart from his usual practice of asking for notice, and inform me what has been done with regard to the designs for Commonwealth postage stamps?

Mr. THOMAS.—Applications for designs were asked for, and an expert Board was appointed to judge them. It made its report, and although the Government does not bind itself to adopt the designs declared by the Board to be the best, it has paid the prize money to those who submitted them. We hold ourselves free to adopt those, or any other designs.

DIRECTOR OF PHYSICAL CULTURE.

Mr. RYRIE.—Will the Minister representing the Minister of Defence arrange for the laying on the table of all papers relating to the appointment of Mr. Petersen to the position of Director of Physical Culture?

Mr. FRAZER.—I shall speak to the Minister on the subject. I do not think there will be any objection to the production of the papers.

PRIVATE MEMBERS' BUSINESS.

Mr. GREENE.—Was it not understood yesterday, when members consented to give up the time usually allotted to private business, that the Government would later

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afford an opportunity for the discussion of that business? Will the Government afford that opportunity to-day?

Mr. FISHER.—I promised to give an opportunity for the discussion of private business, and the promise will be kept. I did not think that the whole of yesterday's sitting would be occupied with the consideration of the Supply Bill.

Mr. GREENE.—When will an opportunity be given for the consideration of private members' business?

Mr. FISHER.—On some occasion which will suit both the Government and private members.

SMALL ARMS FACTORY.

Sir JOHN FORREST.—Will the Minister representing the Minister of Defence arrange to place on the table a statement showing the exact position of affairs in connexion with the Small Arms Factory at Lithgow? A number of questions have been asked, and we should have some definite information. I want to know how much the contractors are behind their time, and when finality will be reached.

Mr. FRAZER.—If the right honorable member will ask definite questions, the Minister will reply to them, and if he is not satisfied with the answers, I promise to make a statement during the consideration of the Estimates which I think will satisfy him.

Sir JOHN FORREST.—When will the factory be finished?

Mr. FRAZER.—I cannot say off-hand, but I shall obtain the fullest information.

NORTHERN TERRITORY LIQUOR LICENCES.

Mr. McWILLIAMS.—Will the Prime Minister have a return prepared showing the number of licences issued during the last three years for the sale of liquor in the Northern Territory, and the dates of issue?

Mr. FISHER.—Yes.

FEDERAL CAPITAL.

Mr. HIGGS.—I want the Minister of Home Affairs to make it clear whether he has any intention of deciding himself to whom prizes shall be given in connexion with the designs submitted for the Federal Capital?

Mr. KING O'MALLEY.—Certainly not. The position now is this: The architects, whose work plays only a minor part in town planning, wish me to bring an architect from England and another from America to form a Board to judge the designs. We propose, however, to appoint a Board consisting of an Australian architect, an Australian engineer, and an Australian surveyor, all members of Australian Institutes.

Mr. FISHER.—That Board will make recommendations to the Government.

Mr. KING O'MALLEY.—Yes, and the Government's decision will be final. We are not going to appoint a Board forthwith. If we did, its members during the next six or seven months would be chased and hunted by persons endeavouring to persuade them to give decisions which might not be right.

Mr. JOSEPH COOK.—Does the Minister consider that it is not the function of an architect to decide the location of a building?

Mr. KING O'MALLEY.—The location of buildings will come later; then the architects will be in their element.

Mr. HIGGS.—It is not clear to me what will happen after the Board has decided that, in its opinion, certain designs are the best. Will the awarding of the prize or prizes be left to the Board, or to the Minister? If the Minister or the Government is to determine who shall get the awards, he or it will be the judge of the designs.

Mr. FISHER.—Whenever an expert Board is appointed to advise, the final decision is with the Government. Sometimes two designs are held to be equal, or nearly so, and the responsibility of choosing between them must rest with the Government. If a mistake is made, Parliament can apply the corrective.

Mr. JOSEPH COOK.—Is the Minister of Home Affairs prepared to make a statement regarding the selection of the engineer and surveyor whom he proposes to appoint for the preliminary surveys and investigations? Will he receive a nomination from the Institute of Engineers, and another from the Institute of Surveyors, or will he make appointments without consulting those bodies?

Mr. KING O'MALLEY.—We shall ask the Institutes to make nominations.

PAPERS.

MINISTERS laid upon the table the following papers:—

Defence Act—Military Forces—

Regulation No. 64A (New)—Provisional Statutory Rules 1911, No. 161.

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Defence Act—Military Forces—*continued.*

Financial and Allowance Regulations Amended (Provisional).

No. 107 (*b*)—Statutory Rules 1911, No. 162.

No. 166—Statutory Rules 1911, No. 163.

Invalid and Old-age Pensions—Statement in accordance with section 54 of the Invalid and Old-age Pensions Act 1908-9.

Meteorology Act—Regulation No. 1 further amended—Statutory Rules 1911, No. 164.

WRECKS ON THE NEW SOUTH WALES COAST.

Mr. JOHN THOMSON.—In view of the frequent wrecks and fatalities on the north coast of New South Wales, one of which is reported only this morning, with practically the loss of all hands, in addition to another a few weeks ago, with even more disastrous results, will the Minister of Trade and Customs make inquiry whether there are sufficient lighthouses, and whether proper appliances for saving life are provided?

Mr. TUDOR.—The Commonwealth has control of the lighthouses, but at the present time the lighthouse expert is in quarantine as passenger on a small-pox-infected vessel. New South Wales and the other States of Australia will be visited as soon as possible, with a view to seeing that the coast is properly lighted. As to the provision of life-saving appliances, and so forth, the Commonwealth has not the slightest control.

Mr. JOHN THOMSON.—Seeing that the lighthouses are under the control of the Minister of Trade and Customs——

Mr. TUDOR.—Not yet.

Mr. JOHN THOMSON.—In view of the fact that the lighthouses will almost immediately come under his control, will the Minister see that so important a branch of the Public Service is not dependent on the chance of one officer being prevented from performing his duty, even by being quarantined?

Mr. TUDOR.—The Lighthouses Bill is not yet law, but I took the unusual course of appointing an officer in anticipation in order to have inquiries made. This step will, I think, result in the work being forwarded by at least twelve months.

METEOROLOGICAL REPORTS.

Mr. GROOM asked the Minister of Home Affairs, *upon notice*—

Whether he will inform this House what steps, if any, have been taken since December of last year to improve the transmission of meteorological data by telegraph?

Mr. KING O'MALLEY.—The reply to the honorable member's questions is as follows:—

In January last, the Postmaster-General's Department was asked to extend to the other States of the Commonwealth the system obtaining in New South Wales of transmitting data from important country centres, and in August last ten additional rainfall stations were added to the list in Queensland. It was, however, intimated that owing to congestion of telegraph lines in dealing with ordinary business no greater extension of free use of the lines could be agreed to. The Meteorological Bureau is fully seized of the importance of giving the greatest publicity to weather information, and is constantly seeking the aid of any likely means of distribution, but in view of the representations of the Postal Department, that it is not feasible at present to further use the telegraph lines for meteorological purposes a satisfactory solution is difficult to arrive at. The Postmaster-General's Department estimates the annual value of services carried out on behalf of the Meteorological Bureau at £50,000.

KALGOORLIE TO PORT AUGUSTA RAILWAY BILL.

In Committee (Consideration resumed from 11th October, *vide* page 1293):

Clause 6—

The Minister shall not be required to fence any portion of the railway, but he may erect and maintain such fences in connexion therewith as he thinks proper.

Mr. GLYNN (Angas) [10.51].—I desire to call attention to a matter which, though of comparatively minor importance, requires looking into. The clause means that if it is not necessary throughout the great length of line to fence every part the Minister need not do so. In the State Acts, however, provision is made for protecting the public by making level crossings, and so forth; and we should not construct this line without reserving to the public all the rights they have under State legislation. Section 18 of the Northern Territory Act 1910, which, of course, is not applicable to Western Australia, contains a provision that the Commonwealth, in the "construction, maintenance, and working" of any railway required or authorized by the Act in South Australia shall be bound by the Railway Construction Acts of the State and the laws relating to State railways to the same extent as the State is so bound. I notice that by some oversight the word "maintenance" is left out of this Bill, and that the word "construction" is not defined so as to include maintenance. Until we alter the law we are, so far as South Australia is concerned, subject to all the liabilities

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imposed on the Railway Commissioners of that State, and those liabilities include the provision of level crossings for stock, and so forth. I do not wish to move an amendment, because that might embarrass the Government, but merely draw attention to the matter so that it may be considered.

Clause agreed to.

Clause 7—

The Minister may utilize in the construction and working of the railway line engines worked by steam or other mechanical power.

Mr. FENTON (Maribyrnong) [10.55].—An important question of policy may be involved in this clause. It may be desired to use oil and other engines; and I should like to know whether it is the intention to import these or have them made locally. I should like an assurance that, as far as practicable, and, I hope, altogether, the engines will be constructed here.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [10.56].—I can assure the honorable member that there will be no difficulty in that matter. This Government believes in doing everything possible to promote Australian industries of every kind.

Mr. FOWLER (Perth) [10.57].—What is the meaning and object of the clause? It appears merely to indicate that the Minister may purchase or acquire certain kinds of mechanical power in connexion with the construction and working of the line. If it means no more than that, I am at a loss to understand why the clause is here. The other night the Prime Minister attempted to cast ridicule on an amendment providing for the weight of rails; and it was at the same time suggested that the gradients and curves should be stated in the Bill. Such matters, to my mind, are much more important than the fencing; in any case, we might take it for granted that the Minister will utilize engines, practically of any kind. Does the clause mean that when a particular engine is wanted the Minister will not proceed to construct it, but purchase it in the usual way?

Mr. GROOM (Darling Downs) [10.59].—The honorable member for Perth is, I think, entitled to an answer. If a public body desires to run an engine from which sparks may cause damage, it is necessary to obtain a general power to do so. Is this only a sort of skeleton Bill merely to adopt the policy of the construction of a line, or is it intended to be a complete Bill? A great many accidents may be sustained by the public on railways; and I should like some assurance that the Minister will see that the rights of the public and of the Commonwealth are properly safeguarded. In the Railways Acts of the States, rights and duties are completely defined; and this, as we know, is the result of long experience. The honorable member for Angas has mentioned that we considered these points in connexion with the negotiations for the transfer of the Northern Territory. In the Act providing for the transfer, in section 18, we declared that the laws of South Australia in relation to all these subjects should be binding on the Commonwealth. This provides for the one section in South Australia, the remaining section should be as completely provided for. This is a technical subject, and it would, therefore, be unreasonable to expect the Minister to give us off-hand an authoritative answer; but I should like to have from him an assurance that he will consult his advisers, and that, if necessary, such action will be taken in the Senate as will duly safeguard the interests of both the Commonwealth and the people generally.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [11.2].—I would point out to the Committee that it may be found necessary to utilize different kinds of mechanical power, and that unless we took the power for which this clause provides, the Government might be held responsible for damage arising from the use of a particular form of mechanism. It might be urged in the Law Courts that we had no authority to use that kind of mechanism. We have already taken the very best legal advice available in the Department, but if anything further is necessary the Bill can easily be amended.

Mr. ARCHIBALD (Hindmarsh) [11.3].—The object of this clause is obviously to give the Government a general power to construct and use from time to time any mechanical power that may be necessary. In the South Australian Railway Commissioners Act there is a section giving a general power of construction and maintenance, and every Railway Bill submitted to the State Parliament contains a reference to that provision.

Mr. FOWLER.—In clause 10 we take over that power.

Mr. ARCHIBALD.—That may be, but it seems to me that if we inserted a general power of that character in this measure we

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could have a reference to it in all future measures dealing with railway construction.

Mr. GLYNN (Angas) [11.4].—I understand that the Minister has said, in reply to the honorable member for Darling Downs, that, if necessary, a further Act will be passed, and a measure will certainly have to be passed eventually on the lines of the South Australian Railway Commissioners Act in order to give the powers to which reference has been made. A subsequent clause of this Bill, however, covers a good deal of the matters to which attention has been called.

Clause agreed to.

Clause 8 (Provision for incidental matters).

Mr. GLYNN (Angas) [11.5].—The honorable member for Fremantle a day or two ago drew attention to the fact that in this Bill no power is taken to run the rolling-stock of the Commonwealth over the Western Australian lines.

Mr. HEDGES.—Notice of an amendment dealing with that matter has been given.

Mr. KING O'MALLEY.—There is a proposed new clause.

Mr. GLYNN.—Very well; I had drafted an amendment dealing with the subject.

Clause agreed to.

Clause 9 (Incidental buildings and works).

Mr. KELLY (Wentworth) [11.6].—The whole tenor of this Bill generally is to place unlimited power in the hands of the Minister. It is a bad practice, more especially in a Bill dealing with the spending of public money, to confer on a Minister powers such as are covered by this measure. This clause provides that—

> The Minister may erect or make all such stations, buildings, approaches, bridges, culverts, apparatus, dams, tanks, plant, works, conveniences, and structures as he considers necessary or desirable in connexion with the efficient construction and working of the railway.

Mr. GREENE.—The unfortunate part of this clause is that "Minister" is defined as meaning the "Minister of Home Affairs."

Mr. KELLY.—The Minister ought not to want to run the construction show. In a measure of this kind, there should be some authority vested with the actual construction of the railway, so that if the estimates are exceeded we shall be able to pin down a particular officer.

Mr. KING O'MALLEY.—The House will be able to pin down the Minister, and he, in turn, will pin down the officer concerned.

Mr. KELLY.—I doubt whether I have the capacity to pin the Minister to anything. He is the most agile person under criticism that I have met. Why should this tremendous power be given? A Minister with wild-cat notions—he might not be the present Minister——

Mr. BRENNAN.—That is the point; it might be the Government.

Mr. KELLY.—It might be another Government altogether.

Mr. BRENNAN.—We have to take the risk.

Mr. KELLY.—I feel my responsibility to the country in regard to the expenditure of public funds, and desire, as far as possible, to safeguard the people against extravagance. The Minister will have power under this clause to do almost anything, and the Consolidated Revenue will be charged with the cost of all his adventures. I suggest to the honorable gentleman that, before we reach the third-reading stage, some step should be taken to safeguard the Commonwealth against possible contingencies in this direction.

Mr. J. H. CATTS (Cook) [11.10].—I understand that items to provide for the building of a railway will be included from time to time in the Estimates, so that when those Estimates are submitted, a discussion can take place on points such as those mentioned by the honorable member for Wentworth. It would be ridiculous to so limit the wording of this clause as to make it possible for the work to be suddenly held up—perhaps whilst Parliament was in recess—owing to the Minister having insufficient power to deal with some trifling matter that was not specifically mentioned in the Act. To my mind, the only possible way of providing for such a great work as this is to give the Minister practically unlimited power as to details.

Mr. KELLY (Wentworth) [11.11].—The honorable member for Cook cannot have read the Bill. Clause 19 provides that—

> All moneys necessary for the payment of the cost of construction of the railway . . . . shall be payable out of the Consolidated Revenue Fund or out of any moneys standing to the credit of the Loan Fund, and the Consolidated Revenue Fund and the Loan Fund are hereby appropriated for that purpose accordingly.

We are now dealing with the whole business relating to the construction of this railway, and it is the fact that we shall not be called upon to deal with it on the

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Estimates that makes me particularly anxious to see embodied in the Bill proper safeguards against extravagance.

Mr. GREENE (Richmond) [11.12].—In support of what the honorable member for Wentworth has said, I would point out that we have no plans and specifications before us.

Mr. J. H. CATTS.—Does the honorable member think that the House should deal with the plans and specifications for this railway?

Mr. GREENE.—Most certainly. Honorable members who have had experience in the New South Wales Parliament tell me that they have never known a Railway Bill to be introduced without being accompanied by plans and specifications of the lines to which it applied. That, I am assured, is the invariable practice there.

Mr. HALL.—That is not correct.

Mr. GREENE.—I certainly think, more particularly as, I believe, it is the intention of the Government to construct this railway by day labour, that, before we finally give the Minister these wide and varied powers, and also vote the whole of the money necessary for the work, we should, at least, have from him an assurance as to the manner in which he is going to spend the money. There is a great deal in the point raised the other day by the honorable member for Perth, at the request of the honorable member for Fremantle, in regard to the weight of rails to be used. There is a possibility of our wasting a great deal of money by adopting too light a type of rail. The maintenance of this line is going to be a very heavy burden.

Sir JOHN FORREST.—Why?

Mr. GREENE.—Because the men will be cut adrift from all centres of civilization. They will have to work under conditions anything but pleasant during the greater part of the year, and they will probably require payment accordingly. I do not think that this, or any other Parliament, would begrudge them high wages under such conditions.

Mr. J. H. CATTS.—But maintenance is a question of traffic.

Mr. GREENE.—Not altogether. The honorable member for Fremantle, who is thoroughly acquainted with all the details of this class of work, will inform the Committee, I am sure, if he has recovered his voice, that if we used a heavy rail we should not have to spend half as much in maintenance as we should have to do if we used a light rail.

Mr. J. H. CATTS.—It will make very little difference unless there is heavy traffic.

Mr. GREENE.—No doubt the honorable member for Cook is, in his own estimation, a better authority than the honorable member for Fremantle. The latter is very strong upon this point.

Mr. HEDGES.—The Minister gave a satisfactory reply.

Mr. GREENE.—The Minister said he would do what he thought best, but he did not commit himself to any particular weight of rail, nor have we been furnished with any particulars as to the way in which the money is to be expended.

Mr. FENTON (Maribyrnong) [11.16].—The honorable member for Richmond need not be apprehensive as to the effect of the adoption of day labour in the construction of the line. In Victoria lines are being constructed now on the day-labour principle far cheaper than used to be the case under the contract system, and I believe that this is also true of New South Wales. The contractors' profits are being cut out, and the Governments of the day and the workers themselves are obtaining the benefits which the contractors at one time used to secure. It is perfectly right that the Committee should make every possible inquiry as to how far the Minister intends to go in exercising the great powers conferred by the measure. I hope the Government will adopt in the construction of the line the day-labour system, which is being employed in the States, and thereby save considerable sums to the Commonwealth.

Mr. GREENE.—I am not objecting to day labour. I object to the absence of specifications.

Mr. CANN (Nepean) [11.17].—I do not regard this clause as the final word in connexion with the management of the railway. The Minister must have large powers conceded to him at the present stage. Later on, when the line is working, probably the preponderance of feeling in the House and amongst the people will be in favour of the appointment of a Commission to manage the railway. Until then it would hamper the Minister if we gave him anything short of the powers conceded in the Bill, even though some honorable members may regard them as a little dangerous. In the New South Wales Parliament, as far as I know, the most that has ever been submitted in regard to the construction of a new line is the plan of the route and the recommendation of the Public Works Committee.

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That information is all that we could reasonably expect in connexion with this line, and it has already been supplied. The honorable member for Richmond has been misinformed as to the practice in other Parliaments.

Mr. J. H. CATTS (Cook) [11.19].—The weight of rail is a matter upon which the engineers are so thoroughly agreed that no difficulty need be apprehended. The engineers will be able to determine the weight of rail required for the class of traffic on this line. I do not think that there will be found to be any variation between the views of any of the railway engineers of Australia on the point. As to the question of maintenance, the traffic will be comparatively light for some time to come. The line will have to be cut up into lengths convenient for patrol and inspection by men stationed at different points, and no man will have a greater length to look after than he can cover on his tricycle in a day. That will be sufficient for some time to come, and so the maintenance will be placed upon a certain minimum basis. As the traffic increases, the line will have to be more heavily ballasted, and the number of men spread along the route will have to be increased. I do not think that in the early days of the line the question of the poundage of rail will have any material effect on the cost of maintenance.

Mr. RYRIE (North Sydney) [11.21].—I am surprised at honorable members opposite "stone-walling" the measure. The amendment to specify the weight of rail was lost, and therefore the dissertation of the honorable member for Cook was unnecessary. The question of the maintenance of the line is a matter for officialdom after the work of construction is completed. Honorable members opposite are hampering the Minister and "stone-walling" the measure by indulging in absolutely unnecessary talk. I do not believe in wasting the time of the country. Ministerial supporters seem to be determined not to allow the measure to proceed any further in Committee. There is nothing contentious in the Bill until we reach clause 18. Why not let the intervening clauses pass, as they are all a matter of form? The Bill has been drafted by men who know more about the subject than do honorable members opposite, and in the orthodox manner in which all railway construction Bills are drafted.

Mr. WISE.—It is not; that is just the defect.

Mr. RYRIE.—I see no innovation in it. It is quite right that the powers here specified should be given to the Minister, and I hope honorable members opposite will cease to obstruct.

Mr. KELLY (Wentworth) [11.23].—The honorable member for North Sydney has hardly done justice to the honorable member for Cook and others opposite. It is true that the measure is somewhat peaceful down to clause 15, but the present is a time of extreme crisis, and it is necessary for grave national reasons that honorable members opposite should show themselves active in the supervision of public business. Those gentlemen are now facing a crisis in their careers. Any one of them may be chosen, and it is only right that the most exhaustive criticisms of public measures should at this stage emanate from them. I can see no other reason why they should make such earnest bids at this juncture. As one who is anxious to see the course of this measure made easy and placid, my sympathies are entirely with the honorable member for North Sydney, but as a humanitarian and one who realizes how intolerable it is to repress an overweening ambition, my sympathies go out to my honorable friends opposite.

Clause agreed to.

Clause 10—

For the purposes of the construction and working of the railway, the Minister shall have and may exercise in the State of South Australia, all the powers and authorities vested in the Government of that State, or any authority of that State by any State Act relating to railway construction or working to the same extent as if the railway were a State railway, and the Minister were the proper State authority for the construction and working thereof.

Mr. WISE (Gippsland) [11.25].—This is one of those unsatisfactory clauses which I suppose we must put up with because the Bill is merely a skeleton. The powers and authorities taken ought to be limited to those existing at the date of the passing of this measure. We do not know what the existing powers are, and the State Parliament may add to them from time to time. The Northern Territory Acceptance Act provided for the assumption of the powers as existing at the date of the agreement. I suggest that the clause be amended by inserting after the word "authorities," the words "at the date of the passing of this Act."

Mr. GLYNN (Angas) [11.26].—The honorable member for Gippsland is quite

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right in saying that in the Northern Territory Agreement Act the powers assumed were limited to those existing at the date of the agreement, but to allay anxiety I may state that, as draftsman of the South Australian Bill, I went through every section of the South Australian legislation that could affect our powers, and, with the representative of the Commonwealth, compared them in Melbourne. He was satisfied at that date that the taking over of the powers as they existed then would involve no harm or risk. I do not think any change has taken place since, but if there is any obnoxious difference we can amend the Act.

Mr. HALL.—The objection of the honorable member for Gippsland is that something may take place subsequently.

Mr. GLYNN.—If that is the objection we could bring this measure into line with the Northern Territory Acceptance Act by limiting the powers and authorities to those existing at the date of its passage.

Mr. KELLY (Wentworth) [11.28].—The Minister might reasonably tell the Committee what are the powers and authorities vested in the South Australian Government. The next clause hands over the powers and authorities vested in the Western Australian Government. The Committee ought to know whether they are the same in both States. It might be more convenient to take over equal powers in both cases, so that our officers when passing over the border may know exactly how far their authority extends. Otherwise there may be all sorts of legal difficulties between State and State, in connexion with an inter-State line such as this undoubtedly is. Clauses 10 and 11 may be found to be in conflict.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [11.29].—The clause provides for taking power in South Australia in connexion with the construction of the railway. Many special powers may have to be exercised, such as the opening or closing of roads, the utilization of private premises for storage, the dealing with trespasses on property, &c.

Mr. KELLY.—Are the powers the same in South Australia and Western Australia?

Mr. KING O'MALLEY.—We take over the Western Australian powers in a subsequent clause. When they cross the border line, our officers will know if there is any difference in their powers. A man must conform to the laws of the State the moment he crosses its borders. We desire to obtain the same rights and powers that the Minister of Railways has or may have in South Australia, and the Minister of Railways has or may have in Western Australia.

Mr. J. H. CATTS (Cook) [11.31].—It seems to me that until the Commonwealth has a general Railway Act similar to the State Acts, it will be necessary to have clauses like this in its construction Acts. No doubt we shall have a general Act before very long. In the meanwhile, the point raised by the honorable member for Gippsland deserves the serious consideration of the Government. Not only does the clause confer on the Minister all the powers given to the Minister of Railways of South Australia under existing Acts, but also all the powers that may be given to him under Acts which may be passed after this measure becomes law. That means that South Australia will be in a position to determine the conditions under which this railway shall be constructed and maintained. In framing the Bill, the departmental officers had access to the existing legislation of South Australia, and were able to make themselves acquainted with its effect, but they did not know what the future legislation of the State may be. Members, too, can inform themselves of the existing South Australian law, and may be quite willing to adopt it, but they are in the dark as to the future legislation of the State, which might be quite contrary to their view of what is proper for the Commonwealth. Perhaps the Minister will have the matter looked into, and, if necessary, provide for the amendment of the clause when the Bill is before the Senate.

Mr. FENTON (Maribyrnong) [11.35].—I do not know if the Government have entered into negotiations with the Government of South Australia on this subject. If we take all the powers of the State authorities, shall we not need the assistance of State officers to give effect to them?

Mr. J. H. CATTS.—Other Acts provide for that.

Mr. FENTON.—Can we say that the Acts of a State shall apply, or must we have the consent of the State to make sure that effect would be given to them?

Clause agreed to.

Clause 11 (Special Powers in Western Australia).

Mr. FOWLER (Perth) [11.36].—At no distant period the States will probably ask to connect branch lines with the Commonwealth line. Is provision made for that?

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Mr. GROOM.—The Minister has given notice of an amendment.

Clause agreed to.

Clause 12—

The Minister may make by-laws for the regulation, government, protection, and working of the Railway, and may, if he thinks fit, adopt, with necessary modifications, the by-laws in force relating to the South Australian State Railways so far as concerns any part of the Railway in the State of South Australia, and may, if he thinks fit, adopt, with modifications, the by-laws relating to the Western Australian State Railways so far as concerns any part of the Railway in the State of Western Australia.

Mr. GLYNN (Angas) [11.38].—The clause empowers the Minister to make by-laws for the regulation, government, protection, and working of the railways. In the State Acts such by-laws are subject to the control of Parliament. In the South Australian Act of 1887, with which I am fairly familiar, because I drafted it, provision is made that fares may be fixed by by-laws. There is a series of provisions regarding regulations, and both by-laws and regulations are subject to Parliamentary control; in other words, Parliament may, after they have been laid on the table, disallow them on the presentation of an address to the Government. I think that we should provide for similar Parliamentary control.

Mr. RILEY.—The principle would apply also in clause 14.

Mr. KING O'MALLEY.—The by-laws have to be laid on the table of Parliament.

Mr. GLYNN.—But Parliament has no power to disallow. Section 10 of the Acts Interpretation Act declares that regulations are to be notified in the *Government Gazette*, and take effect from the date of notification, but that they must be laid before both Houses of Parliament, and if either House passes a resolution, of which notice has been given at any time within fifteen sitting days after they were laid before it, disallowing the regulation, it shall cease to have effect. With the Minister's permission, I shall therefore move—

That the following words be added :—"Such by-laws shall be deemed regulations within the meaning of section 10 of the Acts Interpretation Act 1904."

Mr. J. H. CATTS.—Will that amendment cover clause 14?

Mr. GLYNN.—Clause 14 must also be amended.

Mr. GROOM (Darling Downs) [11.42].—I hope that the amendment will be accepted. I asked the Minister to look into the matter, and have a clause drafted to deal with it, and he promised to do so.

Mr. KING O'MALLEY.—There is no objection to laying the regulations on the table.

Mr. GROOM.—What is desired is that Parliament should have the power to disallow them. Ministers are responsible for the administration of their Departments, with which Parliament should not interfere unduly, but it should have the ultimate control.

Mr. FENTON.—Surely we should have uniform by-laws?

Mr. GROOM.—We may desire to cooperate with the State authorities in each case, and we seem to have power to do so, adopting such South Australian and Western Australian regulations as we may think good. That does not prevent us from making uniform regulations of our own if necessary. Unless the amendment is carried, our railways will be under the control of a Minister who, if he is like the present occupant of the office may be a benevolent despot, but, on the contrary, he might be a malevolent one.

Mr. J. H. CATTS (Cook) [11.45].—The point raised by the honorable member for Angas is extremely important. I absolutely object to handing over the power provided in the clause to any Minister. In all the State Railway Acts, and other Acts relating to the Public Service generally, there is a provision that by-laws and regulations should be laid on the table of the House for a certain number of days in order that Parliament may have an opportunity to consider them.

Mr. GROOM.—If we adopt the amendment, the regulations will have to be published, and the public will be able to make objections.

Mr. J. H. CATTS.—I desire to support the amendment, because, as I say, in postal, military, and other matters the regulations are submitted so that parliamentary authority may be given or withheld. The working of the railways will include employment and conditions of labour, and without some such proviso as that proposed the Minister could work the whole business at his own sweet will. The amendment is not aimed at the present Minister or Government, but is absolutely necessary in any Bill of the kind. Personally I think the matter must have been overlooked, seeing that it is only a proper protection of the rights of Parliament.

Amendment agreed to.

Clause, as amended, agreed to.

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Clause 13 agreed to.

Clause 14—

(1.) The Minister may charge such fares. . .

. . . . . .

(2.) All schedules of fares and rates made by the Minister shall be laid before the Senate and the House of Representatives within thirty days after the making thereof if the Parliament is then sitting and if Parliament is not then sitting, within thirty days after the next meeting of the Parliament.

Mr. GLYNN (Angas) [11.48].—I desire to move a similar amendment in this clause, though it is quite possible that the draftsman may be able to make the necessary provision in one special clause. I move—

That the following words be added to the clause:—"and shall be deemed to be regulations within the meaning of section 10 of the Acts Interpretation Act 1904."

Mr. HALL.—Does the honorable member think that one House ought to have the right to disallow any regulation?

Mr. GLYNN.—That point occurred to me; but we have laid it down in the Acts Interpretation Act that one House may do so, and it would be a pity to alter the principle in this Bill unless we alter it for all purposes.

Mr. HALL.—There might be a Senate which did not believe in the Ministerial policy, and which would reject every regulation made.

Mr. GLYNN. — Does that not apply now under the Acts Interpretation Act? This House controls the purse, and if we passed a resolution declaring that a particular charge was bad, we should expect another place to have no say in the matter. There is, of course, the inconvenience of allowing another House to disallow what we are doing, but a special amendment might be drafted to cover that, if the Minister thinks proper. At present I suggest that we pass the amendment; and we might recast the whole provisions in this respect, so as to preserve the supremacy of this House, giving power to another place, subject to our check, to make suggestions.

Mr. KELLY (Wentworth) [11.50].—Would it not be wiser to delete this clause? Without such a clause it would be necessary for the Government to introduce a Railway Bill to govern the whole matter of the railways as we were nearing the completion of the construction, whereas, with the clause we are inserting in a purely construction measure, we should have a provision regarding rates and so forth, which ought really to be in such a general Bill as I have suggested. The power given by the clause will not be required until the line is practically constructed.

Mr. FOWLER (Perth) [11.51].—Will the Minister have power under this clause to enter into an arrangement with the State railway authorities as to a through rate, say, from Fremantle to Adelaide? If some such power is not definitely given, and one rate is to be charged from Fremantle to Kalgoorlie, another across the alleged desert, and a third from Port Augusta to Adelaide, the efficiency of the railway will be very much impaired.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [11.53].—I ask the honorable member for Angas not to press this amendment. If, later on, any alteration is considered advisable we can easily recommit the Bill. I am sure the Committee does not desire to do anything to cripple this financial project. We do not know what may happen in the future. This is a line of 1,060 miles, through country which is at present remote from civilization; and I advise the honorable member to withdraw the amendment, with a view to consultation later on.

Mr. WEST (East Sydney) [11.54].—I do not agree with the honorable member for Wentworth, because I think that, while the line is in course of construction, it will be necessary for the Minister to have some power to fix rates and fares.

Mr. KELLY.—I am inclined to think that is so, but this power proposed is a very extended one.

Mr. WEST.—The regulations will be laid on the table of both Houses, and the House will know exactly what the Minister has done in the conduct of the railway.

Mr. ARCHIBALD (Hindmarsh) [11.55].—I do not think there is any danger in the point raised by the honorable member for Perth as to through rates. We have already given to the Minister all the powers possessed and exercised by the Railways Commissioners of South Australia and Western Australia, so that there will be no difficulty in arriving at an agreement as to through fares. This clause, in my opinion, is very desirable, though it seems to me that the Bill is very strangely drafted. For that, however, I do not blame the Government so much, because many things have to be provided for in this Bill which would be more properly provided for in a general Bill creating some authority for the construction, maintenance, working—for, indeed, the whole

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of the business connected with the line. A week ago the Government informed us that they did not think it desirable at present to create such an authority, because they were anxious to push on with this construction Bill. Until, however, the time arrives when a general Bill is necessary, we are bound to have a clause of this character in the present Bill.

Mr. KELLY (Wentworth) [11.58].—The argument of the honorable member for East Sydney is a very fair one, but I think it goes too far. The clause provides that the Minister may charge such fares and rates as he thinks reasonable; but I ask what passenger is going out into the centre of the desert until the line is a through line?

Mr. HALL.—People may go along for the purpose of selling clothes to those engaged in the work of construction.

Mr. KELLY.—That is possible, but surely it is much more likely that a representative of the Commonwealth Clothing Factory will travel free over the Government railway! Apart from such trifles as have been suggested, the necessity for such a provision cannot arise until the line is practically completed or close upon completion. I admit there is some necessity for a clause of the kind, and the case might be met if the Minister assured us that a general railway Bill will be submitted next session.

Mr. LAIRD SMITH.—This clause gives us control over the Minister.

Mr. KELLY.—It gives us no control, for never yet have honorable members had any practical chance of ventilating the question of regulations in this House. It is only when grave differences arise between parties that we have an opportunity to ventilate matters in the House. A matter may be of importance to a particular member, but not to a party as a whole, and in such circumstances it cannot be threshed out. This clause provides that a schedule of fares and rates made by the Minister shall be laid before both Houses of Parliament within thirty days after the making thereof, if Parliament is then sitting, and if it is not sitting, within thirty days after the next meeting of the Parliament; so that the schedule prepared by the Minister might be six or eight months old before we had a chance to deal with it.

Mr. HEDGES.—And a good thing, too.

Mr. KELLY.—From the honorable member's point of view, perhaps; but, after all, this is a sovereign Parliament, and it is entitled to exercise the power of supervision over this railway until it is placed under Commissioners. If the Minister will give us an assurance that he will have the matter placed on a sure basis before this Parliament expires, that is all I can reasonably ask.

Mr. KING O'MALLEY.—It will be carefully considered.

Mr. KELLY.—The Minister will take this question into his careful consideration?

Mr. KING O'MALLEY.—Yes.

Mr. HALL (Werriwa) [12.2].—As to the point raised by the honorable member for Perth regarding the power of the Minister to make a through rate, I do not think that the clause as it stands would enable him to do so. I trust that the honorable member for Angas will not insist upon his amendment to incorporate in the Bill section 10 of the Acts Interpretation Act of 1904. That section provides that where an Act confers power to make regulations, all regulations made accordingly shall be notified in the *Government Gazette;* that they shall take effect from the date of notification; that they shall be laid before both Houses of Parliament; and that—

> if either House of the Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation such regulation shall thereupon cease to have effect.

This clause gives the Minister power to frame a schedule of fares and rates.

Mr. WEST.—Will not the Government be compelled to publish those rates and fares in the *Government Gazette?*

Mr. HALL.—There is no objection to that, but if the amendment were adopted it would give the Senate the right to disallow that schedule by resolution when, perhaps, the whole of the Ministry and the whole of the members of this House were favorable to it. The position would be that the Senate would have a power over the finances to which it is not entitled.

Mr. GLYNN.—Then, would the honorable member give the House of Representatives this power? I recognise that regulations under other Acts do not deal with finance, whereas the schedule to which this clause relates would do so.

Mr. HALL.—Since the schedule would deal with finance, the proposed power should be confined to the House of Representatives.

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Mr. WEST.—The Senate could not override the decision of the House of Representatives.

Mr. HALL.—It could if this amendment were carried.

Mr. GROOM.—Why not allow the existing law to stand?

Mr. HALL.—I think that we are fairly protected by the clause as it stands. It is for the Minister to say whether or not he is prepared to accept the amendment; but I trust that he will at least so limit it as to retain for this House the power to control rates and fares, instead of conferring on either House the power to disallow a decision of the Government in relation thereto.

Mr. HEDGES (Fremantle) [12.5].—It is very desirable that this clause should remain in the Bill. The honorable member for Wentworth said that whilst the line was being constructed nothing would be carried over it. He is evidently not aware of the fact that sheep and other stations extend for hundreds of miles over the country to be traversed, and that freight would be carried for them. Then, again, who knows what discoveries may be made during the construction of the railway? The line will pass through the Tarcoola gold-field, and it will carry everything required for that and other gold-fields that may be discovered. Whilst the railway from Southern Cross to Kalgoorlie was being constructed, the traffic upon it increased to such an extent that something like six engines were required to cope with it, apart altogether from the power required to haul the material for construction purposes. The Minister must have full power to make these rates, and to vary them according to circumstances. In the event of a serious drought, sheep and cattle would have to be removed from one place to another, and the Minister should be given power so to alter rates as to be able promptly to meet such an emergency.

Mr. GROOM (Darling Downs) [12.8].—I hope that the Minister will accept the amendment, as moved by the honorable member for Angas.

Mr. KING O'MALLEY.—I have already said that I cannot accept it. I promised, however, that the matter would be considered later on and said if it were then thought desirable to deal with it, we could if necessary re-commit the Bill.

Mr. GROOM.—From the point of view of Parliamentary control, this is an exceedingly important matter. Under the amendment, both Houses would, if necessary, have the right to protest against the schedule of rates and fares adopted by the Minister, so that we are simply asking for the preservation of Parliamentary control. With one exception, I do not think that any regulation framed by a responsible Minister, acting under proper advice, has ever been disallowed by either House of the Commonwealth Parliament. The exception referred to was a regulation framed by the present Minister of Home Affairs in regard to the collection of the census, and which was rejected by the Senate. We should be very careful not to give up our Parliamentary control, and I hope that the Minister will accept this amendment.

Mr. KING O'MALLEY.—I cannot.

Mr. GROOM.—The legislation of South Australia is generally noted for its preservation of the rights of the State Parliament. In section 37 of the South Australian Act power is given to the Commissioner to make by-laws fixing the amount of fares for the conveyance of passengers and the charges for the carriage of animals, goods, and parcels. It provides further, however, that such by-laws shall be laid before both Houses of Parliament within fourteen days of their making, and that if an address be presented to the Governor by either House they may be annulled. That is what we are asking for. We are asking, not for the introduction of any revolutionary principle, but for the recognition of an existing system. When the definition clause was under consideration, I asked the Minister of Home Affairs whether the rates and fares fixed by the Minister should not be submitted to Parliament, and the honorable gentleman, acting on his first impulses, which are generally the impulses of statesmanship, said—"I have not the slightest objection to doing that when the occasion arises."

Mr. KING O'MALLEY.—I have really provided for what I promised would be done.

Mr. GROOM.—The honorable member has not done so. If we delegate these powers to the Minister, he will be able to exercise them just as he thinks fit, and unless we can pass a Bill through both Houses we shall be unable to secure redress.

Mr. J. H. CATTS.—Or pass a motion of censure.

Mr. GROOM.—Even that would not be sufficient. It would only lead to the misfortune of depriving us of the services of

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the Minister. We want to remove, not the Minister himself, but that which is objectionable in any schedule or regulation. The amendment should be accepted. If, upon further consideration, it was thought to be too drastic, it could be reconsidered. The Minister could ask the Parliamentary Draftsman to consider how it harmonized with the whole scheme of his Bill. It would be much better for the Minister to accept the amendment than to reject it, and be compelled at a later stage to ask for the recommittal of the Bill.

Mr. J. H. CATTS (Cook) [12.14].—The proviso to this clause that these schedules of fares and rates shall be laid on the table of the House is absolutely insufficient to meet the position. Under it schedules would be laid on the table, and we should have power to look at them, but we could not cause them to be disallowed unless we carried a motion that would be tantamount to a motion of censure. On such a motion the matter would be decided on party lines, quite irrespective of the merits of the schedule itself. I recognise the force of the objection raised to the amendment, that it would give the Senate co-equal power with this House to veto a schedule of rates and fares; but we could add words providing for all that the honorable member for Angas has in view without going so far as to incorporate in this measure the provisions of section 10 of the Acts Interpretation Act of 1904. I would suggest that the following words be added to sub-clause 2:—

Within which period the House of Representatives may, by resolution, vary or rescind all or any of such schedules.

Would I be in order in moving an amendment upon the amendment?

The CHAIRMAN.—The honorable member had better wait until the other amendment is disposed of.

Mr. J. H. CATTS.—Perhaps the words I have suggested will not quite meet the case. I will give notice of intention to move to add to sub-clause 2 a proviso that "the House of Representatives may within fifteen days after the tabling of the schedule by resolution vary all or any portion of it." It would not be proper to give any Minister unlimited power over so important a matter. The power that I am asking for is conserved to all the State Parliaments, and it is absolutely necessary when we are commencing a Commonwealth railway policy to preserve similar powers for the Commonwealth Parliament.

Mr. FENTON (Maribyrnong) [12.17].—The difficulty might be overcome if the Minister would consult his colleagues to see if an amendment can be drafted to suit the objections that have been raised. It would be unwise at this stage to accept the amendment of the honorable member for Angas, or that of the honorable member for Cook. It would be satisfactory if the Minister would promise to make a statement to the House later on, and, if necessary, recommit the clause.

Mr. BRENNAN (Batman) [12.18].—The objection to the suggestion of the honorable member for Cook is that under it one House may veto a regulation which is sanctioned by the other. In a case of that kind the remedy would lie in the introduction and passage of an Act, and we should reach then exactly the same position as we are in now. The honorable member for Cook objects that when the schedules are laid before both Houses members can do nothing but look at them. Our remedy is exactly the same as we should have in the last resort if the amendment of the honorable member for Angas were adopted—namely, that we should have to deal with the matter by passing an Act. In the event of a clash of opinions between the two Houses, the matter has to be dealt with in the proper way by the introduction of a measure.

Mr. J. H. CATTS.—I do not propose to give the other House any authority in the matter.

Mr. BRENNAN.—Both Houses have absolute power in the matter, and may exercise it in the last resort, whether the amendment of the honorable member for Angas is carried or whether the clause goes through as it stands at present.

Mr. GLYNN (Angas) [12.20].—I see no way out of the difficulty unless the provision I suggest is put in. Otherwise we shall have absolutely no power to check the rates. An Act of Parliament has nothing to do with it, because an Act immediately tempts the Senate to interfere. They have a perfect right under the Constitution to intervene by resolution. I would prefer that they did not have the same power as we have over these things, but if we do not allow them to do it by resolution, and a deadlock results, we cannot get over the difficulty by an Act, because they will simply refuse to pass the Act. In the South Australian Railways Act, as the honorable member for Darling Downs

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pointed out, there is an express provision on the lines of my amendment. All fares must be laid on the table of the House, and may be disallowed by the specific resolution of either House. We have based our Constitution on the South Australian practice, and the Senate holds in the matter of finance exactly the same relation to this House as the South Australian Legislative Council holds to the South Australian House of Assembly.

Mr. FENTON.—Will not this proposal give the Senate power to disallow all these regulations by resolution?

Mr. GLYNN.—Undoubtedly, but if we do not pass the amendment, we shall have no power over the schedules of fares and rates at all. I recognise the force of the argument of the honorable member for Cook, that it would be inadvisable even indirectly to give the Senate by our legislation power to check these charges, but if we put in a limitation to the effect that it is to be done by the House of Representatives only, we immediately tempt the Senate to kick up a row on a practically irrelevant matter. I do not want to block a Bill about which I am not very enthusiastic, and therefore I would advise honorable members to follow the course laid down in 1904, and not to precipitate a dispute with the Senate about a measure which they are particularly anxious to pass. If the Minister thinks it better, after consultation with the Drafting Department, to throw both these clauses into some other shape, I am sure the Committee will facilitate the re-draft in every way, but at present, following what has been done in South Australia in a perfectly analogous case, his best course is to adopt my amendment. Without it this House will have no check over the charges at all.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [12.25].—I suggest that the Committee pass the Bill as it stands now. We have had the best opinion of the Law Department on its drafting, and our desire is to carry out this project economically and efficiently. I do not want to have anything in the measure which will in any way cripple it.

Mr. GROOM.—This is simply a question of policy.

Mr. KING O'MALLEY.—If it is considered advisable, we can recommit the Bill and have the proposal re-drafted.

Mr. GROOM.—It is not a question of technical drafting; it is a question of whether Parliament shall keep control.

Mr. KING O'MALLEY.—The Bill has to be successfully administered by this Government, and we do not want anything in it that will make it possible to cripple the whole project.

Mr. J. H. CATTS (Cook) [12.26].—After hearing the honorable member for Angas I am prepared to vote for his amendment. Whilst my proposal would perhaps establish the supremacy of the House of Representatives in a financial matter of this kind, it might raise in the Senate some difficulty that would be really to the detriment of the measure. Rather than that should happen, I would prefer the amendment of the honorable member for Angas. I am absolutely strong on the point that unlimited power should not be given to any Minister, Labour or Conservative, to fix rates and fares. Parliament must retain authority to review the matter.

Mr. BRENNAN.—The only difference is that the Bill as it stands gives Parliament control, and the honorable member wants to reserve the power to one House.

Mr. J. H. CATTS.—The Bill does not give control to Parliament. Sub-clause 2 simply provides that the schedule shall be laid on the table, which means that we may come here and look at it.

Mr. BRENNAN. — It throws the whole field open for Parliament to deal with.

Mr. J. H. CATTS.—Only by the passing of a vote of censure on the Government. The matter of rates and fares may be of great importance, but the members of a party may not feel inclined to turn the whole Government out on it. I want to see provision made in the measure for Parliament to deal with the question as a non-party one. The only way to secure that is to direct that the schedule shall be laid on the table, and that Parliament shall have an opportunity of vetoing or varying it within a certain period, just as is now done in the case of regulations in connexion with all the Government Departments.

Mr. GROOM (Darling Downs) [12.28].—All that we ask is that these by-laws shall be deemed to be regulations within the meaning of the Acts Interpretation Act of 1904, which provides that, wherever the word "regulation" is mentioned in an Act of Parliament the following procedure shall apply: The regulations have to be notified in the *Gazette*, they take effect

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from the date of the notification, and they are to be laid before both Houses of Parliament within thirty days of their making, or if Parliament is not then sitting, within thirty days after its next meeting, but that, if either House at any time within fifteen sitting days after the regulations have been laid before the House pass a resolution of which notice has been given, disallowing any regulation, such regulation shall thereupon cease to have effect. That applies to every regulation made where the power to make regulations is conferred by an Act. All that we ask in this instance —the Minister has already accepted it as regards the general by-laws in a previous clause—is that as regards railway rates and fares the by-laws shall be deemed to be regulations. Then those provisions relating to regulations will apply. The effect will be that the regulations will have the force of law, unless within fifteen days of their being laid before Parliament either House passes a resolution disagreeing to them.

Mr. FISHER.—I have no objection to providing that the by-laws must be made by the Governor-General in Council.

Mr. GROOM.—I do not think that that is going far enough. The clause as framed makes the Minister a despot. He can fix what rates he pleases, and lay them on the table, but Parliament cannot disallow them. The regulations fixing the fees in the Patents and Trade-marks Departments have to be laid on the table, and the same practice should be adopted in this case.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [12.32].—If the honorable member for Angas will consent to withdraw his amendment, I have an amendment to move in the first line of the clause.

Amendment, by leave, withdrawn.

Mr. FISHER.—The amendment which I wish to propose reads as follows:—

That the word "Minister," line 1, be left out, with a view to insert in lieu thereof the words "Governor-General in Council."

Mr. GLYNN (Angas) [12.34].—It would be wise to give the Committee an opportunity to think over the amendment which I proposed. There may be a difference of opinion as to whether the Senate should have the power to disallow regulations, but I am afraid that if any limitation on its power is inserted it will not be agreed to. I should like Ministers to consider my proposal, and if they decide not to accept it, to give an opportunity to test the feeling of the Committee in regard to it.

Clause postponed.

Clause 15—

The Minister may appoint all such officers as he thinks necessary for the purposes of the construction or working of the railway, and may authorize the employment of any persons for those purposes.

Mr. GROOM (Darling Downs) [12.36].—Will the Minister give us an explanation of this clause? It allows him to appoint all such officers as he thinks necessary for the construction or the working of the railway, and to authorize the employment of any person for these purposes. Similar provisions were inserted in the draft Census and Statistics Bill and the draft Meteorological Bill, but were withdrawn because the Public Service Act regulates the appointment of officers. Under the Bill as it stands, the Minister could enter into a life contract in appointing an officer. There is no restriction on his power of appointment. This appears to conflict with the principle of the Public Service appointments laid down in the Act. In the appointment of permanent engineers, for example, the usual practice should be followed. An office should be created, the vacancy advertised, all candidates should be tested, and the applicants best fitted should be appointed. So, too, with accountants, clerks, and the like. As for temporary hands, their appointment, again, is provided for in the Public Service Act, and provision is made for waiving its limitations, if necessary. It must be remembered that persons appointed under the Act have their rights and privileges. But the Bill would, apparently, enable the creation of a new Public Service without defined status.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [12.40].—The Bill provides purely for the construction of the railway, but passengers and goods will be carried on the line before it is handed over by the constructing authority to the managing authority. It is not intended to create a large permanent staff, because it may be that the Commonwealth will not undertake another work of this kind for some time, and may not need again the men employed on it. If the Public Service Commissioner had to be consulted about the dismissal of one man, or the choice of another, it would hamper operations very much. Such procedure would be very unbusinesslike. The Engineer-in-Chief will be responsible to the Minister, but in turn will control his immediate officers, who will direct those below again.

Mr. McWILLIAMS (Franklin) [12.43].—There is no need for the clause, and I hope that the Minister will consent to its being negatived. The Public Service Act leaves to the Minister the right to appoint temporary hands without reference to the Commissioner. We know that as soon as the line is connected with a centre of population, passengers and goods will be carried on it, and a staff will be necessary to manage the traffic. A traffic inspector would not be appointed merely to control the traffic during the time that the line was under construction, to be dismissed on its completion. When the work nears completion, a traffic branch and a permanent-way branch will be just as necessary as later on, when it is in full running order. The best men available should therefore be appointed in the first instance, and in their appointment the provisions of the Public Service Act should apply. The temporary hands needed only for the construction of the work can be appointed without reference to the Public Service Commissioner. Temporary hands are so employed now in connexion with telegraph repairing, the construction of roads, and other works. If the clause is carried as it stands, there may ultimately be a serious conflict between the Minister and the Public Service Commissioner, unless men are temporarily appointed to what will be really permanent positions. The only result can be direct and serious conflict between the Minister in charge of what may be called temporary works and the Public Service Commissioner, who, until the Act is repealed, must have control of the permanent appointments. Under the Public Service Act the heads of the Departments who represent the Minister have full and complete power to make all temporary appointments, and I do not think it advisable that a Minister should make permanent appointments so long as the Public Service Commissioner is vested with the authority. This clause will not give the Minister any more power than he possesses now, nor will it take from the Commissioner any of the authority he now has. It has been found necessary to withdraw similar clauses in two or three Supply Bills previously before us, and any conflict between the Construction Department and the Commissioner can be to the interests of neither the service nor the Minister.

Mr. J. H. CATTS (Cook) [12.46].—I agree with the policy laid down in the clause, which vests in the Minister or his subordinate officers control of the employés. The scheme of the Public Service Act is, in my opinion, absolutely ridiculous.

Mr. KING O'MALLEY.—Hear, hear, in this matter.

Mr. J. H. CATTS.—In any matter, because it divides responsibility in the Department. Recommendations made by those in charge in relation to wages and conditions, or the qualifications of persons employed, may be "turned down" by the Commissioner, who has absolutely no responsibility whatever in the conduct of the Departments. I know of instances where the Commissioner has taken up an attitude in entire opposition to the official charged by this Parliament and Government with the successful conduct of work of a highly technical and professional character. That being so, the sooner Parliament gets rid of the rotten idea that the Commissioner should be enabled to veto the recommendations of responsible officials the better.

Mr. McWILLIAMS.—Why not repeal the Public Service Act?

Mr. J. H. CATTS.—This clause will repeal the Act so far as the railway is concerned; indeed, that appears to be the expressed intention. If the clause were not here the appointments would rest entirely with the Commissioner, but the power is transferred to the Minister.

Mr. McWILLIAMS.—Would the honorable member make that apply to permanent officers also?

Mr. J. H. CATTS.—I would make it apply to any person employed for the purposes of this Bill.

Mr. BRENNAN.—I think it is very doubtful whether this clause will transfer the power to the Minister.

Mr. J H. CATTS.—Of course there are differences of opinion on the matter.

I desire to provide for the observance of certain conditions as to employment, and move—

That the following words be added to the clause:—"Provided that the recognised working hours shall not exceed 48 per week, unless in cases of emergency, when overtime may be worked; and provided also that the minimum rate of wages shall not be less than 8s. for eight hours."

Mr. HALL.—For adult labour?

Mr. J. H. CATTS.—Yes; that can be provided if desired.

Mr. RILEY.—Cannot we trust the Minister?

Mr. J. H. CATTS.—A little while ago, when the question of a minimum wage

was before us, the then Minister practically insulted me on the floor of Parliament when I asked for a rate of 7s.; and I desire this matter of wages to be placed beyond the power of any Minister. In the Railway Departments of the various States, from nine to twelve hours a day are being worked regularly, and when we ask that an eight hours' day shall be provided for, we are told by the Commissioners that because there are 30,000 men employed—as in New South Wales—the reform will cost £150,000 or £250,000. The Commissioners express their sympathy with the idea of an eight hours' day, a minimum wage, and one day's rest in seven; but when it is suggested that a reform, to which I am sure the public would readily assent, should be carried out, we are told that the extra cost would throw the finances of the State Departments into chaos.

Mr. McWILLIAMS.—Why not straight away repeal the Public Service Act?

Mr. J. H. CATTS.—I candidly admit that it is my desire to do so in the case of the railways. If we lay down, at a commencement, that the week's work shall consist of 48 hours, we shall have no trouble in the future. As the honorable member for Franklin has pointed out, this railway will be built in sections, and doubtless each section as completed will be worked. Men will be required for the permanent way, locomotives, and so forth, and they may in the beginning be permanently appointed.

Mr. McWILLIAMS.—They should be.

Mr. J. H. CATTS.—Further it is possible that the contractors may open the line temporarily for traffic.

Mr. GREENE.—Is this work going to be done by contract?

Mr. J. H. CATTS.—I do not know whether that question has been decided, but if the work, as it should be, is done by day labour, sections of the line will be opened on a temporary basis; and I have no doubt that the men employed at first will eventually receive permanent appointments. I do not know that it is necessary to permanently appoint them the moment they are taken on, because some probationary period may be desirable.

Mr. McWILLIAMS.—It would be much fairer to make their appointments permanent from the beginning.

Mr. J. H. CATTS.—Quite so; I have a great objection to temporary appointments for permanent work. However, that point need not be discussed at length just now. We have an opportunity now, at the commencement of the work, when few practical difficulties present themselves, to lay down the maximum working hours, and the minimum wage, though, of course, I have not provided for eight hours each day, as the exigencies of the traffic may require broken time. A minimum of 8s. a day has been laid down by the Minister for permanent work in his Department.

Mr. KING O'MALLEY.—For temporary work it pays 9s. a day.

Mr. J. H. CATTS.—That is in the case of men who work broken time, but temporary employés who are constantly employed are paid 8s. It may be that the cost of living will increase, and 8s. may not prove a living wage, so that the matter will have to be subject to reconsideration.

Mr. WEST.—It is a bad thing to fix a minimum wage, because it has a tendency to become the maximum.

Mr. J. H. CATTS.—That is often the way in the case of private employment, but it does not apply to Government employment.

Mr. WEST.—Why make the provision?

Mr. J. H. CATTS.—Because I desire to see nothing less paid. Thousands of men are working for the Commonwealth at 7s. a day.

Mr. CANN.—Men are working on the New South Wales railways at less than 8s.

Mr. J. H. CATTS.—Thousands were working for less than 7s., but I am glad to see that the latest Wages Board has fixed the minimum rate for unskilled labour at 8s. for eight hours. Unhappily, in some of the States, there are men working for as low a wage as 6s. and 7s. a day of eight hours; and, while we should like to see the rate a little higher than I have suggested, it is well to lay down a minimum. I hope the principle will be affirmed in an Act of Parliament, because that will not only do good in the Commonwealth service, but will have a wholesome effect on the various services of the various States.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [12.59].—The Government have no objection at all to the principle embodied in the proposal, but we think that it would be better contained in a separate clause.

Sitting suspended from 1 to 2.15 p.m.

Mr. GREENE (Richmond) [2.15].—The honorable member for Cook, just before we adjourned for dinner, expressed

pleasure that the appointments under this clause would not come under the operation of the Public Service Act. I wish to point out, however, that many of these appointments will in their very nature be of a permanent character. Probably before we have completed this railway other railways in the Northern Territory will be projected, and many of these appointments, if made, will go on automatically for a very long time. I am not speaking of casual labourers, because under the Public Service Act there is ample power to employ all the casual labour that will be required for the actual construction of the line. I am speaking rather of appointments to the engineering, construction, and clerical staffs, which will be, to all intents and purposes, of a permanent character.

Mr. FISHER.—We propose to limit them.

Mr. GREENE.—However short may be the limitation that the Prime Minister proposes to impose upon them, should not these employés automatically come under some form of control that is removed from political influence? I understand that the policy of this Parliament from the first has been to take the permanent employés of the Commonwealth out of Ministerial control, and to place them under an independent control where they are free from political interference and political interests. Officers engaged in the construction of this line will automatically be transferred to the other works to which I have referred, and there ought to be some definite provision that the officers whom the Minister may appoint under this clause shall be placed under the operation of the Public Service Act, or a Bill should be passed providing for their control by Railway Commissioners. If that is not done, the door will be opened wide to political influence. From the point of view of honorable members on all sides of the House, it it undesirable that our Public Service should be exposed to political patronage. I should like to know exactly the nature of the limitation which the Prime Minister proposes to impose.

Mr. FISHER.—We propose to limit the appointments under this clause to a term not exceeding six months beyond the date of the opening of the line.

Mr. GREENE.—The construction of the line may occupy some years, and it is not fair even to the Ministry, or to those public servants who will be engaged, to expose the service during that time to political patronage.

Mr. J. H. CATTS (Cook) [2.20].—As I understand that the Government are prepared to accept the principle of my amendment, if it be embodied in a separate clause, I ask leave to withdraw my amendment, so that I may submit at a later stage a clause dealing with the matter.

Amendment, by leave, withdrawn.

Amendment (by Mr. KING O'MALLEY) proposed—

That after the word "appoint," line 1, the words "for any period not extending six months beyond the date on which the line shall be declared open for traffic" be inserted.

Mr. FENTON (Maribyrnong) [2.23].—Before this line is completed, it will be necessary to engage a number of permanent employés.

Mr. FISHER.—We shall have power to do that under this proviso.

Mr. FENTON.—The Government are taking power under the amendment to limit the term of employment of those at present engaged to not more than six months after the completion of the line.

Mr. FISHER.—That is to say, the Minister cannot continue indefinitely the employment of men so engaged. In the meantime we shall pass an Act dealing with the whole matter.

Mr. FENTON.—I believe it will be necessary to make permanent appointments prior to the completion of the line. I presume that in connexion with the appointment of the chief officials required either for the construction of the line or the supervision of the railway, applications will be publicly invited—that we shall follow the course pursued in connexion with the recent appointment of a Land Tax Commissioner and an Engineer for the Northern Territory. That should get over the difficulty raised by the honorable member for Darling Downs, who said that in order to remove this matter wholly beyond Ministerial control the appointment of officers should be placed under the Public Service Commissioner. I am not arguing for that, but I do urge that when it is proposed to make permanent appointments to the engineering and other staffs, applications should be publicly invited by advertisement in the *Government Gazette* and the public press, and that those applications should be dealt with in the ordinary way. It is not yet clear whether or not permanent appointments are to be made during the construction of this line.

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Mr. KING O'MALLEY.—No.

Mr. FENTON.—I think that some permanent appointments will be absolutely necessary. Before the whole line is completed, certain portions of it no doubt will be earning revenue, and we shall require a staff of some kind to deal with the traffic, and to control that revenue before the railway as a whole is constructed. That being so, it will be absolutely necessary to appoint permanent officials before the whole line has been constructed.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [2.27].—The amendment means that no appointment made by the Minister or the Government will enable the person so appointed to have the right to remain in the service for more than six months after the line has been opened for traffic. That will prevent Ministerial patronage in the case of appointments that will extend six months beyond the time taken for the construction of the railway. As has been already stated, the Government intend to bring in, later on, a machinery Bill dealing with appointments to this service.

Mr. GROOM.—And that Bill will supersede this provision.

Mr. FISHER.—It will to some extent. Appointments of a permanent character may then be made either by the Public Service Commissioner or some other authority, but no appointments made by the Minister or the Ministry will give the person appointed any position of permanency beyond six months after the construction of the line. That is the extreme limit; but from the first day or the first month other machinery, to be brought into existence, will enable men who have shown their competency by passing prescribed examinations and so forth to become permanent officers of the Commonwealth railway service.

Mr. CHARLTON (Hunter) [2.29].—I am afraid that the amendment would prevent the adoption of the course just outlined by the Prime Minister. It may be found necessary to open sections of the line before the whole railway is completed.

Mr. GROOM.—The amendment refers to the time when the line is declared open for traffic.

Mr. CHARLTON.—But a certain section may be declared open for traffic before the whole line is completed. An auriferous belt may be struck, and cause a sudden access of population, requiring the partial opening of the line, and it might not suit the Government at that time to dispense with particular employés.

Mr. FISHER.—In my opinion that would not be an opening of the line.

Mr. CHARLTON.—The amendment would have that effect. I am personally favorable to what the Prime Minister states, but he should see that the words used give effect to the real intention of the Government.

Mr. FISHER.—It might be necessary, if there was any doubt, to specify that the opening of the line should be for traffic between Port Augusta and Kalgoorlie.

Mr. WEST (East Sydney) [2.31].—The Bill is merely a construction Bill, and had better be left as it is. The Government have stated that as soon as they are able they will bring in a Bill to deal with Commonwealth railway management generally. Until then it would be better to give the Minister control without any of these limitations. The honorable member for Cook wanted to put other matters into the Bill, but he should make those proposals when the subsequent measure is brought forward. The men who will be employed in the construction of the line will be very different from those who will be afterwards employed in the management of traffic on the railway. After the opening those employed will be servants of the Commonwealth just like the employés in the existing Departments.

Mr. J. H. CATTS.—Portions of the line will be in complete working order before the whole line is finished.

Mr. WEST. — I understand that the construction will start at both ends. The best part of the material will have to be taken from both ends, and as soon as the first 200 or 300 miles is completed the Government will run trains to carry the necessary materials, and perhaps a few passengers.

Mr. GROOM. — The Bill provides for that.

Mr. WEST.—That is why I do not think honorable members should try to muddle the Bill up. The draftsman prepared it as a Bill for railway construction only, and honorable members should leave all their ideals regarding railway management until the Railway Management Bill is introduced later this session, or next session. Surely we have not come so low that we cannot trust a Ministerial Department to engage the officers and men necessary for the construction of the line. My experience is that the men employed in the

Commonwealth Departments are a credit to the Government, and a credit to the country. I shall vote for the clause as it stands, and feel almost disposed to divide the Committee on the amendment.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 16 agreed to.

Clause 17—

Notwithstanding anything in any State Act, the Minister need not cause any book of reference or plan to be made or deposited with any State authority in connexion with the railway.

Mr. GREENE (Richmond) [2.35].—I pointed out earlier that no plans of any sort had been submitted in connexion with the line. I find from the Queensland *Hansard* that in the Queensland Parliament, not only plans, but even the sections of the line and books of reference are drawn out and submitted. The whole question is then referred to a Select Committee, and until the report of the Committee is finally adopted by the Parliament the line is not proceeded with. This Bill is not merely a construction Bill as argued by the honorable member for East Sydney. It is a construction and working Bill, and it even appropriates all the money that may be required for the construction of the line.

Mr. FISHER. — The Bill does not do that.

Mr. GREENE.—Clause 19 provides for it.

Mr. FISHER.—That clause does not vote any money.

Mr. GREENE.—The clause distinctly says, "All money necessary . . . shall be payable out of the Consolidated Revenue fund or out of . . . the Loan Fund, and the Consolidated Revenue Fund and the Loan Fund are hereby appropriated for that purpose accordingly."

Mr. FISHER.—The money has to be provided afterwards. It will have to be specifically voted before it can be applied.

Mr. GREENE.—The money may be applied without other authority than the Bill as it stands. We are asked to commit ourselves to the appropriation of the whole of the money necessary for the construction of the line without having submitted to us any plans or specifications, or knowing how the railway is to be built, except that it is to be on a 4-ft. 8½-in. gauge.

Mr. GROOM (Darling Downs) [2.39].—What the honorable member for Richmond has urged is rather important, and the Minister might make a statement as to whether it is the intention of the Government in constructing the line to follow the practice which has hitherto been observed in Queensland. It is a sound practice requiring plans, sections, and books of reference to be placed on the table of the House, so that the whole scheme may be open for discussion. This clause seems to contemplate the existence of such a practice, because it provides that it shall not be necessary to deposit with any State authority books of reference or plans in connexion with the railway. That is right, because it is our railway, and not a State railway. The Bill simply states that a railway line is to run according to the schedule. We know nothing about the details or plans.

Mr. FISHER.—I think they were laid on the table.

Mr. GROOM.—I do not think so. I presume, according to what the Prime Minister recently said, that the necessary money will have to be appropriated on the Estimates by Parliament from time to time. If so, will the Minister promise to put the required information before the House before any money is voted?

Mr. RILEY.—It will be too late to do that when the Bill is through Committee.

Mr. GROOM.—It is not too late, because if we retain the power to appropriate money for the work, we retain control over it. I do not think it is fair to ask the Minister to make more than the promise I have indicated.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [2.41].—What the honorable member states about the practice in some of the States is quite true, but those provisions are absolutely inapplicable to the Commonwealth. We are starting a new institution altogether. Any information that is required we shall be only too willing to furnish.

Mr. GROOM (Darling Downs) [2.42].—Will the Minister promise that before any appropriation is made by Parliament he will supply, as far as possible, information corresponding to the plans, sections, and books of reference which are laid on the table of the Queensland Parliament, so that Parliament may appropriate the money with a knowledge of what it is doing?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [2.43].—We shall give the very fullest information.

Mr. W. H. IRVINE (Flinders) [2.44].—I do not think I quite understand the

position. Has a promise been made that the money to be expended on the line shall be the subject of special appropriation?

Mr. FISHER.—Yes.

Mr. W. H. IRVINE.—If that is so, it seems to cover the ground, because when Parliament is asked to make those special appropriations the necessary information will be submitted to it. Clause 19 as it stands, now makes the Bill an Appropriation Bill.

Mr. FISHER.—The money will have to be raised, but I have no objection to make the raising of the money the appropriation itself.

Mr. HALL.—From time to time.

Mr. W. H. IRVINE.—I am glad to hear that. It sweeps away most of the difficulties, although it will involve some alteration in clause 19. If the Prime Minister makes that promise, and the general character of an Appropriation Act is taken away from the measure so that special appropriations will be required, it will be rather a mistake to tie our hands or the hands of the Government in this Bill as to the character of the information which we shall require at the time.

Clause agreed to.

Clause 18 (Acquisition of lands).

Mr. FENTON.—I understand that under the Lands Acquisition Act, land required for the line will be assessed at its value in the year 1908.

Mr. GLYNN.—At its value on the 1st January preceding the issue of the proclamation.

Clause agreed to.

Clause 19—

All moneys necessary for the payment of the cost of construction of the railway up to and including the time of the opening of the railway for traffic shall be payable out of the Consolidated Revenue Fund or out of any moneys standing to the credit of the Loan Fund, and the Consolidated Revenue Fund and the Loan Fund are hereby appropriated for that purpose accordingly

Amendment (by Mr. GLYNN) proposed—

That all the words after the word "Fund," line 8, be left out, with a view to insert in lieu thereof the words "according to appropriations from time to time made by Parliament for that purpose."

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [2.48].—The Government wishes to have power to provide for the voting of revenue in the Estimates, or to raise it in some other way with Parliamentary authority. As the clause stands, it goes a little further than that.

Mr. GLYNN.—It is not controlled by section 61 of the Audit Act.

Mr. FISHER.—The clause, as it is proposed to amend it, will give us the power that we ask for, and at the same time make Parliamentary sanction necessary.

Mr. W. H. IRVINE (Flinders) [2.49].—The amendment seems to me to meet the case. But for it, I would suggest the negativing of the clause. The Prime Minister takes up the right position, but we cannot by a provision of this kind invest Parliament with additional authority.

Amendment agreed to.

Clause, as amended, agreed to.

Postponed clause 14—

. . . . . .

(2.) All schedules of fares and rates made by the Minister shall be laid before the Senate and the House of Representatives within thirty days after the making thereof if the Parliament is then sitting and if Parliament is not then sitting, within thirty days after the next meeting of the Parliament.

Amendment (by Mr. GLYNN) proposed—

That the following words be added, "and shall be deemed to be regulations within the meaning of section 10 of the Acts Interpretation Act 1904."

Question—That the words proposed to be added be so added—put. The Committee divided.

Ayes	...	...	17
Noes	...	...	28
Majority	...	...	11

AYES.

Best, Sir Robert	McWilliams, W. J.
Cook, Joseph	Palmer, A. C.
Edwards, R.	Ryrie, G. de L.
Fairbairn, G.	Sinclair, H.
Fenton, J. E.	Thomson, John
Glynn, P. McM.	Wise, G. H.
Groom, L. E.	*Tellers:*
Hedges, W. N.	Catts, J. H.
Johnson, W. Elliot	Greene, W. M.

NOES.

Anstey, F.	Maloney, Dr.
Archibald, W. O.	Mathews, J.
Bamford, F. W.	McDougall, J. K.
Brennan, Frank	Moloney, Parker
Cann, G.	O'Malley, King
Chanter, J. M.	Riley, E.
Charlton, M.	Smith, Laird
Fisher, A.	Thomas, J.
Forrest, Sir John	Tudor, F. G.
Fowler, J. M.	Watkins, D.
Frazer, C. E.	West, J. E.
Higgs, W. G.	
Howe, R.	*Tellers:*
Jensen, J. A.	Finlayson, W. F.
Johnson, W. J.	Hall, D. R.

Question so resolved in the negative.

Amendment negatived.

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Clause agreed to.

Amendment (by Mr. KING O'MALLEY) agreed to—

That the following new clause be inserted :—13A.—(1.) By arrangement with any State, the Minister may—

(*a*) connect the railway with any State railway; or

(*b*) permit any State railway to be connected with the railway; and

(*c*) run trains or rolling-stock of the Commonwealth over any State railway with which the railway is connected.

(2.) No connexion which involves the construction of more than one mile of additional line of railway shall be made by the Minister in pursuance of this section.

Mr. J. H. CATTS (Cook) [3.0].—I move—

That the following new clause be inserted :—15A.—(1.) The working hours of officers appointed for the purposes of the construction or the working of the railways shall not exceed forty-eight per week, unless in cases of emergency, when overtime may be worked.

(2.) The minimum rate of wages for all adult officers appointed for the purposes of the construction or the working of the railway shall not be less than eight shillings for eight hours, but nothing herein contained shall prevent the Minister from increasing such minimum rate.

The Prime Minister has stated that the principle of this proposed new clause is approved by the Government, and, therefore, it is not necessary for me to do more than move it.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.1].—There appears to me quite a number of unnecessary words at the conclusion of the proposed new clause; because to increase the rate or permit the working of overtime is a latent power that rests with the Minister. I approve of the principle in the proposed clause. but I do not think it advisable to include the words "but nothing herein contained shall prevent the Minister from increasing such minimum rates."

Mr. GLYNN (Angas) [3.3].—I cannot see the necessity for this clause, which is more like a political placard than anything else. I hope the rate of wages will always be retained at the level proposed.

Mr. RILEY.—We will not get workmen at 8s. for this line?

Mr. GLYNN.—If we insert a clause providing for a rate of 8s. or 9s. we shall really embarrass the Minister. There might be a strike at any time, and then what would be the good of talking of the Arbitration Act when the men were really striking against the provisions of another Act of Parliament? If we are to establish a healthy principle in regard to wages, we should make it applicable all round, and not confine it to a Bill of this kind.

Mr. JOSEPH COOK (Parramatta) [3.5].—We all agree that the best possible rates and conditions should obtain in connexion with work performed by or for the Commonwealth, and I wonder at the honorable member for Cook being so modest in his request.

Mr. J. H. CATTS.—I should like to move an increase.

Mr. JOSEPH COOK.—Workmen can get 8s. or 9s. a day in the more moderate latitudes, and the minimum proposed now is too small. I therefore move—

That the amendment be amended by leaving out the word "eight," first occurring, line 9, with a view to inserting in lieu thereof the word "nine."

Mr. CHARLTON (Hunter) [3.6].—Like the honorable member for Parramatta, I scarcely see the necessity for the proposed new clause. It has been accepted by the Prime Minister, but I am very much afraid that if it be passed the maximum of forty-eight hours will become the minimum, while we know that in some trades, which will be employed in the construction of the line, the rule is forty-four hours per week. It is quite possible that the engineers in charge may take this clause as an instruction to make the number of hours forty-eight; and, therefore, I think it would be better to leave the matter to those responsible for the work. As to the wages, if I were moving for a minimum, I should say that it should not be less than 10s. I have had some experience of Western Australia, and I know that in the part of the country through which the line will run, men cannot be obtained for less than 11s. per day. Here, again, however, the officers in charge may take the new clause as a direction to make the pay 8s. If the matter be left to the Minister and others in charge, we shall have better work and less trouble.

Mr. RYRIE (North Sydney) [3.8].—This new clause is an absolute revelation to me. If it had been proposed by one of the "squatocracy" I can imagine the howl there would have been from honorable members opposite. It is proposed that the men engaged in this line should be paid 8s. per day.

Mr. FRAZER.—That is the minimum; let us have no heroics!

Mr. RYRIE.—The Prime Minister has practically given the approval of the Government to the proposed clause.

Mr. FISHER.—What I say is that we should not pay less than 8s.

Mr. RYRIE.—We know that very often the minimum becomes the maximum; and the clause will place the Minister of Home Affairs in a very peculiar position. At the Federal Capital a minimum of 9s. a day is being paid.

Mr. KING O'MALLEY.—Permanent hands are paid 8s.

Mr. RYRIE.—There will be permanent hands employed on the railway; at any rate, I take it that the unionists will be pretty well permanent. At Canberra, where there is, perhaps, the most salubrious climate in Australia, with all the conveniences and luxuries of life—wattles in full bloom, as shown on the advertising poster of the Commonwealth—a minimum of 9s. is paid, while it is proposed to pay 8s. in the arid districts of Western Australia, where the heat of the summer is appalling, and mosquitoes and sandflies make life absolutely unbearable. If honorable members opposite have no consideration for the working man, honorable members on this side have; and I shall support the proposal of the honorable member for Parramatta.

Mr. J. H. CATTS (Cook) [3.12].—On previous occasions we have experienced the tactics which our friends opposite are now employing. We know how much concerned the honorable member for Parramatta and the honorable member for North Sydney are in the matter of wages.

Mr. JOSEPH COOK.—I was always in favour of higher wages than was the honorable member.

Mr. J. H. CATTS.—That did not appear to be so when the honorable member was Postmaster-General of New South Wales, for then the Post Office was one of the sweating dens of Australia.

The CHAIRMAN. — The honorable member is not in order in discussing the Post Office.

Mr. JOSEPH COOK.— Is the present Postmaster-General fixing the wages in the Post Office?

Mr. J. H. CATTS.—The present Postmaster-General does much better than the honorable member ever did. The new clause proposes not a maximum, but an absolute minimum. As to the words to which the Prime Minister takes exception, I may say that in some of the awards in New South Wales in which I was concerned, a minimum rate of 7s. was regarded by railway officers in charge as the rate to be paid, and in subsequent awards words similar to those I have used were inserted, setting forth distinctly that the minimum rate did not prevent an increase being paid. In South Australia to-day the rate for similar work is 8s.

Mr. FAIRBAIRN.—At Port Augusta?

Mr. J. H. CATTS.—Yes, anywhere in South Australia. In Western Australia 8s. per day is the minimum rate of pay. If these men are working at points far removed from centres of population in South Australia or Western Australia, it may be necessary for the Government to make them a number of allowances; it may be necessary to carry all their provisions and supplies, and the Minister, if he thought it justifiable, would certainly increase the rate of pay. I have no fear that the rate will be unduly increased, because I think that the men who do the work of the world, no matter how much they receive, never get more than that to which they are entitled. Under present conditions, the fight against those who do the work of the world is so keen that they are not likely to get the product of their labour. I should be very pleased if a higher rate than that named in the clause could be prescribed. The Minister of Home Affairs is at present paying in respect of the same class of work in the Federal Territory 8s. per day, whilst those who have broken time receive 9s. per day.

Mr. CANN.—It is not enough.

Mr. J. H. CATTS.—We all think that. No doubt we should all like to see these men receiving higher wages; but it is only since the Labour party became a force in politics that the working men have had a chance of getting anything like 8s. per day. I know that they have been employed in New South Wales at 6s. 6d. and 7s. a day.

Mr. FENTON.—They are getting that in Western Australia and South Australia at the present time.

Mr. J. H. CATTS.—In Western Australia the minimum rate is 8s. per day.

Mr. JENSEN.—And in Tasmania 6s. a day.

Mr. J. H. CATTS.—The railway men there are the worst paid in Australia; some of them, with, perhaps, twenty years' service, receiving only 6s. a day. It must be distinctly understood that the proposal is one for a minimum rate of pay and a maximum working day.

The right honorable member for Swan asked whether we ought not to fix the rates

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of pay of the professional men in the service; but, as a matter of fact, they do not work more than thirty-seven hours per week. If, in their case, a shorter working day is desirable, no doubt the Minister will take action. I should like to see a universal maximum working week of forty-four hours. The great difficulty in connexion with the Railway Departments of Australia is that a practice has grown up of working the men nine, ten, and twelve hours a day, and that when the workers ask for a forty-eight hours week, the responsible officers at once present an estimate showing that the granting of such a request would mean a loss of hundreds of thousands of pounds, and would really be impracticable.

My desire is to prevent such a state of affairs growing up in the Commonwealth railway service, so that we shall not have to do a few years hence what we have to do to-day in connexion with the railway services of the States. We have had to collect thousands of pounds from the workers in the State Departments; we have had to fight for months and months before Arbitration Courts and Wages Boards, and have then found that precedents that have grown up have a more powerful influence on the chairman or presiding Judge than has the equity of a claim for a working week of forty-eight hours. The laying down of these principles in the Bill will do good throughout Australia.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.20].—We have reached an interesting situation in this matter, since, apparently, the question as between the Government side and the Opposition side of the House is as to who is to make the larger bid.

Mr. KELLY.—That is the frankest confession I have heard.

Mr. JOSEPH COOK.—What a confession to make on the floor of the House.

Mr. FISHER.—The assumed innocence of the honorable member for Parramatta and the honorable member for Wentworth in these matters is certainly remarkable. The Government position is that they will not ask any adult to work on the construction of this railway for less than 8s. per day for a working week of forty-eight hours. Whilst we accept that principle, we go a great deal further, and say that union rates of wages shall be paid on this work. I have heard it said by honorable members opposite that if 8s. per day were made the minimum, it would prove to be the maximum. The weight of testimony is certainly in favour of inserting neither the one provision nor the other in the Bill itself. I shall go further, and say publicly, as I have already stated, that the policy of the Government is that they will give every facility to any aggrieved body to go to the Federal Conciliation and Arbitration Court, and that they will pay the highest award fixed by the Commonwealth Conciliation and Arbitration Court, any State Wages Board, or State Conciliation Court. That should be a sufficient guarantee to honorable members generally that justice will be done; and I think the Committee might well allow the Bill to pass.

Mr. KELLY (Wentworth) [3.23].—I am gratified to think that the Prime Minister has been induced by the arguments of the Opposition to recede from the position into which he was led by the honorable member for Cook. The arguments advanced by the honorable member for Cook have a very unstable foundation. He says that his reason for asking that a minimum wage of 8s. shall be fixed is that, otherwise, the Department may sweat these men, and pay them still lower wages. He states that he desires a higher wage than 8s. a day; but asks that that rate shall be fixed as a minimum, because, otherwise, the Government will sweat these men.

Mr. J. H. CATTS.—I said other Governments might do so.

Mr. KELLY.—No; the honorable member said that it was the practice of Government Departments to sweat the men. If that is so, it is obvious that 8s. per day is much too low a minimum to fix for work such as this. There is no question in the minds of honorable members, with the exception, perhaps, of the honorable member for Cook, who sprang up to make a bid for popularity, and found himself in a quagmire——

Mr. KING O'MALLEY.—He is a real Christian.

Mr. KELLY.—I am not saying more of him than the Prime Minister himself said in this regard. The right honorable gentleman said that, apparently, both sides were making a bid. I have adopted his phrase; but if the honorable member thinks it insulting, I shall at once withdraw it. If we are to specify any wage in this Bill, we shall need at least to fix the rate of wages which the Minister of Home Affairs himself has declared shall be paid in Melbourne. The conditions in the case of work

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on this railway being harder, the wages should be a little higher.

Mr. CHARLTON.—They must be higher.

Mr. KELLY.—They must be higher; otherwise we shall not be able to obtain the requisite labour. So far as public Departments are concerned, the minimum wage almost invariably becomes the maximum. That has been our experience in all branches of the Postmaster-General's Department; and I am gratified that the Prime Minister has seen the error of his ways in accepting the amendment, and that ample provision is now to be made for paying a decent wage to the men who will be engaged on this arduous work.

Mr. CANN (Nepean) [3.26].—I am pleased that the Prime Minister intends to allow the Bill to remain as it stands. I represent a constituency comprising 2,000 railway workers. They have a strong union, and in different parts of New South Wales different rates of wages are paid. There are two classes of labour engaged in railway construction. At present the minimum for pick and shovel men in New South Wales is fixed at 8s. per day. They are asking, however, that the rate shall be increased to 9s. per day. Those who are working in tunnels receive a minimum wage of about 9s. or 9s. 6d. a day; but there are also jumper-men and men engaged in other branches of work, for whom 10s. per day might not be sufficient, having regard to the country through which this railway will pass. We might, indeed, have to pay 12s. per day, or more. I think that the Prime Minister has taken the right step in declaring that trade-union rates of wages, whatever they may be, shall be paid.

Mr. HEDGES (Fremantle) [3.27].—I agree with the remarks made by the honorable member who has just resumed his seat. It would be impossible to secure men to build this line at the rate of wages mentioned in the proposed new clause. I am able to speak with authority on this question, because I have had to pay wages. A man who enters into a contract to construct a railway is foolish if he does not secure the very best labour, and pay the best wages.

Mr. J. H. CATTS.—But the honorable member must remember——

Mr. HEDGES.—I remember more than the honorable member ever knew. A man who talks of men working eight hours a day at plate-laying in the interior of Australia knows nothing of the subject. It is usual to send out a certain quantity of material to the head of the road. There a gang is organized, and if the men put in that material within six hours, they knock off, and get paid for the full day. They certainly prefer working under such conditions. There was never a more willing class of workers than are those engaged on railway construction works. The working men of Western Australia will, to a man, be anxious to contribute to a fund to build a monument to the memory of the member of the Labour party who has suggested this magnificent wage of 8s. per day for railway construction workers in that State.

Mr. W. ELLIOT JOHNSON (Lang) [3.29].—I am in thorough agreement with those who say that a minimum wage of 8s. a day is an absolutely ridiculous payment to fix for the men who will be engaged in the construction of this railway, and will be far removed from centres of civilization. Special inducements will have to be offered. The highest rates of wages prescribed for Perth or Fremantle would be wholly inadequate for work performed in the wilds of Western Australia.

Mr. FISHER.—This will be an Inter-State case, because the railway will be in two States. The question of wages, therefore, can be brought before the Commonwealth Arbitration Court.

Mr. W. ELLIOT JOHNSON.—In any case, we in this Parliament ought to fix some sort of a minimum below which men will not be expected to work on the line. No man should be expected to perform the most unskilled form of labour in country like that at less than 10s. a day at the least. I doubt whether many men will be obtained to go out to perform that work at anything like that wage. It would be very wrong for us to think of proposing any smaller sum than 10s. a day if we are going to do anything in the way of fixing a minimum wage.

Mr. FENTON (Maribyrnong) [3.32].—The honorable member for Cook and the honorable member for Parramatta would be well advised to withdraw their amendments after the assurance given to the Committee by the Prime Minister. The honorable member for Cook has had a good deal to do with railway employés, and any one who has had that experience realizes that, generally speaking, the State Railway Departments are the biggest sweating dens that we have in the community. No doubt the honorable member wanted to lever the State Railway Departments up a little.

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Mr. JOSEPH COOK (Parramatta) [3.33].—I shall be only too willing to leave the whole matter in the hands of the Government. The conditions in that country are novel, and will require a great deal of re-adjustment from time to time. The Government, therefore, require the freest hand to deal with all the conditions, labour and otherwise, in the construction of a railway of that kind. If we are to fix a minimum wage, 8s. is a ridiculous amount to offer to a man in that country. On the whole, it would be better if the proposal were withdrawn and the matter left in the hands of the constructional authorities, who in this case will be the Government.

Sir JOHN FORREST (Swan) [3.34].—We had better leave the matter to the Government. The object of the honorable member for Cook is, of course, to secure a good wage for those employed in the construction of the line, but he need have no anxiety on that score under the existing conditions of Australia. It might be argued that a minimum wage, if fixed, would become the maximum, and I do not thing any one could find fault with a Government for saying, "We will not give more than 8s. a day," if the law said that they would be within the mark in paying 8s. a day. These things will have to be left to the Government, and although I am in favour of a good wage, it is not desirable to put the amount in the Bill. The Government would be in a better position if they had a free hand.

Mr. ATKINSON (Wilmot) [3.36].—I am rather surprised that the Prime Minister should have accepted the amendment.

Mr. FISHER.—I said I had no objection to putting in a minimum of that kind, because we intended to pay more.

Mr. ATKINSON.—It seems quite unnecessary, because the Government have already announced that, on all Government work where casual labour obtains, they intend to pay union rates and work union hours. There is no need, therefore, to fix a minimum wage in this Bill. The best rates prevailing at the time will be paid as a matter of course. If we are going to fix a minimum it will be most unfair to bring it down to 8s., seeing how labour is paid at present in the Commonwealth. The minimum should be 10s. a day at least at a time like this, and if the present prosperity continues it may become more.

Mr. FAIRBAIRN.—We are getting a good railway.

Mr. ATKINSON.—I am not objecting to good wages. I want to see the workmen get the best wages that can be paid. The honorable member for Cook is doing himself an injustice. Some one may, perhaps not rightly, suggest that he is making this proposal merely as a placard, so that he may point it out to his electors, saying, "I looked after the interests of the workers. I saw that a minimum of 8s. was put in." In the circumstances, the honorable member might very well withdraw the amendment, because all that he is seeking is sure to be thoroughly safeguarded in view of what has taken place in this House and of what this Government—and I suppose every other Government that succeeds it—will do in the matter. Wherever Federal work of this sort is to be carried on, it may be safely laid down that whatever Government is in office the proper rate of wage for that work will be paid.

Mr. MATHEWS (Melbourne Ports) [3.38].—I am afraid that the honorable member for Wilmot made a mistake in saying that whatever Government is in power this minimum will be paid. He knows as well as I do that the Tasmanian Government would pay only 6s. a day.

Mr. ATKINSON.—How could the Tasmanian Government be in power in this Parliament?

Mr. MATHEWS.—I am trying to show that the wage might be brought down to 6s. if some people had their way. I am only sorry that the honorable member for Cook did not fix 10s. instead of 8s.

Mr. KELLY (Wentworth) [3.39].—I hope the Committee is not going to allow what we have just listened to to be placed on the pages of *Hansard*. This Chamber ought to have some legislative conscience. We ought not to endeavour to use *Hansard* to damage each other for actions for which neither party in this House is responsible. If we were to follow the same practice, and accuse, not only my honorable friends' colleagues in other Legislatures, but perhaps some of themselves personally, with regard to the payment of wages and the treatment of their employés, we might raise a storm in this Chamber, and seriously injure the feelings of some of those whom we denounced; but I do not think that we should be really helping business. We can show better feeling by trying to make the parties in this Chamber responsible for party action

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in this Chamber only. The wages and conditions in the various States are matters for the parties to which we belong in those States to fight out in the light of local conditions.

Mr. FENTON.—I am glad to say that in some State Departments the salaries have been raised to the level of the Commonwealth Departments.

Mr. KELLY.—I am also glad to say it; but every statement, such as that made by the new candidate for office, is bound to meet with some reply, and I suggest that we will save time and feeling if we do not indulge in that sort of thing.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.42].—We propose negativing both the new clause and the amendment.

Question—That the word "eight" proposed to be left out stand part of the proposed new clause—negatived.

Question—That the word "nine" proposed to be inserted be so inserted—negatived.

Mr. J. H. CATTS.—There were two Ayes for the last amendment.

Mr. KELLY.—There was not even a squeak from the honorable member for Cook in connexion with his proposal.

Mr. J. H. CATTS.—A division was called for on the proposal to insert "nine shillings" by the honorable member for Parramatta and myself.

The CHAIRMAN.—There was no call for a division.

Question—That the proposed new clause, as amended, be agreed to—put, and division called for.

In division:

Mr. J. H. CATTS.—I claim the vote of the honorable member for Parramatta. As he called for a division with me, he should vote on the side of the Ayes.

The CHAIRMAN.—Did the honorable member for Parramatta call for a division?

Mr. JOSEPH COOK.—I have no recollection of it.

There being no second teller on the side of the Ayes,

Question resolved in the negative.

Proposed new clause negatived.

Schedule.

Commencing at Kalgoorlie the line follows the existing railway to Kanowna for a little over six miles, thence . . . .

Mr. BAMFORD (Herbert) [3.50].—I move—

That after the word "follows" the words "what is known as the stock route, *vid* Eucla and Fowler Bay," be inserted.

I had intended to move an amendment to this effect on clause 4, but was unavoidably absent from the Chamber when that clause was passed. The route which I think should be followed has a number of advantages. The character of the country to be passed through is known, its water supply is known, and its adoption would enable construction to be carried on simultaneously from six points, namely, at Kalgoorlie eastwards, at Port Augusta westwards, and at Fowler's Bay and at Eucla in both directions. The southern route which I advocate is shorter than that provided for in the schedule, and, according to the estimate of a competent engineer, would cost about £700,000 less. The engineer to whom I refer is Mr. Gwynneth, one of the most competent railway engineers in Australia. An estimate of the probable cost of the work was made in March, 1903, by a conference of engineers, and Mr. Gwynneth made another estimate on his own account. In July of the same year the conference of engineers reduced its estimate to within a few pounds of his. Then, again, the conference of engineers estimated the cost of surveying the route at £50,000, whereas Mr. Gwynneth's estimate was £20,000, and the work was done for that sum. I have a number of figures and statements which support the proposal which I have made to the Committee, but at this hour I do not propose to use them.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [3.54]. — I would point out that the route proposed to be followed by the honorable member for Herbert runs near the coast, so that it would be easy for an enemy to land and destroy the line. Mr. Deane has gone into this matter of route very carefully, and the whole subject has been before us for four or five months, but, leaving aside all questions of cost, facilities for construction, and the like, it is sufficient to say now that we desire to have the road far enough away from the coast to prevent its destruction by an enemy and to provide for settlement.

Mr. FOWLER.—Could there not be branches run out from the main line?

Mr. KING O'MALLEY.—That is a matter for consideration later on. In the case of a railway for defence purposes, as well as for settlement purposes, we do not desire to expose it to destruction the first time any trouble breaks out.

Mr. KELLY (Wentworth) [3.56].—I quite agree with the Minister's argument against the particular amendment, but I

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suggest that he should take counsel with the Minister of Defence as to whether it would not be wiser to take the line a little further north of Port Augusta. Every argument the Minister has applied to the amendment applies with equal force to Port Augusta, from a defence point of view.

Mr. Fisher.—It is an easy place to defend.

Mr. KELLY.—It is not easy when we remember the citizen basis of our defence organization. We cannot repel a serious attack on any given point only by forts, because forts can be walked around, and, in this case, the line broken.

Mr. King O'Malley.—I shall look into the matter.

Amendment negatived.

Schedule agreed to, and the Bill passed through its remaining stages.

DEATH OF MR. BATCHELOR.

Mr. SPEAKER.—I have received the following letter from the House of Assembly of Tasmania:—

House of Assembly, Hobart,
10th October, 1911.

The Honorable the Speaker,
House of Representatives, Melbourne.

Sir,

I have the honour to communicate to you the following resolution passed by this House this day:—

"Resolved, That this House desires to convey to the Government and Parliament of the Commonwealth its deep sympathy in the loss it has sustained by the sudden and regretted death of the Honorable E. L. Batchelor, Minister of External Affairs."

I have the honour to be, Sir,
Your obedient servant,
J. G. Davies, Speaker.

SEAMEN'S COMPENSATION BILL.

Second Reading.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [4.0].—I move—

That this Bill be now read a second time.

In the closing hours of last Parliament, the Seamen's Compensation Bill was introduced by the late Government, and passed; but on the first occasion on which a claim was made by a seaman for compensation, the High Court ruled that Parliament, in providing for trade within a State, had gone further than it was constitutionally entitled to do, and the whole measure was declared null and void. The Bill I am now introducing is exactly similar to the measure passed by the last Parliament, with the exception that the provision objected to by the High Court is omitted. I find, on looking up the records, that the Bill in last Parliament was passed through all its stages in an hour and a half; and, as I believe the House is practically unanimous in the desire to protect the seamen, I shall take up no further time on the present occasion.

Mr. JOSEPH COOK (Parramatta) [4.2].—I see no objection to the Bill going through, since it merely corrects one of the details in the similar measure introduced by the Government, of which I had the honour to be a member. I should like to say, however, that this Bill is an answer to the statements which were made throughout Australia on the occasion of the referenda that this Government would have no power to give compensation to seamen unless the referenda were approved. We have very substantial power which is embodied in the Bill before us.

Mr. Tudor.—But we have yet to learn what the High Court may say.

Mr. JOSEPH COOK.—If I thought this were an experimental measure, I should oppose it, because we ought to have no more experiments in a matter of this kind. I should have thought the Minister would take steps to satisfy himself that the Bill was within the compass and scope of the Constitution.

Mr. Tudor.—The late Government believed they were within the Constitution.

Mr. JOSEPH COOK.—But the present Government have an advantage, inasmuch as every clause of this Bill has been reviewed by the Judges of the High Court, whereas we were breaking new ground. My only object is to place this Bill on the statute-book in the hope that its beneficent provisions may speedily apply to those unfortunate enough to meet with injuries when they "go down to the sea in ships."

Mr. KELLY (Wentworth) [4.5].—Has the Minister, in view of the doubts to which he has given perfunctory expression as to the legality of the measure, taken steps to submit it in draft form to the High Court, or a Justice of the High Court, in the terms of the provision passed last session.

Mr. Tudor.—That cannot be done until this Bill is passed.

Mr. KELLY.—Then, as soon as it is passed, the Minister will have an opportunity to test it in the High Court.

Mr. GROOM (Darling Downs) [4.8].—The Minister is acting wisely in submitting

this Bill, although we have been called upon so suddenly to deal with it as to place us at a disadvantage in considering it without notice. It would appear, so far as one can form an opinion on the spur of the moment, that the Minister has correctly stated the effect of the recent decision of the High Court. That decision has been to render the principal Act invalid; but I think that this measure is so drafted as to bring it within the general powers conferred by the Constitution. Section 51 of the Constitution provides that the Parliament shall have power to make laws with respect to trade and commerce with other countries, and among the States, while section 98 declares that the power of the Parliament to make laws with respect to trade and commerce extends to navigation and shipping. We are, therefore, empowered to make laws with respect to navigation and shipping with other countries and among the States, and the Bill is so drafted as practically to declare *inter alia* that the principal Act shall apply to ships engaged in trade and commerce with other countries and among the States. Speaking off-hand, it would appear that the Bill is framed in such a way as to confine our jurisdiction within the absolute terms of the Constitution. The Commonwealth has jurisdiction over trade and commerce with other countries and among the States, whilst the States themselves have jurisdiction over trade and commerce within the States. The Commonwealth Parliament may, therefore, pass a measure providing for adequate compensation to seamen who are engaged in the shipping trade between State and State, or between Australia and other countries, and the State Legislatures may also legislate on exactly the same terms in regard to granting compensation within a State, so that the whole area may thus be covered.

Mr. FISHER.—They can cover one portion, whilst we cover the other.

Mr. GROOM.—That is so. I do not think that this judgment can be said to give us a complete definition of our powers with respect to navigation.

Mr. TUDOR.—The Court did not deal with that point.

Mr. GROOM.—No; but it is a matter that must engage our attention when the Navigation Bill is before us. From the American authorities, it would appear that Congress has power to legislate in respect of shipping leaving a port of a State, going out upon the high seas and of the territorial jurisdiction of the country, and returning again to another port of that State. We do not yet know what our powers are in this respect. It seems clear that the navigation power of the United States of America is a good deal wider than most people contemplate. The desire of all parts of the House is that we shall do all that is possible to secure compensation for seamen, and this Bill will be a useful contribution to legislation in that direction.

Debate (on motion by Mr. GREENE) adjourned.

POSTPONEMENT OF BUSINESS.

Motion (by Mr. FISHER) proposed—

That Orders of the Day No. 3 and No. 4 (Government business) be postponed until after the consideration of Order of the Day No. 5.

Mr. JOSEPH COOK (Parramatta) [4.13].—I wish to ask the Postmaster-General whether he has made inquiries, with a view to ascertaining if there is, in his Department, the original contract between the owners of private telephone lines and the Government? He promised to make inquiries, and have the contract laid on the table of the House.

Mr. THOMAS (Barrier—Postmaster-General) [4.14].—I promise the honorable member that I shall have the contract laid on the table before the House is asked to deal with the measure relating to the matter.

Question resolved in the affirmative.

POST AND TELEGRAPH RATES BILL.

Mr. THOMAS (Barrier—Postmaster-General) [4.15].—I move—

That this Bill be now read a second time.

When the Bill establishing penny postage was in Committee in this House, I agreed to an amendment to the effect that books that were printed in Australia should go through at the very cheap rate of 8 oz. for 1d. Since that Bill became law, quite a number of business people are claiming that their catalogues, trade papers, and price-lists are books. There was no intention on my part to allow price-lists or catalogues to go through as books. There seems to be a little difficulty in defining exactly what a book is. In order to make sure that catalogues and price-lists shall not be allowed to go through the post as books, this Bill has been introduced.

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Mr. GROOM.—What is the objection to treating them as books?

Mr. THOMAS.—One objection is that it will mean a tremendous amount of stuff going through the post at a very cheap rate.

Mr. JOSEPH COOK.—Did the Penny Postage Bill, as amended with the Minister's consent, alter the existing practice? Prior to that time, could catalogues, &c., be sent through the post as books?

Mr. THOMAS.—No; they went through as commercial papers and printed matter, at the rate of 4 oz. for 1d. The Penny Postage Bill fixed the rate for that sort of matter at 2 oz. for ½d., which was rather an advantage. A price-list weighing 2 oz. would previously have cost 1d., while one weighing 6 oz. would have cost 2d. That Bill made the postage on 2 oz. ½d., and on 6 oz. 1½d. It has, therefore, made it easier and cheaper to send catalogues, price-lists and other printed matter through the post. We provided in the Penny Postage Bill, as introduced, that newspapers and magazines printed in Australia should go through the post at a cheaper rate than newspapers and magazines printed outside; and I agreed to an amendment according the same privilege in the case of books. We are prepared to continue that privilege for books in the ordinary sense, but we do not believe that catalogues and printed lists should be treated as books. As the Supply Bill has now been returned from another place, I ask for permission to continue my speech at a later date.

Leave granted; debate adjourned.

SUPPLY BILL (No. 3).

Bill returned from the Senate, without request.

ADJOURNMENT.

Motion (by Mr. FISHER) proposed—

That the House do now adjourn.

Mr. JOSEPH COOK.—What is the business for Tuesday?

Mr. FISHER.—We will take the Post and Telegraph Bill, and the Conciliation and Arbitration Bill.

Mr. GROOM.—Is it proposed to go straight on with the second-reading debate?

Mr. FISHER.—Yes; we expect the Attorney-General back.

Question resolved in the affirmative.

House adjourned at 4.23 p.m.

House of Representatives.

Tuesday, 17 October, 1911.

Mr. SPEAKER took the chair at 3 p.m., and read prayers.

DEATH OF MR. BATCHELOR.

Mr. SPEAKER.—I have received the following letter:—

Bloomsbury-street, Hyde Park,
15th October, 1911.

Dear Mr. McDONALD,

Will you, on behalf of myself and family, convey to the members of the House of Representatives our sincere thanks for the resolution of sympathy and appreciation passed by them.

Yours sincerely,
ROSINA BATCHELOR.

RE-ARRANGEMENT OF PORTFOLIOS.

Mr. FISHER.—Since we last met the Government has been reconstructed. The honorable member for Barrier is now Minister of External Affairs, and the honorable member for Kalgoorlie succeeds him as Postmaster-General. The list of Ministers of State for the Commonwealth is now as follows:—

The Honorable ANDREW FISHER, Treasurer;
The Honorable WILLIAM MORRIS HUGHES, Attorney-General;
The Honorable JOSIAH THOMAS, Minister of State for External Affairs;
The Honorable GEORGE FOSTER PEARCE, Minister of State for Defence;
The Honorable FRANK GWYNNE TUDOR, Minister of State for Trade and Customs;
The Honorable KING O'MALLEY, Minister of State for Home Affairs;
The Honorable CHARLES EDWARD FRAZER, Postmaster-General.

DEFENCE.

BARRACKS ACCOMMODATION—CADET FINES—CADET TRAVELLING.

Mr. OZANNE.—Is the Minister representing the Minister of Defence aware that last June I communicated with the Department, pointing out that it was not providing sufficient accommodation at the barracks, and is he also aware that in consequence of overcrowding fever has since broken out among the men?

Mr. MATHEWS.—Are the barracks at Geelong? I thought that they were in my electorate.

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Mr. OZANNE.—The barracks are in Melbourne, but men who are constituents of mine are there. I ask that proper supervision may be exercised in the future, to make overcrowding impossible.

Mr. FRAZER.—I shall take the earliest opportunity to place the matter before the Minister of Defence, who, no doubt, will see what can be done.

Mr. HOWE.—I wish to know from the honorable gentleman what is the rule in regard to the imposition of penalties on young trainees in our Defence Force. As late as Saturday last a constituent called on me, and said that he had a son undergoing training, who was fined 5s. for smoking, and another 5s. for laughing or joking in the ranks. The man has ten children, and his wages amount to only about £2 16s. a week, so that to have to pay a fine of 10s. for his son is a serious matter to him. Cannot the regulations be altered so that pains and penalties shall fall on the boys, and not on the parents?

Mr. FRAZER.—I shall ask the Minister of Defence to furnish the honorable member with a copy of the regulations.

Mr. CHANTER—Is the honorable gentleman aware that in the past the Governments of the States used to permit cadets to travel by railway free, when in uniform and attending drill? Have negotiations been opened with them to provide for the free travelling on the same terms of those who are undergoing compulsory training? If not, will the State Governments be asked to extend the privileges formerly granted to cadets to those who are undergoing compulsory training?

Mr. FRAZER.—The question has been engaging the attention of the Minister for some time. I am unable to say what stage the negotiations have reached, but I shall obtain the information.

PREFERENCE TO UNIONISTS.

Mr. BAMFORD.—I wish to know from the Minister of Home Affairs whether what is known as Packer's union, an association of free workers, has received preference from his Department?

Mr. KING O'MALLEY.—I have not heard of such a union. When it comes before the Home Affairs Department I shall deal with it in a proper way.

Mr. JOHN THOMSON.—In view of the recent announcement of the Government with regard to the policy of preference to unionists, I ask whether the Prime Minister, or possibly the Attorney-General, can inform me where I may ascertain the names of the trade unions registered in the Commonwealth?

Mr. FISHER.—Speaking off hand, I should say that the honorable member would be able to get some information on the subject from the Registrar of the Conciliation and Arbitration Court. I presume there is also a registry of unions kept in the different States. The honorable member might get further information from the Trades Hall.

Mr HIGGS.—I wish to ask the Attorney-General, without notice, whether it has been the practice of his Department to give preference to unionist lawyers?

Mr. HUGHES.—I do not know what has occurred in the Department during my absence, but I shall make inquiries, and let the honorable member know.

STEEL RAILS.

Mr. FENTON.—Has the Minister of Home Affairs read the following paragraph, which appeared in yesterday's *Argus*:—

> An international arrangement controls the steel rail trade, and it has sometimes happened that the desire of a State Government to give a contract to British makers has come into conflict with the international agreement that the order should go abroad. On one such occasion it is reported that the extra price paid by an Australian State Government for British rails was divided between British and foreign makers.

As the Commonwealth will be a large user of steel rails, will the honorable gentleman take steps to see that the rails which we use are made under Government supervision?

Mr. KING O'MALLEY.—Will the honorable member give notice of the question?

Mr. HEDGES.—Is the Minister aware that the arrangement referred to is for placing different weights of rails in different factories, thereby decreasing the cost of manufacture?

Mr. KING O'MALLEY.—I should not have any doubt about anything these gentlemen might do under the circumstances, but we shall be very careful that they do not take us down.

PORT DARWIN FREIGHTS.

Mr. GREENE.—Has the attention of the Minister of External Affairs been drawn to the statement in this morning's *Age* to the effect that freights and fares to Port

Darwin have been very much increased because of the withdrawal of the Commonwealth subsidy? Is he in a position to give the House any information on the subject?

Mr. THOMAS.—My attention has not been drawn to the matter.

OVERTIME PAYMENTS.

Mr. HOWE.—Can the Postmaster-General inform me when the overtime pay due to the clerical staff of the General Post Office, Sydney, will be given? It has been promised for twelve months, and has not been received.

Mr. FRAZER.—I shall be pleased to ascertain the facts, and reply to the question later.

Mr. FISHER.—I understand that the money has been paid.

EXPORT OF BUTTER.

Mr. SINCLAIR.—I desire to ask the Postmaster-General, without notice, whether, under the mail contract, he has such control over the refrigerated space on the Orient mail boats as would enable him to compel the company to provide separate air ducts in order to prevent butter shipped being apple-tainted.

Mr. FRAZER.—I shall be pleased to supply the honorable member with a copy of the agreement between the Commonwealth and the Orient Steam-ship Company.

PAPUAN POSTAGE.

Mr. CANN asked the Minister of External Affairs, *upon notice*—

If the Government will extend the provisions of the Act relating to Penny Postage, so as to include Papua, at an early date?

Mr. THOMAS.—The penny postage in Australia applies to letters posted to Papua, but the law of the Territory as to postage from there has not yet been altered. A communication is being sent to the Lieutenant-Governor on the subject, and probably action will be taken shortly.

FEDERAL CAPITAL.

Mr. HIGGS asked the Minister of Home Affairs, *upon notice*—

1. Whether the authors of those designs chosen as the best by the Board to be appointed to judge the competitive designs for the Federal City will receive the prize money notwithstanding that the Government may not see fit to adopt the decisions of the Board?

2. Will the Minister consider the advisability of appointing as a member of the Board one of the present State Government health officers providing said officer will consent to act?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are—

1. Yes.

2. It has already been stated in the printed conditions of the competition that the Board will consist of an engineer, an architect, and a surveyor.

PAPUA: LIQUOR LICENCES.

Mr. W. ELLIOT JOHNSON asked the Minister of External Affairs, *upon notice*—

1. How many licences were in existence in Papua in 1905?

2. How many are in existence to-day?

3. Has a poll been taken in conformity with the requirements of the Act No. 9 of 1905, Part III., Division 1 and section 21, sub-section 4?

Mr. THOMAS.—The answers to the honorable member's questions are—

1 and 2. Particulars are not available in the Department. Inquiries are being made.

3. A poll in conformity with the requirements of section 21, sub-section 4, of the Papua Act 1905 was taken in the Territory on 1st April, 1907. The votes in favour of reduction of licences numbered 72, and those against reduction 261. The result of the poll was published in the *Papuan Government Gazette*, No. 26, of 2nd October, 1907.

CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Mr. HUGHES (West Sydney—Attorney-General) [3.15].—I move—

That this Bill be now read a second time.

The object of the Bill is primarily to amend the principal Act to remedy the defects therein which the judgment of the High Court in what is known as the Engine Drivers case has disclosed. In addition to the alteration necessitated by this judgment, however, the Bill covers several others, most of them amendments in machinery, and such as experience in the working of the Act has shown to be necessary. I shall not, at this stage, deal with any but the principal amendment, which the decision of the High Court in the Engine Drivers case has rendered necessary. In Committee we can deal with each of the other amendments proposed as they come up for discussion. If honorable members will look at the Bill they will find that in clause 3 it is proposed to define "industry" as follows:—

"Industry" includes—

(*a*) Any business, trade, manufacture, undertaking, or calling of employers on land or water;

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(*b*) any calling, service, employment, handicraft, or industrial occupation or avocation of employés on land or water; and

(*c*) a branch of an industry and a group of industries.

In the principal Act "industry" was defined, under section 4, to mean—

Business, trade, manufacture, undertaking, calling, service, or employment, on land or water, in which persons are employed for pay, hire, advantage, or reward—

Under the principal Act there are several classes of persons exempted, but only those engaged in the callings included in the subsection can come in in any circumstances. In the Engine Drivers case persons employed in driving engines on land asked for an award covering the conditions of employment in their industry, and the question arose, upon reference by Mr. Justice Higgins to the High Court, as to what "industry" meant, and whether a group of persons who followed one avocation could properly ask for an award covering perhaps twenty or thirty different industries. During the hearing of the case, for the first time, I think, it was seen how thoroughly capable this word "industry" was of two entirely different meanings. His Honour the Chief Justice, in delivering judgment, pointed out that if the word were regarded in the passive sense it had one meaning, but if it were regarded in the reflective sense it had quite another. Generally speaking—divested of technicality—the arguments of counsel and the judgments of the Court turned upon this point: When a man is engaged, say, in driving an engine for an employer whose business is the making of jam, can another engine-driver, who is employed driving a locomotive engine, or a pumping engine in a mine, join with the engine-driver at the jam factory, and ask for an award governing the conditions of employment of engine-drivers in jam factories, soap factories, mines, and so forth? It was contended by the union that engine-drivers could join together in this fashion, and by the employers that they could not. The Court ruled against the interpretation sought to be put upon the law by the union. It ruled that "industry" would not bear such an interpretation, but that "industry" meant not the vocation or calling of the employé, but the industry of the employer in which the employé was engaged. Take the case of a jam factory. The employer may employ persons not only for actually making the jam, but also for making tins, driving engines, looking after horses, driving carts, managing elevators, and doing a hundred and one things. Those persons are engaged in distinct callings or vocations. The question was: Could those persons in each of the distinct callings group themselves together, join with persons similarly engaged outside, and register as an organization under the Act? It was decided they could not. It was held by the Court that an award could be made which would cover every one of those persons, but that an award could not be made which would cover them and others engaged in the same trade but in a different industry outside. That is, that an award could not be made to apply, say, to engine-drivers in that particular industry, and also to engine-drivers in quite distinct industries. It would be improper for me—even if it were at all necessary—to deal with the judgment of the Court at greater length. We are not here to discuss—it is not our place to discuss—the merits of the judgment. It is for us to accept it as a fact; and if we think fit to declare that, in our opinion, the interpretation of the law given by the Court was not that which the Legislature intended to attach to it, therefore, the law ought to be altered. Consequently, we are proposing in this Bill so to amend the law that persons engaged in any one avocation may join together and take the benefits of the Act, irrespective of the actual industry in which they are engaged. I want to point out how very important it is that this Bill should pass—and at once. I have here a list of the organizations registered under the Commonwealth Conciliation and Arbitration Act. It covers no less than sixty odd organizations, and no less than twenty of them are affected by the judgment to which I have referred. Consequently, all the persons embraced in these unions are at present outside the scope of the Commonwealth Conciliation and Arbitration Act. They are unable to take advantage of that Act, except in such a piecemeal and unsatisfactory way as in the very nature of things prohibits them from enjoying it at all. This state of affairs is not only highly unsatisfactory, but is dangerous to industrial peace. I may state here that the judgment of the High Court was a majority judgment. Mr. Justice O'Connor and Mr. Justice Higgins dissented from their colleagues. Mr. Justice O'Connor, in delivering his dissenting judgment, set forth the arguments in favour of such an interpretation

of the section as would enable the engine-drivers to take advantage of the Act. In so doing His Honour pointed out that one of the chief canons in the interpretation of Statutes was that we must ask ourselves, in looking at a section of an Act, four questions. These are:—First, what was the common law at the time of the passing of the Statute? secondly, what was the mischief sought to be remedied by the Statute? thirdly, what remedy Parliament resolved upon to cure the defect? and fourthly, the true reasons for the remedy?—

> And then the office of all the Judges is always to make such construction as shall suppress the mischief and advance the remedy, and to suppress subtle inventions and evasions for the continuance of the mischief and *pro privato commodo*, and to add force and life to the cure and remedy according to the true intent of the makers of the Act *pro bono publico*.

Applying those principles here—in so far as they are applicable to Legislatures rather than to a judiciary—we must ask ourselves what the Legislature was aiming at in passing the section in question. I do not think there can be any doubt as to what was meant. It was intended that those conditions which obtained in the various States in regard to this class of legislation, and those principles which govern the formation and organization of associations of labour, should apply in this case. In every State of the group, then and now, as His Honour Mr. Justice O'Connor pointed out, it was possible for any organization, composed of persons engaged in very many different industries, but following one vocation, to form an organization and enjoy the benefits of the law. Of arguments that can be urged against this view, I can see none that is of any importance. And clearly, unless the amendment of the law is made, we shall invite a condition of things which makes for further industrial disturbance. We have to face facts; and one of the chief facts of the present day is the tendency of labour organizations, and also of organizations of capital, to cover a wider and still wider area. It is obviously desirable also, from another stand-point, that this amendment should be made. If we want peace we must have settlements, and, as far as possible, a final settlement, in every industry. Nothing is more conducive to disturbance than a differentiation in the rates paid to the men engaged in the same vocation, but in different industries. Suppose, for instance, that a soap and candle factory is employing engine-drivers, and that the soap and candle industry is brought before the Arbitration Court, and is the subject of an award. The Judge has, in framing an award, to pay regard, amongst other things, to the financial position of the industry; and it may be contended that the industry will only permit of the payment of a certain wage. Suppose that the Judge accepts that position. Then clearly the wages and condition of all the employés, including the engine-drivers, will be limited to a certain extent by the financial exigencies of the industry. Later the Judge comes to the consideration of the position of another industry in a better financial position. I have appeared in four or five cases in which the employers declined to say that their industry would not permit them to pay the wages which were asked. In order to prevent that inspection of their books which otherwise would have followed, they said, "We admit that the industry can pay the wages, but we think that it ought not to do so." Brought face to face with that condition of things, the Judge will say, "I am now free from that restriction which hampered me in deciding the wages of the drivers in the other industry, because it is not a question of whether the profits of the industry will stand an increase, but only a question of whether the work is worth an increase." And he may say that the engine-drivers in that case shall get 11s. or 12s. a day—that is, 1s. or 2s. a day more than in the other case.

Mr. J. H. CATTS.—If the same class of employés in different industries is to be paid at the same rate, does it not mean that the least successful industry will lay down the conditions for the whole?

Mr. HUGHES.—Even so, one of two things must follow. Either men doing the same work in different industries A, B, C and D will get different rates—which would promote discontent amongst the members of the union of which all these men were members, and so all the conditions would be present for industrial strife—or else, as the honorable member has by interjection suggested, the rate fixed by the exigencies of the least profitable industry will fix the rate for the whole. Either of these things is most undesirable.

Mr. J. H. CATTS. — Should not the value of the product of an industry determine what the labour employed therein shall get?

Mr. HUGHES.—I am not going to answer here any abstract economic queries. I do not believe myself that the cost of

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production has anything to do with value at all. Value is not determined by what it costs to produce an article, but what the article will fetch. If I come along and am asked to make an article, and say that I want such-and-such a wage, and the employer replies, "Well, the article will cost more than it can be sold for," I cannot help that. The point is that the employer cannot get my services for less, because I am worth such-and-such a wage. The result may be unemployment, and so bring my wages down gradually until I am willing to make the article at a lower wage. Value is not determined by the cost of production, but cost of production rather adjusts itself to value. However, I am not going into that matter at any great length. The point I wish to make is that there are at least twenty organizations which are directly affected, and many more which problematically may be affected, by this judgment. It clearly does not express the intention of the Legislature, because, in the absence of direct evidence to the contrary, we must assume that the Legislature meant that groups of men would get the benefit of the Commonwealth Act exactly the same as they could do under any State Act then existing. Every State Act then or now existing does permit such a grouping as we demand, that is a natural grouping—a grouping such as experience and the evolution of industrialism have promoted and indeed demanded. Therefore, we merely propose to give effect to the intention of the Legislature. I shall mention some of these organizations, and will be very glad to supply honorable members who so desire with a complete list of them. The Federated Sawmill, Timberyard, and General Woodworkers Association of Australia is clearly inside the judgment. The organization as such would be useless without this measure.

Mr. GLYNN—I think it was in that case that the question of the basis of the organization was first discussed.

Mr. HUGHES.—It may be so. It is not material. All I say is that, on a fair application of the judgment, it does cover this and similar organizations, and if it does —the opinion of the unions coincides with our own that it does—it certainly seems to put outside the scope of the Act a very large number of unions, and consequently does still further handicap the Court, which is sufficiently handicapped by the constitutional limitations. Since this is a statutory limitation, and clearly one not intended by the legislature, we ought to remove it at the earliest possible moment. The Amalgamated Society of Engineers is another organization affected by the judgment. So is the Federal Carters and Drivers Association, of which I can speak from personal knowledge, because I am its president. It is composed of men who drive horses. One man may be employed by a person who is engaged at, say, the Botany Scouring Works; another at a soap and candle factory; another by a carrier, who, in his turn, plies for hire; another by Anthony Hordern and Sons, or Foy and Gibson; while another man is employed by an iron foundry; and so on. These men, because they do the same thing, join together, and ask that an award shall be given so that every man who drives a horse in a vehicle shall receive the same rate of wage, irrespective of the industry of their employer. Again, take the Shop Assistants Union of Victoria. They cannot possibly get the benefit of the Act as it stands, because one man may be an assistant in an ironmonger's shop, another in a grocer's, one in a wholesale, and another in a retail, establishment, and so forth. Then we come to the Federated Engine Drivers and Firemen's Association of Australasia; Federated Agricultural Implement and Machinery and Ironworkers Association of Australasia; Firewood, Coal, Hay and Corn Trade Employés Association of Australasia; Shop Assistants and Warehouse Employés Association of Australia; Sewerage and General Labourers Association of Victoria; Amalgamated Society of Carpenters and Joiners, Victorian Branch; United Operative Plumbers and Gasfitters Society of Victoria; doubtfully the Federated Furnishing Trade Societies of Australia; Federated House and Ship Painters, Painters and Decorators' Employés Association of Australia; Australian Society of Engineers; Wool and Skin Stores Employés Union of Australia; Rubber Workers Union of Australia; Federated Pastrycooks, Biscuit Makers, Ornamenters and Flour and Sugar Goods Union of Australia; Federated Clerks Union of Australia and the Federated Ironworkers Association of Australia. It is desired to enable employers to take the advantage of grouping themselves in the most convenient and natural way, and so it is very proper that all those in any one industry shall come together. For this reason the employés in any one vocation

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ought to be allowed to join one organization. We believe that this will be possible under clause 3 of the Bill, which, amending section 4 of the principal Act, provides—

"'Industry' includes—
(*a*) any business, trade, manufacture, undertaking, or calling of employers, on land or water;
(*b*) any calling, service, employment, handicraft, or industrial occupation or avocation of employees, on land or water; and
(*c*) a branch of an industry and a group of industries."

I do not know that any useful purpose can be served by dealing with the other amendments. I might, however, mention that by clause 2 it is proposed to amend the Act so that unorganized employés may have the benefit of this legislation. I have no doubt that such employés can enjoy the benefit of the Act, but a doubt has been expressed; and this amendment can do no possible harm. I prefer at this stage to leave aside the other details. It is intended that this Bill shall validate, as far as legislation can validate, awards and registrations affected by the interpretation of the High Court, so that an organization may enjoy the benefits of an award in exactly the same way as if that decision had not been given—if that interpretation had not been put on the law.

Mr. DEAKIN (Ballarat) [3.46].—I move—

That the debate be now adjourned.

There is a little matter, however, to which it may be worth while to direct the attention of the Attorney-General. In subclause *b* of clause 3 there is reference to the "avocation" of employés. For the better refreshing of my memory, I have taken the venerable dictionary which adorns the table of the House, and on consulting it I find, as I expected, that the word "vocation" is defined to mean a man's business, calling or employment—"a calling or state of being called to a particular duty, employment, or profession; employment; calling; occupation; trade; profession; business." On the other hand, "avocation" means exactly the contrary—"That which calls a man away from his proper business"; though also "in common usage, a man's business, pursuit, or calling." I find that in the dictionary recently compiled, and already of very high standing, *The Concise Oxford Dictionary*, the word "vocation" means, first of all, a "Divine call." That might relate to the Minister's calling to office; but the word also covers "employment, trade, profession"; whereas, "avocation" means "distraction"—something that distracts from a man's business—and also a minor occupation, vocation, calling.

Mr. HUGHES.—Does the honorable member observe that "avocation" means "a man's business, pursuit, or occupation; vocation or calling"?

Mr. DEAKIN.—I think that must be taken in the secondary sense, as applied to some minor vocation, and not the principal or real vocation. Avocation has two meanings. However, I do not wish to argue the matter, but merely to call attention to it.

Mr. HUGHES.—Perhaps the safer way would be to use both "vocation" and "avocation."

Motion agreed to; debate adjourned.

SEAMEN'S COMPENSATION BILL.

Debate resumed from 13th October (*vide* page 1436), on motion by Mr. TUDOR—

That the Bill be now read a second time.

Mr. GLYNN (Angas) [3.49].—This is a Bill which, I think, should pass without much discussion. The original Act extended to the domestic trade of the States, as well as to Inter-State trade, and it also applied to external commerce. I had a doubt, though not a very pronounced doubt, at the time the original Bill was introduced, whether our navigation power is as wide as some pretty sound authorities think it is. It was decided in America, for instance, that the navigation power extends to all trades, whether purely domestic between one State and another, trade on the high seas, or trade between one port and another of the same State. In America this jurisdiction is based on the assumption that the Admiralty power covers all the waters of the United States, and that there is power to pass such legislation as a Seamen's Compensation Act. That would, at all events, have application to Inter-State trade, and possibly to trade between one port and another in the same State. It was decided in, I think, the case of Lord *versus* The Shipping Company, that if a vessel on a voyage between one port and another, in the same State, went outside the territorial limits the laws of Congress, or, in other words, the Federal power, applied to all conditions during that voyage. There is a doubt, however, as to whether or not our powers are so extensive. I mention this

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matter, because, when we were discussing the Judiciary Bill last year, I suggested that advantage should be taken of it to submit a moot point to the High Court as a short and expeditious way of determining the validity of the Act involved. In the course of the speech in question I said that the question of our jurisdiction in regard to navigation, which was doubtful, might also be referred to the Court. It was extremely doubtful, I pointed out, whether the Navigation Bill, then before another place, was valid, so far as it gave jurisdiction in Intra-State matters—whether that was a power which existed under the Admiralty provisions of the Constitution, or under the Navigation power. In such a matter the issue would be clean cut. I urged that that was a matter of considerable importance, and said that, perhaps, if the Navigation Bill became law, we might take advantage of the Judiciary Bill to test our Navigation power. The question, however, has been decided in connexion with the Seamen's Compensation Act. It is, therefore, only right that we should, at the first opportunity, pass a measure in line with the decision of the High Court, and, so far as I can see, the jurisdiction upon which this Bill is now based ought not to be seriously open to challenge. Despite the case reported in 208 Law Reports—Adair *versus* The United States—in which the Supreme Court, referring to an employer's liability case, said that had a similar Act to this, dealing with transport on land, been confined to Inter-State trade it would have been valid, writers have doubted the power to deal with employment—that is, the position of employés as being directly and substantially connected with the commerce power. For reasons into which I am not going to enter, I believe, however, that the Bill, as it now stands, is within the acknowledged jurisdiction of the Commonwealth Parliament in respect of seamen's compensation. In the recent High Court case Mr. Justice Higgins thought that the provisions of the Act of 1909 were severable. I forget how many judgments were delivered in that case, but Mr. Justice Higgins was, at all events, the dissentient justice. In the course of his judgment he said that, even taking up the test applied by the High Court, or the test of severability which was adopted in America and slightly varied by the High Court, he thought that the provisions of the Seamen's Compensation Act of 1909, which were *ultra vires*, could be severed from those that were not *ultra vires*, and that the Act could be maintained to the extent to which it would have applied had it been limited, as is this Bill. One has, of course, to speak with bated breath and whispering humbleness of the decisions of the High Court, but it seems to me that sometimes, under the rules that have been adopted in the United States of America, and which have not been absolutely adopted by the High Court, in regard to the test of severability a fallacy occurs. A new test, instead of the American test, was applied in the bootmakers' case, but whichever test we take it seems to me that there may be a logical fallacy in holding that if the same thing be expressed in two sections, or two paragraphs, as in the Australian Industries Preservation Act 1906 it can, under circumstances, be severed, but that it cannot be severed if it is expressed in one sentence. In other words, it seems that where, in a measure like this, the full extension of the section, which was not severed in expression, covered what was within our acknowledged power, and what was alleged to be outside our power, the provision was invalid, but that if instead of being in one expression the provision had been put in two different sections by enumeration rather than by the principle of extension, it would have been valid in part, because the one could have been severed from the other. That seems to me to be a somewhat pedantic interpretation of the principle to follow. The bad part can be severed from the good, provided that in doing so we do not establish a substantially different law. In holding the good part valid, and the rest of the Act bad, you do not defeat the whole Act. Where no possible injury can be done by regarding part of an Act as valid, so far as our acknowledged jurisdiction has been exercised—in other words, where a limitation of the extension would not affect the principle—it seems almost a pity to hold that the whole Act must be held to be bad. I could understand it being urged where an Act—say, a taxation measure—applied to a whole class, that if it were confined to a particular class something that the Legislature never intended might be done, by *pro tanto* increasing the tax on or differentiating against the class that remained, and that, consequently, the whole Act would have to be declared bad. But in the case of the Act that we are now amending we should really be bringing it back to the full limits of our jurisdiction,

and the part left out could be dealt with by the States. The High Court, however, whose judgments are entitled to the greatest respect, has decided the matter, and I think that the Government have properly brought down this measure, which apparently falls into line with the decision of the Court as to our actual jurisdiction.

Question resolved in the affirmative.

Bill read a second time.

In Committee:

Clauses 1 to 4 agreed to.

Clause 5 (Compensation for personal injuries to seamen).

Mr. FENTON (Maribyrnong) [3.59].—I presume that this clause would cover a case like that of the seamen on board the *Yongala*. That vessel, as honorable members are aware, was lost, and none of the relatives of the seamen on board was entitled to compensation under the original Act.

Mr. HUGHES.—It would cover the *Yongala* case.

Clause agreed to.

Clauses 6 to 18, schedules, and title agreed to.

Bill reported without amendment, and passed through its remaining stages.

POST AND TELEGRAPH RATES BILL.

SECOND READING.

Debate resumed from 13th October (*vide* page 1437), on motion by Mr. THOMAS—

That this Bill be now read a second time.

Mr. THOMAS (Barrier—Minister of External Affairs) [4.5].—Just before the House rose on Friday, I was explaining the object of this Bill. It was not intended at the time that the Act establishing penny postage was passed, that catalogues and price-lists should come under the category of books. The intention was that they should be classed, as they always were in the past, as printed matter and commercial papers. In order to overcome the difficulty which has arisen in regard to defining exactly what a book is, two courses are open to us. One is to remove altogether from the Act, as passed last session, the item allowing books printed in Australia to be carried through the post at the extremely cheap rate of 8 ozs. for 1d., and so to come into line with other countries, leaving the question practically as it was before the introduction of penny postage; while the other course is the one adopted in this Bill. We are anxious to do something for the legitimate Australian author, who writes a book in the ordinary acceptation of the term, and, in order to allow him to retain the concession made last session, we propose to add the words "except as prescribed" after the words "books printed outside Australia," and after the words "books printed in Australia," respectively. If that is made law, the Department can, by a mere regulation, state what is and what is not a book. If a person claims that a catalogue ought to go through as a book, we shall be able to say, "That catalogue is not a book."

Mr. GROOM.—Under what heading will it go through the post, then?

Mr. THOMAS.—As printed matter and commercial papers, at the rate of ½d. for 2 ozs. Another clause in the Bill leaves out the word "serial" from the definition of "magazines." In the Act of last session, we defined "magazines" as "magazines, reviews, serials, and other similar publications." A number of business men are now claiming that if they issue a catalogue at regular intervals, it is a serial, and should go through the post at the cheap rate prescribed for magazines published in Australia. This amendment is to overcome that difficulty.

Mr. GROOM.—How will pamphlets be dealt with? They may be regarded as small books.

Mr. THOMAS.—No. We say that a pamphlet should come under printed matter. That question, in any case, can be dealt with by regulation.

Sir JOHN FORREST.—Why cannot pamphlets be included?

Mr. THOMAS.—The best way is to accept the Bill as it stands, because, if we do not cover them by regulation, pamphlets will go through as books. The rate of 1d. for 8 oz. is a more liberal one than is allowed in any other part of the world, ½d. for 2 oz. being charged elsewhere for the conveyance of printed matter and commercial papers. If the Act be not amended, the Department will lose nearly £20,000 a year on the conveyance of catalogues and price-lists issued by business men, and posted as books.

Mr. GROOM.—On what is the estimate based—on the volume of known business?

Mr. THOMAS.—I am using figures that have been supplied by the Department. It must be remembered that the introduction of universal penny postage for letters was a great concession to the commercial classes, though I have always advocated that step,

and would not retrace it. The low rate to which I referred was adopted by me because the rates for books and magazines printed in Australia were lower than those for books and magazines printed elsewhere, but many of the printed circulars of firms are quite big volumes. The price list issued by Lassetter and Company is an example. The alternatives before us were the abolition of the rate for books, or the retention of the rate for such publications as are ordinarily considered books, leaving it to the Department to say by regulation in regard to other publications whether it considers them to be books, and will, or will not, carry them at the book rate.

Mr. GROOM (Darling Downs) [4.15].—I do not think that any honorable member desires that the rate for the postage of books shall be increased, but I ask the Minister to reconsider his decision in regard to catalogues printed in Australia, and relating to Australian industries. Are we to understand that the £20,000 he spoke of is the total loss which would be suffered by the Department in connexion with mail conveyance if the whole of the Bill be not adopted?

Mr. THOMAS.—The loss I referred to is estimated at from £18,000 to £20,000—say £18,000.

Mr. GROOM.—I should like to know whether the Department cannot afford to carry the catalogues I spoke of at the book rate of postage. If it can, I think it should continue to do so. It is the desire of all of us to assist the development of internal trade in respect to Australian productions, and if the book rate will cover the cost of conveying the catalogues I spoke of, it should continue to apply to them. Will the Minister tell us what difference to the revenue of the Department the adoption of my proposal would make?

Mr. THOMAS.—Catalogues not printed in Australia cannot be carried at the rate for books printed in Australia.

Mr. GROOM.—I understand that the Department loses revenue by reason of the serial rate, and in other ways. The catalogues I spoke of are intended for the promotion of internal trade. They, of course, benefit those who issue them, but they are of advantage to the community also in bringing Australians into touch with each other.

Mr. J. H. CATTS.—Do they not merely enable the big city storekeepers to take business from the country storekeepers?

Mr. GROOM.—These catalogues are issued by manufacturers very largely. How much of the £20,000 lost is due to the carriage of the catalogues I spoke of at the book rate?

Mr. THOMAS.—Most of it.

Mr. GROOM.—Does not the rate cover the cost of carrying these catalogues?

Mr. THOMAS.—I should say not. No country in the world carries such matter at the same rate.

Mr. GROOM.—What I suggest would be of substantial assistance to Australian industries. As the matter stands at present, there is some doubt as to whether these should be considered books or not, and the Minister is quite justified in asking that that doubt should be removed. The object of the Bill is to remove these publications from the category of books, and put them in a category on which a higher rate of postage is charged. The honorable gentleman will be able to correct me if I am wrong, but I understand that some time ago a different practice in dealing with this matter prevailed in different States.

Mr. THOMAS.—That is so, but on an instruction from the Central Office the same practice is now followed in all.

Mr. GROOM.—I shall not continue the discussion on the second reading, as we shall be able to get any further information required during the consideration of the Bill in Committee.

Mr. FENTON (Maribyrnong) [4.22].—There is something in the request made by the honorable member for Darling Downs for a differential treatment of catalogues printed in Australia. The printing trade of the Commonwealth is very much interested in this matter. I have had handed to me, from time to time, catalogues and lithographic pictures and advertisements for certain kinds of whisky——

Mr. THOMAS.—The honorable member would not allow them to go free through the post?

Mr. FENTON.—Unfortunately, the Postmaster-General permits these advertisements to go through the post at a very low rate, although they come to us from the other side of the world. I understand that before the Tariff Act can come into operation in connexion with this matter, printed matter going through the post must weigh not less than a certain weight. Printers have complained to me that this printed matter, brought from the other side of the world, is allowed to come through if it does not weigh more than a certain weight, and

is addressed to one person. Thousands of these catalogues are printed and despatched through the Post Office at an exceptionally low rate of postage.

Mr. THOMAS.—Not at a lower rate, I think, in any case than 2 ozs. for ½d.

Mr. FENTON.—I made inquiries at the Customs Department, and was informed that they have no power to interfere with the introduction of this printed matter, and the Post Office authorities do not object so long as it does not weigh too much. I have before me a circular, which, I presume, has been sent to other honorable members as well, in which I find that it is stated that the rate on books, printed and published in Australia, is ½d. for 8 ozs. Am I to understand that the Minister proposes that that rate should be altered to ½d. for 10 ozs.?

Mr. THOMAS.—No. The postage on books will remain the same.

Mr. FENTON.—Then it is proposed merely to deal with periodicals, serials, and magazines?

Mr. THOMAS.—It is not proposed to alter the rates at all, but to enable the authorities to define printed matter by regulation, and to prescribe, for instance, that certain printed matter is not a book.

Mr. FENTON.—I find that in the case of books printed and published in Australia the postage rate is 8 ozs. for ½d., whilst on books printed abroad the postage is 4 ozs. for ½d., and that magazines, reviews, serials, &c., printed and published in Australia at intervals of more than three months, the postage is ½d. for 8 ozs.

Mr. GROOM.—It is proposed by the Bill to omit serials from that category.

Mr. FENTON.—If this matter is printed and published abroad the postal charge is ½d. for 4 ozs. By making some concession, such as was suggested by the honorable member for Darling Downs, we should be treating no one unfairly, and would, probably, promote the printing and publication in the Commonwealth of catalogues such as the honorable member has described, in which persons concerned in the agricultural implement making industry and similar industries are interested. The distribution of such catalogues is a means of spreading information, and confers a benefit upon buyers as well as sellers. I find that books printed abroad in Germany, in Japan, or any other country, are carried throughout Australia at a postage rate of ½d. for 4 ozs., and catalogues printed in Australia by our own people, and calculated to promote internal trade, are charged a postage rate of ½d. for 2 ozs. I think that some amendment might be made in favour of our Australian printers and business men who desire to circulate catalogues. We might allow such catalogues to go through the post at a rate of ½d. for 4 ozs. That would, I think, be a reasonable concession to make. I agree with the Minister that a very great concession has been made to commercial people by the establishment of penny postage, but that applies all round. I think this Parliament should be out every time to encourage Australian industry, and the Australian industry of printing has attained considerable dimensions. If it would lead to the employment of more people in the printing industry, I see no reason why we should not permit catalogues, printed in Australia, to be carried through the post for ½d. for 4 ozs. I hope the Minister will give consideration to that suggestion, which, if carried into effect, would benefit not only the commercial world, but an army of workers engaged in the printing trade in the Commonwealth.

Mr. GREENE (Richmond) [4.28].—I agree with the honorable member for Maribyrnong, that in this matter we should, as far as possible, encourage Australian industry. I understand that the object of the Minister of External Affairs, in introducing this Bill, is solely to take catalogues out of the list of publications which are carried through the post at the cheap rate under which magazines are circulated.

Mr. THOMAS.—Catalogues and price lists.

Mr. GREENE.—And to include them in the category of printed matter to which he maintains they properly belong, and on which a higher postage rate is charged.

Mr. THOMAS.—And in which it was intended by this Parliament that they should be included.

Mr. GREENE.—I am inclined to think that the cost of postage is a very small matter in comparison with the actual cost of production of many of these catalogues. I think I am right in saying that the cost of production of many of the extensive catalogues issued by our big firms runs up to somewhere near 10s. a piece. I have one catalogue in my mind, issued by a Brisbane firm that issues catalogues somewhat extensively, in which it is stated that the cost of each of these catalogues to the firm is somewhere about 16s.

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Mr. THOMAS.—I will guarantee that penny postage has meant a reduction of £1,000 a year in the postage of such a firm.

Mr. GREENE.—The postage on such catalogues cannot, I think, be a matter of very much consequence. I really rose, however, to draw attention to an anomaly in connexion with telegraphic rates. A statement was made during the debate on the Address-in-Reply to the effect that the introduction of penny postage had completed the federation of the Australian postal services. But whilst the present anomaly continues in connexion with telegraphic rates charged to persons who send messages from places on the borders of the States, we cannot say that complete federation has been accomplished.

Mr. THOMAS.—We could get over the difficulty by charging 1s. for all telegrams.

Mr. GREENE.—No doubt. The extra charge is only made on account of the first sixteen words. After that the rates are exactly the same. We can ascertain exactly what the Commonwealth would stand to lose by adopting a uniform rate throughout Australia. The Official *Year-Book* shows that the total number of Inter-State telegrams amounts to 2,582,000 per annum. A loss of 3d. on each of those messages would total £32,275. Taking into account the possible expansion of business by a reduction of rates for border places, we may estimate that the Commonwealth would stand to lose not more than £30,000 per annum by the adoption of a uniform rate.

Mr. THOMAS.—The honorable member would charge a rate of 9d. all round?

Mr. GREENE.—Yes.

Mr. SPEAKER.—I must ask the honorable member not to go into details in reference to the matter he has mentioned.

Mr. GREENE.—As this Bill is for the purpose of amending post and telegraph rates, I thought it right to bring the matter under the notice of the Government, because people who live just at the borders of States feel that they suffer under an injustice, especially when they are sending telegrams only a few miles.

Mr. THOMAS.—I admit that there is an anomaly, but it is difficult to overcome.

Mr. GREENE.—I consider that the Department ought to deal with the matter. No doubt, however, there will be an opportunity of mentioning it again later on.

Question resolved in the affirmative.

Bill read a second time.

In Committee:

Clause 1 agreed to.

Clause 2—

The First Schedule to the Principal Act is amended—

(i.) by inserting in Part II. the words "except as prescribed" after the words "Books printed outside Australia" and after the words "Books printed in Australia" respectively; and

(ii.) by omitting from Part II. the definition of and rates of postage for "Magazines" and inserting in their stead the following definition and rates of postage :—

Magazines—that is to say,

(*a*) Magazines, reviews, and other similar publications, printed and published in Australia for sale in numbers at intervals not exceeding three months and consisting of writings or articles on current topics, fiction, religious, technical, scientific, or practical subjects, for each magazine, ½d. per 8 ounces or part of 8 ounces;

(*b*) Magazines, reviews, and other similar publications (including newspapers), printed and published outside Australia for sale in numbers at intervals not exceeding three months and consisting of writings or articles on current topics, fiction, religious, technical, scientific, or practical subjects, for each magazine, ½d. per 4 ounces or part of 4 ounces.

Mr. FENTON (Maribyrnong) [4.35].—I should like the Minister in charge of the Bill to consent to the insertion of the words "catalogues printed in Australia, ½d. for 4 ozs. or part of 4 ozs." I think that we should take advantage of the opportunity to confer this benefit upon the printing trade.

Mr. RILEY.—At the expense of the rest of the community.

Mr. FENTON.—The same might have been said about penny postage. In fact, I myself did contend that by penny postage we were giving a very liberal bonus to the mercantile community.

Mr. THOMAS.—We were, and it was a very fair thing to go on with.

Mr. FENTON.—An argument in favour of the proposal which I now make can be based on much stronger grounds, because not only would it benefit the commercial classes who circulate catalogues printed in Australia, but it would also benefit a large body of workers—printers, machinists, bookbinders, lithographers, and all concerned in the production of catalogues. Commercial catalogues nowadays are works of art, and very often provide a splendid means of circulating valuable information.

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The CHAIRMAN.—Where would the honorable member propose to insert the words?

Mr. FENTON.—They might either be inserted at the end of paragraph *b* or in a new paragraph.

Sir JOHN FORREST (Swan) [4.38].—I should like to inquire how the rates now proposed compare with those charged in England? Persons engaged in business in this country ought to be able to send their catalogues throughout the world at the same rates as English people send their catalogues to us. Otherwise Australian manufacturers and merchants would be at a disadvantage. I also wish to ask the Minister a question concerning the words "printed papers as prescribed," used in the original Act. I am in the habit of sending small pamphlets through the post, generally containing a speech or two which I have delivered in this House. I do not send these pamphlets "on service," I may tell honorable members.

Mr. FINLAYSON.—Because the right honorable member would not be allowed to do so, I suppose.

Sir JOHN FORREST.—Oh, it can be done, and some honorable members know how to do it. There is no definition covering the kind of publications to which I refer. When one asks any one what the postage is, either he does not know, or he "thinks" that, inside Australia, it is ½d. for 2 oz. or part of 2 oz., and outside Australia, 1d. Cannot the Minister make the position clear as to the rate to be charged on pamphlets? I think that publishers in Australia should be put on as good a footing as publishers in England.

Mr. THOMAS.—They are on a better footing.

Mr. JOSEPH COOK (Parramatta) [4.41].—As I understand the Act, it was clearly intended to give preference to Australian writers, printers, and publishers of books over books written, printed, and published abroad. If Protection was the real motive for the differentiation in the rates, there seems to be no reason why there should not be the same differentiation made in the case of catalogues as in the case of books. Why should the differentiation in the present Act be altered? If, on the other hand, there is an idea that we ought to encourage our literary talent to develop itself in that way, and create more opportunities, quite other considerations come into the purview. But I take it that, from the point of view of the Post Office, this is a business transaction, and is intended to contain a distinct preference to our workmen as workmen, apart altogether from the authors, the printers, and the publishers of books. If that is to be the governing principle, the proposal of the honorable member for Maribyrnong would seem to be entitled to consideration. It is no longer a matter of fiscal policy, but a matter of justice—that is, a matter of fairly adjusting the policy which the Minister has declared it to be his object to carry through.

Mr. GLYNN (Angas) [4.43].—I nearly always agree with the honorable member for Parramatta when he states a case; but I confess that I am not altogether convinced as to the expediency of making this amendment, as it differentiates between catalogues which come from abroad and catalogues which are produced here. I would like to see all catalogues carried at a low rate, because I cannot see where a competition between them arises. Take, for instance, a catalogue in connexion with one of the celebrated second-hand bookshops at Home. Surely it does not come into competition with any catalogue produced in Australia; it deals with quite a different class of thing. I do not think for a moment that the manuscript of a catalogue which applies to Australian productions or books would be sent to England to be printed and brought out. If that is done, I can understand that a differentiation should be made. Books are in a somewhat different position, because some Australian writers publish in England. I can understand a difference being made as regards the rate for the distribution of books or publications, so as to encourage local printing, because competition does arise there. Perhaps the Minister will tell us if there is any possibility of substantial competition between the printers of catalogues outside the Commonwealth and the printers of catalogues within the Commonwealth. I think that the local trade cannot be injured. If that is so, my view would be to lower the rate. To some extent, we have encouraged trade with the Mother Country. I am not speaking as a Preferential Trader, but recalling a fact. It is not quite consistent with the system of preferential trade to differentiate as regards one of the means of attracting trade. The definition of "magazines" has been rather limited by adding the words "on current topics, fiction, religious, technical, scientific, or practical subjects." Take some magazines which deal with literature

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only; will they come in under this definition, or as fiction? Again, some magazines do not deal with current topics, but with history. Under this definition, we may exclude magazines which we wish to come in. Take, for instance, the *Annals of the American Academy of Social and Political Science*, published monthly. Very often an issue of this magazine deals with a special subject, and perhaps several men contribute from different points of view to the issue. There are some magazines which certainly do not deal with "fiction, religious, technical, practical, or scientific subjects." I suggest it will be well to add another species of fiction, and that is history and poetry. I hope that my suggestion will be considered.

Mr. HIGGS (Capricornia) [4.48].—I think that the object of the Minister in granting the concession last year was to encourage the Australian author, and I hope that it will not be interfered with by this Bill. I should like the Minister to accept an amendment that these books, catalogues, and pamphlets, shall receive the concession where they are wholly set up as well as printed in Australia. While we should encourage the Australian author, we ought also to encourage the Australian printer. A number of partially-printed publications are brought into Australia, and there is a method whereby the importers are able to do without any local composition, and that is by the use of stereotypes and blocks imported from abroad. I think that the insertion of one or two words is necessary; and, therefore, I hope that during the next few minutes the Minister will consider the question of putting in the words "wholly set up and printed in Australia."

Mr. FENTON (Maribyrnong) [4.50].—The intention of my amendment was to protect the Australian printer, and I referred to compositors as well as ordinary printers. But if the insertion of the words suggested by the honorable member for Capricornia will meet the case more fully, I am quite prepared to submit the amendment in this form—

(*c*) Catalogues wholly set up and printed in Australia, one halfpenny for four ozs. or part of four ozs.

Mr. GROOM (Darling Downs) [4.51].—I ask the Postmaster-General to seriously consider the question raised by the honorable member for Angas as to the definition of "magazine."

Mr. THOMAS.—There has been nothing to prevent magazines coming in.

Mr. GROOM.—That is quite right, because this definition has never yet been applied. The present definition speaks of "magazines, reviews, serials, and other similar publications," printed and published in Australia at intervals not exceeding three months. That is a wide definition, but the Minister now narrows it down to publications "consisting of writings and articles on current topics, fiction, religious, technical, scientific, or practical subjects." That limits the definition; and any magazine not coming within it may be excluded altogether. So far as I understand what is proposed the Minister aims at certain people who publish what they call "serials" in connexion with their business. For instance, a man who conducts a land agency office may publish a "serial," the first article in which deals with land valuation, and so forth, and the remainder of which is matter connected entirely with his own business, and probably consisting of lists of properties for sale. That, I understand, is the class of publication aimed at.

Mr. THOMAS.—Yes.

Mr. GROOM.—The Postmaster-General, instead of eliminating what he considers to be objectionable, has gone the other way about, and proposes a definition which, in practice, he will find it difficult to apply.

Mr. THOMAS.—There is no desire to exclude any legitimate magazine; and I am prepared to accept any amendment which will meet the case.

Mr. GROOM.—"Current topics," I suppose, means comment on political, social, and other movements. "Fiction" is probably in the realm of novels and stories, and I take it that "practical subjects" means farming and matters of that sort. As a matter of fact, we have no idea as to the meaning; and I ask where there is room for the historical magazine.

Mr. THOMAS.—I have no objection to insert the word "historical."

Mr. GROOM.—I know it is difficult to give an all-embracing definition, but I ask the Postmaster-General to look closely into the matter again.

Mr. JOSEPH COOK.—Every post-office in the world has been defining for fifty years, and something is always left out!

Mr. GROOM.—But here we are defining by Statute, and not by regulation. Any question or doubt that arises will be referred to the Attorney-General, who will

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give a legal opinion; and, though the persons affected may feel that an injustice is being done, they will be informed by the Postmaster-General that he is bound by the law. I know that the Minister's object is to exclude publications which are not really magazines; but he ought to take care that, in his efforts, he does not hit the genuine publication.

Mr. HIGGS (Capricornia) [4.55].—As the Postmaster-General has raised no objection, I take it that he agrees with what I said about the necessity for providing that this concession shall be given to books that are set up as well as printed in Australia. We know that it would be quite easy to import the stereotype, and thus get the benefit of the lower rates.

Mr. THOMAS.—I am afraid that the honorable member's proposed amendment would make it very difficult so far as the Postal Department is concerned.

Mr. HIGGS.—If people knew that the publications might be stopped at the Post Office, they would, I think, get their books set up and printed here, so that there would be no necessity for the postal authorities to make search. I desire to move an amendment in the direction I have indicated.

Mr. THOMAS (Barrier—Minister of External Affairs) [4.57].—I hope the honorable member for Capricornia will not press his amendment at this stage, because, in my opinion, it would be better to discuss it later when we come to deal with the question of catalogues. When the penny postage was under discussion, the appeal was made that we should help the Australian author, who, if protection is the policy of the country, ought to have some benefit if possible. In my opinion, the amendment of the honorable member for Capricornia might have the effect of handicapping the Australian author, because it provides that his book shall not only be printed, but set up in Australia. Catalogues, of course, are different from books. From a purely departmental stand-point it would be wise to accept the amendment, because the greater the difficulty surrounding the printing and publishing of these books the smaller would be the number of books which the Department would have to carry at this very cheap rate. The rate is so low that it cannot possibly pay. I know of no other country where books are carried through the post at a lower rate. In England the rate is 2 ozs. for ½d., and beyond that weight "including books, &c.," up to 4 ozs., 1d. Our proposal will allow printed matter to be carried through the post as cheaply in Australia as it is in England, although there is a remarkable difference between the size of the two countries. In the United States of America the charge is ½d. for each 2 ozs., including books, whilst in New Zealand printed matter, including books, is carried through the post at the rate of ½d. for each 2 ozs., or fraction thereof. In England, Canada, and New Zealand the rate is ½d. for 2 ozs. in respect of books and printed matter; but we provide that books, printed locally, shall be carried at the rate of 8 ozs. for ½d., so that we offer, in this respect, a much greater concession than is offered in the Old Country.

Mr. HIGGS (Capricornia) [5.4].—Yielding to the Minister's request, I shall not press my proposal. I now move—

That after the word "publications," paragraph *a*, the words "wholly set up" be inserted.

I am dealing now with magazines, whereas the honorable member for Maribyrnong proposed to deal with catalogues.

Mr. THOMAS (Barrier—Minister of External Affairs) [5.5].—I can only repeat that, from the stand-point of the Postmaster-General's Department alone there could be no objection to this amendment, since it would have the effect of making more difficult the local production of magazines, and would, consequently, reduce the number going through the post at this low rate.

Mr. DEAKIN.—Magazines are set up here.

Mr. THOMAS.—Then there is no necessity for the amendment.

Mr. DEAKIN.—There may be others.

Mr. THOMAS.—I do not consent to the amendment, because I think that the paragraph, as it stands, will encourage the publication of magazines in Australia. All that I have said respecting the suggestion made by the honorable member for Capricornia, in regard to the transmission of books through the post, will apply to this amendment. The Department can gain nothing by transmitting magazines at this low rate. The only reason why such a low rate is proposed is that we recognise that magazines have an educational value, and that we ought, therefore, to encourage their distribution among the people. That is why we have a low rate for magazines introduced from other countries, and a still lower rate for magazines locally produced.

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Mr. ARCHIBALD.—To carry out that principle logically the honorable gentleman should propose that those magazines be transmitted free of charge.

Mr. THOMAS.—We cannot carry every argument to its logical conclusion. If the amendment is carried it will tend to reduce some of the loss that the transmission of magazines produced in Australia now entails on the Department, but in the interests of the publication of magazines in Australia I hope that it will not be adopted.

Mr. THOMAS BROWN (Calare) [5.9].—It is all very well for the Minister to say that the adoption of this amendment would benefit the Department, but we have to remember that the Department is designed to benefit the public. My desire is that the Australian printer, the Australian author, and also the reading public of the Commonwealth shall receive fair consideration. It seems to me that the adoption of this amendment would have a prejudicial effect on a number of useful Australian productions, part of the matter used in which is set up and stereotyped elsewhere. A considerable portion of the literary matter is written here, and the whole of the mechanical work of setting that matter is carried out in Australia, but the continuance of such publications might be restricted by this amendment, for the reason that a portion is produced and stereotyped elsewhere. The reading public might be denied very useful information, while the Australian writers who find in these publications a useful outlet for their abilities would find it more difficult to publish their work.

Mr. GREENE.—To what publication does the honorable member refer?

Mr. THOMAS BROWN.—I am not sufficiently acquainted with the technicalities of the business to go into details; but there is a considerable amount of useful and informative matter in a publication like the *Review of Reviews*, which circulates all over Australia. I understand that a considerable portion of the matter in it is stereotyped in the Old Country, but, in addition to that, there is in it a large amount of material which is purely Australian.

Mr. HIGGS.—Yes; and absolutely biased against this party.

Mr. THOMAS BROWN.—That does not matter. The honorable member cannot treat one paper differently from another [illegible] politics are of a different colour. Since the Australian edition of the *Review of Reviews* came under its present management it has been very partial and biased against the Labour party. Another publication might deal much more fairly with the party, and even in the case of the *Review of Reviews* it would probably only be a case of changing the editor to make a considerable change in the character of the literary matter. The English edition has been very liberal and fair in its politics, and its editor takes very wide views. To what extent will the proposal of the honorable member for Capricornia affect magazines published in Australia, and at the same time deriving a considerable amount of their matter from outside? They also distribute purely Australian matter, written by Australian authors, and set up in Australia. They are doing good work in encouraging Australian literature, and to penalize them by extra postal rates would be to do an injury to the reading public of Australia, and to a large number of rising Australian writers, whom we should endeavour to encourage.

Mr. HIGGS (Capricornia) [5.13].—I make this proposition in the interests of Protection, while regretting that it is necessary to adopt such a means as a Postal Rates Bill to get some protection for the Australian printer. I hope the time will come when import duties will keep out of Australia the literature printed in other parts of the world, and referred to by the honorable member for Calare. We have a standard of comfort and living which we desire to maintain. I do not want to go over the whole ground of Protection, but it would appear to be necessary to do so, because the honorable member for Calare has just made a Free Trade speech. Free Trade is, or ought to be, a back number in Australia. America was mentioned by the Minister of External Affairs, whom I congratulate on the new portfolio which he has taken. In America a *Review of Reviews* is published. The British *Review of Reviews* is not imported into that country, as the Australian edition of the *Review of Reviews* is imported into Australia, because in America there is a prohibitive Tariff against printed matter of that sort. I hope that some day we shall have practically a prohibitive Tariff on a great deal of the printed stuff which comes into this country.

Mr. THOMAS BROWN.—Deal with it on the Tariff, and not on a Postal Rates Bill.

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Mr. HIGGS.—The honorable member did not follow those lines. He argued that the higher rate of postage would be prohibitive in the case of the *Review of Reviews*. Tons of literature of all kinds, including penny publications like *Scraps* and *Funny Cuts*, now come into Australia free. There should be a high protective Tariff on it in the interests of those Australian authors for whom the honorable member for Calare has been pleading. If we encourage the Australian printing trade, we at once encourage the Australian authors. Quite a host of Australian short-story writers have to send their stuff abroad, while a number have to go to London and elsewhere to get a living. I am asking for only a small concession for the protection of Australian printers and authors, and I hope the Minister will withdraw his opposition to it. In a weak moment I interjected that the Australian matter in the *Review of Reviews* was biased against the Labour party. I hope honorable members will not think I want to penalize that magazine on that ground. I am willing to give the biased editor of the Australian edition all the protection that can be given to him by a big import duty and by concessions in postal rates, so long as he has all his matter set up and printed in Australia.

Mr. WEST (East Sydney) [5.19].—I hope the Minister will accept the amendment of the honorable member for Capricornia. The duty on blocks and matrices sent here from England at the present time is only, I think, ½d. per inch. The intrinsic value of the block or matrix is not great, because all the matter has already been used before in England or America, but it is used here, with the result that those who could cut the blocks in Australia have no work. The time is coming when we should give more encouragement to that class of employment, because it is very congenial to Australians. It is artistic work, to which the Australian people are specially adapted. So far as catalogues are concerned, I hope that the Postmaster-General will allow them to go through the post at a low rate, provided not only that they are printed in Australia, but that the matrices and blocks used in their production are made here. That would encourage a local industry which, if encouraged, would give a great deal of work. Personally, I would absolutely prohibit the sending of catalogues into Australia, and shall have something to say on the subject when we next deal with the Customs. Both Canada and the United States of America protect their people in the way I suggest our people should be protected. At the present time, blocks which have been used by firms like Harmsworth are sent out to Australia to be used again here, and this takes from our people the opportunity to get work which they would otherwise be called upon to perform. Although not a printer myself, I have made hundreds of pounds in my business from my connexion with the printing trade. There is a great deal of work involved in the production of catalogues, and generally a great many blocks are used, not merely to show the various goods which are advertised, but also to bring under the attention of the public the appearance of the business house, its work-rooms, machinery, and so on. The production of these blocks would give a great deal of work, and very congenial work, to Australians, if the importation of blocks were prohibited. I am always for the Australian. I would put him first, and the foreigner nowhere. I am sure that all connected with the printing trade will feel that the Minister has acted hastily if he fails to give effect to the views which have been stated by the honorable member for Capricornia, and supported by the honorable member for Maribyrnong and myself.

Dr. MALONEY (Melbourne) [5.25].—Any one who knows the difference between the standards of living in Great Britain and here must feel the need for protecting our workmen against the competition of other countries. The comparison of an American magazine such as *Scribner's* with certain English publications will show how it will benefit even Great Britain to adopt the policy which the honorable member for Capricornia is asking the Minister to adopt. Many blocks after being printed from in America are sent to Great Britain, along with stereotyped matter, and there used again, but the result is not comparable for art or beauty with the American production. It is necessary for us to protect ourselves from the competition of the printing trade in Japan and in India. Some time ago I brought under the notice of the Customs Department the fact that matches were being sent here from Japan, on the labels of which were printed the words "Trade Union Matches." We are at a disadvantage as regards India, because, owing to the difference of currency, a half-anna will carry postal matter further than a

penny. There are in Melbourne to-day canvassers or travellers for Indian goods, using Indian printed matter. The honorable member for Capricornia was one of our most consistent and persistent Protectionists, and while those in whose veins flows the rich, red Australian blood pity deeply the misery of the unfortunates in other lands, they know how necessary it is to protect our workers. If England adopted a protective policy, she would advance by leaps and bounds. This matter might be summed up in a nutshell, and if the Minister can see his way to include the words referred to, he will please, not only the honorable member for Capricornia, but every Protectionist in Australia.

Mr. FENTON (Maribyrnong) [5.31].—In common with the honorable member for Capricornia and other honorable members who have some knowledge of the way in which stereo blocks are introduced into Australia, I urge upon the Minister the adoption of the amendment. I might remind the Committee, that, for years, the different editions of the *Encyclopædia Britannica* were printed from the one set of blocks. By some means the blocks were introduced into America, and copies of the work were printed from them there instead of in England. I do not suggest that these stereo blocks would be imported for the printing of an edition of the work in Australia, but such a course could be followed, and I mention the matter as an illustration of the use which in these days is made of stereo blocks. The insertion of these words would protect the Australian printer. They would involve the setting up of the type in Australia, and if it were desired afterwards to stereotype the matter, that would mean more work for stereotypers. It is difficult to follow the ramifications of the industry involved in the publication of a catalogue or a book. First of all, there is the author, who prepares the matter in manuscript, or dicates it to a typist. The typewritten copy may go back to the author for correction, and it may have to be typewritten again, thus affording more work. Later it is sent to the printer, and is set up by a compositor or a linotypist. Then there are readers and others employed to revise the matter as printed. If it is to be stereotyped the stereotypists are called upon to take their share in the preparation of the work, and then it is put into the hands of the machinist, the bookbinder, and later of the bookseller. It is, in the circumstances, difficult to say how much employment would be afforded by the insertion of these few words in this Bill. I have no doubt that the Australian printer is fairly well able to look after himself, but we should be prepared to do all we can to extend the operations of Australian workmen, and give them protection in their industry. I do not see why we should not print and publish in Australia practically everything that Australians need to read. I believe that the time is not far distant when our Tariff wall will be so high that, as the honorable member for Capricornia has said, it will have the effect of shutting out many thousands of books that are now imported from abroad, and of giving additional employment to thousands of people in our printing offices, and in the various industries connected with the publication of printed matter. I urge the Minister of External Affairs to accept the evidence of practical men who have been in the printing trade, and know what they are speaking about, when they ask him to include these few words in the clause. If he does so he will be acting, not only in consonance with the wish of the majority of members of the Committee, but of the majority of the people of Australia.

Mr. SPENCE (Darling) [5.35].—Reading the Bill, one's first impression might very well be that the word "printing" covered the whole of the work connected with the printing and publishing of printed matter. But those who know something of the printing trade, and I have some association with it, are aware that the amendment suggested by the honorable member for Capricornia is necessary to make the clause clear, since "printing" is technically understood by printers to refer merely to the machining of the typed or stereotyped matter, and is comparatively the least important phase of the work. The more important work is the preparation of the matter for the printing or machining, and, as pointed out by the honorable member for Maribyrnong, there are many phases of the work giving employment to many different classes of workers. In the preparation of some blocks, for instance, the photographer is first employed, then there is the etcher, who produces the half-tone or full-tone effects, and this is very artistic work, requiring very great skill. We have to consider the preparation of blocks which have been spoken of as sent out here apart altogether from the type-setting. Now that linotype machines are

used, the work of typesetting employs less labour than it did a few years ago. I am referring now to the production of magazines, in connexion with which, I venture to say, the largest amount of labour of different kinds is involved. New Protection is the policy of the Government, and of their supporters, and this matter can scarcely be considered apart from that policy. We should afford every encouragement to that policy. I rose mainly to call attention to a phase of the question to which reference has not so far been made. Students of literature, even to a limited degree, will have noticed that very little encouragement is given to Australian writers. They are very greatly handicapped in the matter of publication, and many of them have to go to the Old World to secure publication of their works. In our libraries may be seen a good deal of literature from America, which is entirely American in tone. We have only a very limited Australian literature that can be said to be entirely Australian in tone. It will be agreed, I think, that, for the most part, magazine literature is educative, and in directing his attention to this phase of the question, I remind the Minister that more encouragement might be given to the publication of Australian magazines. They are very limited in number, owing, naturally, to their limited circulation, in view of the comparatively small population of the Commonwealth; but they are greatly handicapped in being brought into competition with magazines from over sea published in countries in which magazine-readers may be numbered by millions. We have a population of only about 4,500,000 in the Commonwealth, and the number of readers of magazines amongst our people is comparatively few. Honorable members may have perused a particular number of *Munsey's Magazine* which was published a few years ago, in which a reference was made to the work of publishing the pioneer 10 cent magazine. When the magazine was issued at 25 cents, the proprietor was losing money. But he found that by publishing at 10 cents per copy he was able to make a handsome profit. The story of his enterprise reads almost like a romance. Within six years after completing his organization, he had paid for all his plant and apparatus, and had erected a gigantic establishment publishing 1,000,000 copies of his magazine per month. He was able to do that, because he had the enormous population of the United States of America to cater for. Cheapness is only possible where there is a large *clientèle*. The reason why we have not had many magazines in Australia is not from lack of ability on the part of our writers, but because our population has not been sufficiently large. Some curious facts have come under my observation recently. Many writers of novels and stories have to go to English publishers to have them issued. But, before an English publisher feels inclined to take up a work by an Australian writer, he often demands that at least some portion of the plot shall be laid in England, finding that English readers are not greatly interested in novels which do not, to some extent, concern that country. Consequently, the free development of the genius of Australian writers is, to this extent, limited by the commercial exigencies of English publishers. This is not a good thing for Australian literature. Our writers are handicapped by the commercialism of the age in which we live. I do not think that we should impose a severe penalty on magazines imported into Australia if they were compelled to pay a little more postage. We should, however, give some little encouragement to and help Australian writers and publishers, as well as afford work to Australian printers. We shall not accomplish this object merely by inserting a provision with regard to magazines which are "printed in Australia." It is the practice to send out to this country in stereotyped form stories written elsewhere. Some are even sent in papier-mâché matrices. Only the actual printing is done here. I am in favour of the amendment of the honorable member for Capricornia, because it would give real encouragement to the production of magazine literature in this country. At present, the Australian writer, compositor, artist, etcher, and photographer have no chance in competition with cheaply-imported stereotyped matter. Unless the amendment be agreed to, the effect will be merely to give encouragement to machining in Australia. That is all that "printed in Australia" means. It really is not worth while. If the Minister cannot consent to go further, he had better do nothing at all. It is useless to give encouragement to the mere machining in this country of matter which has been written, illustrated, and set up in another country. I am reminded by the honorable member for Maranoa that some large publishers in the Old World have already entered upon the work of publishing in Aus-

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tralia. I think that before long we shall have a very great change in this regard. When a man goes to consult a publisher here about getting out a book, he is told that his best plan is to go to the Old Land. I have stated some of the reasons which local publishers have given to me.

Sir JOHN FORREST.—Where did the honorable member go when he was about to publish his book?

Mr. SPENCE.—I did not publish my book for the sake of making money. I published at a loss by having the work done in Australia. All we can do is to tell outside publishers that we are prepared, at a very nominal charge indeed, to circulate their magazines through our Socialistic enterprise called the Post Office. These matters ought to be regarded from an educational point of view at all times.

Mr. THOMAS.—I am quite prepared to accept the amendment.

Amendment agreed to.

Amendment (by Mr. FENTON) proposed—

That the following words be added :—

(*c*) Catalogues wholly set up and printed in Australia, ½d. per four ounces or part of four ounces.

Mr. THOMAS (Barrier) [5.52].—Unless this amendment is accepted, catalogues which are printed outside the Commonwealth will be placed at an advantage over those which are partly printed inside the Commonwealth. In view of the other amendment having been carried, it naturally follows that this amendment should be accepted.

Mr. THOMAS BROWN (Calare) [5.53].—I hold in my hand a circular issued by the master printers' conference, and signed by a number of the leading printers. Under the head of books or printed matter, they deal with the difference between catalogues which are printed abroad, introduced here under the old regulation, and posted at the rate of ½d. for 4 oz., and catalogues which are produced here, and posted at the rate of ½d. for 2 oz. What I wish to know from the Minister is whether this provision will remove this evident inequity in the treatment of colonial printers and publishers of catalogues. At least we should put our printers and publishers on an equal footing with others.

Mr. FENTON.—My amendment will do that.

Mr. THOMAS BROWN.—I did not catch the wording of the amendment. I am pleased to hear that it will meet the position.

Amendment agreed to.

Clause, as amended, agreed to.

Title agreed to.

Bill reported with amendments.

PETHERICK COLLECTION BILL.

SECOND READING.

Mr. FISHER (Wide Bay—Treasurer and Prime Minister) [5.55].—I move—

That this Bill be now read a second time.

This Bill confirms the agreement which was entered into between the Commonwealth Government and Mr. Petherick, who had a very valuable collection of literature of all kinds, including the historical records of Australasia and the Polynesian Islands. It was a collection, not only valuable from a monetary and literary point of view, but one which, if once allowed to be scattered, could not, in my opinion, have been recovered. During my first term of office I discovered through a mutual friend that Mr. Petherick had, under a verbal promise by a previous Minister, brought his valuable collection from England to Melbourne, and housed it in the Exhibition Building. Many persons were very apprehensive that, in case of a fire, the collection would be destroyed. Mr. Petherick, I remember well, was under the impression then that he was entitled to more consideration from the Commonwealth Government than he had received. After having interviewed him my feeling was that no effort should be spared to secure for the Commonwealth his collection of literature and historical records of every kind. Happily it fell to the lot of the honorable member for Angas, when he was Attorney-General, to finally conclude the agreement with Mr. Petherick, and, I think, with Mrs. Petherick. At one time it was thought that it would be sufficient if the agreement were signed by the parties thereto, but I agree with those who think that an agreement of this importance should be incorporated in an Act of Parliament. This Bill, which comes from the Senate, provides for the payment to Mr. Petherick of an annual fee for certain services which may be rendered when he is able to render them, or services which may be nominally rendered. If they are rendered in accordance with the wish, and under the direction of the Library Committee, that will be sufficient to satisfy the conditions of the agreement. I am entirely with those who drew up the contract in this liberal way. I think that

it is a good bargain, from our point of view, and we ought not to be too strict or discriminating regarding Mr. Petherick. He has done for Australia in this connexion that which, perhaps, no other living man could have done, and we, on our side, ought to deal with him very liberally. I agree that for disciplinary purposes the archivist ought to be under the Library Committee, but I do not think it is necessary to dwell on that point. This may be a suitable occasion for me to remind the House that gifts have been made to the Library from time to time, for which, I am sure, the Library Committee have thanked the donors, and the members of this National Parliament must be exceedingly grateful. I may express the hope that the last bequest has not yet been received of portraits or statues of notable public men, whose memory may be perpetuated in this way, or, especially, of records, manuscript and otherwise, of an important kind that may now be in the possession of private people. I trust that those in possession of such records will accept the suggestion that they would be better preserved, and be of more utility to the Commonwealth and the public generally, if they were placed in the valuable collection already formed, and became part of the historic material of Australia and the adjoining islands. This Bill ought not to be delayed, for in that there is danger. In the event of Providence removing the donor, matters might become very complicated; and, indeed, if a layman may express the opinion, the collection might be altogether lost to the Commonwealth. On that point legal members will be better able to advise; but it seems to me that, until this Bill becomes an Act, we have no security in our possession of this valuable collection. I submit the measure in the hope that it will be dealt with and passed, not as a party matter, but as an agreement to be unanimously hailed as a fair bargain. Putting aside the question of payment, we have to thank Mr. Petherick for the way in which he held on to this collection, and for the manly and generous way in which he offered it as a national heirloom to the Federal Parliament.

Mr. GLYNN (Angas) [6.3].—It is very proper to introduce the Bill, because, even if the agreement were in itself sufficient, the responsibility was rather too much to saddle the Library Committee with. So far as I remember, the reason for the second agreement was that, at first, there was an assignment, called a deed of gift, to the President of the Senate, drawn up, I forget by whom, but as a layman would do the work—in good faith. For the security of the Commonwealth, the usual legal method was afterwards adopted, because the Commonwealth was accepting not only a gift, but giving some consideration for an exceedingly valuable collection and the services of Mr. Petherick, subject to the Library Committee. The deed of gift might have divested the property in the books from Mr. Petherick to the President; and it was desirable that any doubt should be removed by a second indenture.

Mr. GROOM (Darling Downs) [6.5].—I desire to echo what the Prime Minister has said as to the great obligation we are under to Mr. Petherick for making this arrangement with the Commonwealth. Had this library and collection been dispersed, we should have had to pay thousands of pounds to get it together again.

Mr. FISHER.—We should never have got it again.

Mr. GROOM.—At all events, we should probably never have got it as complete as it is. Australia is deeply indebted to Mr. Petherick. There is already a very fine collection in the Mitchell Library in Sydney; but there is no reason why, as far as possible, there should not be at the Capital of the Commonwealth a complete library of all works relating to Australia. It is most desirable that the suggestion made by the Prime Minister should be made widely known. The Library Committee would be exceedingly glad of any gifts of books, pamphlets, or plates which throw any light on the history of this country.

Mr. FISHER.—Manuscripts also.

Mr. GROOM.—Any documents which may be of value when the historian undertakes to write the history of the Commonwealth of Australia.

Mr. WEST.—A history of the trade union movement would be a great idea!

Mr. FISHER.—The history of any movement.

Mr. GROOM.—Even the biography of the honorable member for East Sydney might be of some value. It is most desirable that the suggestion of the Prime Minister should be made known throughout the country. It is a common experience, in the outlying parts, to come across old and valuable books of historical value; and it would be better for those to be in a central collection than to remain where they are likely to be lost.

Mr. FISHER.—This debate may help in that way.

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Mr. GROOM.—I rose, not only to express gratitude to Mr. Petherick, but to emphasize the importance of such books and records being placed in safe custody. There is a tendency, more and more, to impress Australians with the value of their own history; and, even from an educational stand-point, that is well. I am glad to see that the Australian Natives Association has taken the matter up in several of the States, and is doing much to assist in collecting early records, with a view to preserving them in some imperishable form. This is most valuable work, which I am sure will be appreciated by all who take an interest in the history of this country.

Mr. HALL (Werriwa) [6.8].—I desire to add my tribute of admiration of the generosity of Mr. Petherick in presenting this collection to the Commonwealth. As one who has had the privilege of looking over the collection on a number of occasions, and of having some lengthy talks with Mr. Petherick, I venture to say that there are very few, if any, in Australia as capable as he in getting such books and documents together, and fewer who, having got such a collection together, would have the generosity to hand it over to this Parliament. I hope that we accept this collection in the light of a gift—that we are passing this Bill, not in any sense as making a bargain to pay Mr. Petherick for what he has given, for the Bill is nothing of the kind. In the ordinary course of nature, the small amount which will be paid under an agreement of this kind cannot in any way compensate a man for a life's work and sacrifice. I confess that, when I hear appeals being made for further gifts of the kind, I cannot help thinking that if those to whom the appeals are made could see the rather shabby way in which we have treated the Petherick collection by thrusting it away in a vault where no one can find it, the response might not be so generous. No doubt the Library Committee has its difficulties, but I regret that the things which are Australian should be buried very low.

Mr. FISHER.—We are not masters of the House.

Mr. HALL.—If we are not entitled to remove books from one part of the building to another it cannot be helped; but there is, in the north wing of the Library, a collection of autobiographical works and ancient novels which are rarely looked at, and might very well give place to the Petherick collection.

Mr. GROOM.—They belong to the State of Victoria.

Mr. HALL.—Quite so; but they could be well cared for in the basement. We should have nearer at hand the collection which is more interesting to the Australian people, so that we could see and examine it with greater ease. The matter, however, is within the province of the Library Committee. The example which Mr. Petherick has set is calculated to create a genuine Australian spirit, and we shall all feel gratified if others, noting it, act upon the Scriptural injunction, "Go thou and do likewise."

Mr. JOHN THOMSON (Cowper) [6.12].—The introduction of this Bill gives us an opportunity, not only to express our appreciation of Mr. Petherick's valuable gift to the Commonwealth, but to suggest that the little that has been done in the way of preparing matter for our future historians should be considerably amplified. I think we might go further, and direct the preparation of a statement setting forth the meaning of the many native names given to towns and districts in Australia. A great number of the people residing in those towns and districts are quite ignorant of their meaning. In my own electorate there are many places bearing native names, many of which were given to them by the aborigines and generally suggest some feature of the country. In some cases, these districts bear the names of animals which used to be found there, while in others striking characteristics of the country, as it existed in the primeval days, have been perpetuated.

Mr. FISHER.—Every name tells a tale.

Mr. JOHN THOMSON.—That is so. We know but little of the history of the language of the Australian aborigines, and we shall know much less unless we take steps to bring together all the available information relating to it. We should collect these names, ascertain their meaning, and tabulate them in such a way that future residents of these places will have a knowledge of their derivation. I dare say that not 5 per cent. of those who live in towns bearing native names are acquainted with their meaning, and I think that something should be done in the direction I have indicated. I join with those who have preceded me in expressing my satisfaction with the action of the Government in introducing this Bill with a view of securing for all time to the people of Australia a collection of works that will undoubtedly perpetuate some of the very early historical features of our great country.

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When one travels, and sees what has been done in other countries in this direction—when one observes in other lands the value that is attached to everything of historical interest—one must freely recognise that there is much that we have not yet done which might well be taken in hand, and I hope that the suggestion I have made will be acted upon.

Mr. SPENCE (Darling) [6.15].—As one of the Library Committee who entered into the arrangements for securing this great gift to the Commonwealth, I desire to express my sense of the magnificent liberality displayed by Mr. Petherick. His action in presenting to the Commonwealth such a rare and valuable collection is certainly a very patriotic one. The collection embraces books of which there is no copy extant, while in other cases only one or two copies are available. It represents some thirty years of watchful care, as well as considerable expenditure, and although it is worth a good many thousands of pounds, Mr. Petherick freely gives it to Australia. Together with a number of other honorable members, I recently visited the Old World, where the importance of preserving old buildings and monuments and all that tells in a material way of the history of a country is realized to the full. In Great Britain, committees are being appointed to restore various old buildings. I agree with the honorable member for Cowper that we should take steps to ascertain the meaning of the native names given to many of our towns and districts before those who know their derivation pass away. I am satisfied that if some of the older families of Australia could only be brought to recognise how greatly we should appreciate such an action, they would come forward with many letters and papers that would be of great historical value to the Commonwealth. On the Library table at the present time we have a *fac-simile* of a page from Captain Cook's journal; and in the libraries and museums of the Old World one sees documents and papers which money could scarcely purchase. The average man thinks that these matters are of no concern, but they are certainly of great importance to Australia. The Commonwealth is indebted to Mr. Petherick, and I am sure that we all appreciate his generosity in making such a handsome gift to the nation. Ever since the collection was taken over by us, Mr. Petherick has been working upon it, so that it is purely a gift to Australia. A good deal more might be added to it, and Mr. Petherick, I am sure, would be ready to assist us with suggestions. Referring to what the honorable member for Cowper has said regarding native names, it may not be generally known that Ballarat, or, more correctly speaking, "Ballaarat," means a place of rest.

Mr. DEAKIN.—A resting-place.

Mr. SPENCE.—Yes, it is a very appropriate name, but, unfortunately, it is now the custom to omit the medial "a". The honorable member for Ballarat should take steps to have it restored.

Mr. DEAKIN.—"Ballaarat" is now only the official spelling of the name.

Mr. SPENCE.—We should look to the Postmaster-General's Department to see that the correct spelling of these native names is retained. Whenever I am asked to give a name to a new postal district, I invariably suggest an aboriginal one, believing that we should have protection for Australian names as well as for Australian goods. The complaint made in regard to the housing of the collection is a very natural one. I am sure that the Library Committee does not approve of the collection being stored away in the basement; but we have to remember that it is only a temporary home. We hope to get away to the Federal Capital by-and-by, and we shall have there a Library so built as to insure absolute safety. Any one who visits the wonderful Mitchell collection in Sydney will see what a costly task it is to provide a suitable place for a collection of this kind. It is easier said than done. I do not suppose the State authorities would object to our making use of one of the wings of the Library here, but many changes would be necessary in order to secure safety for the collection. It is not the kind of thing that could be put upon open shelves. Books and papers of this kind must be kept safe, and be under supervision. For many reasons of this kind, we have been forced to put the collection in the only place available for it in the building, and there Mr. Petherick has been very busy cataloguing and getting the work finished that will complete the collection. I hope that when we do go to the Federal Capital we shall appreciate the importance and rarity of the collection, and see that it is added to by every means in our power, before these documents and other historical records disappear from Australian life. The Committee have been getting collections made

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of descriptions of country life and incidents appearing in country papers. We have been having things of this kind, which give local colour, collected in clippings. They will be useful to future writers of Australian stories, and also to the historian of the future, because they record many facts and incidents of importance of which all trace would be lost if steps were not taken now to preserve them, while the men who can tell the story are still alive. I congratulate the Government on introducing the measure, and am sure the House will be unanimous in passing it.

Mr. ATKINSON (Wilmot) [6.22].—I am very glad to see this Bill introduced, and hope it will be speedily passed. I do not think that we have moved in this matter as quickly as we ought to have done. We have a most valuable collection of early Australian records, and, although we are not housing it at present in a fitting place, I hope we shall have before long a national repository for collections of the kind. It is quite time the Commonwealth took in hand the question of collecting the early material of Australian history. It will not only be serviceable to us, but it will be very serviceable to generations to come. I wish to add my meed of thanks to those which have already been accorded to Mr. Petherick. I feel that he has done not only a patriotic, but an extremely generous thing in offering this collection to the Commonwealth. Had it been dispersed by sale in England, where it was a few years ago, we should have had no chance of getting it together again. Now we not only have the collection, but we are very fortunate in having retained the services of Mr. Petherick himself as archivist. There is no one better fitted than that gentleman to judge of the value of records and any other interesting relics that may be offered to the Commonwealth for purchase. He will be able to guide us as to the true value of these things, as well as could be done by anybody we know, and he will be able to tabulate and place them in their proper positions far better than most other people could. On that ground alone we are very fortunate in having secured his services.

Mr. THOMAS BROWN (Calare) [6.25].—I have had the pleasure of looking through Mr. Petherick's collection, and consider it invaluable. It is certainly one of the best of the kind that I have seen, and if it were allowed to be broken up and distributed, it would be practically impossible for the Commonwealth to get together again all those valuable rarities that Mr. Petherick has been able to collect in his long lifetime, and as the result of his expert knowledge and experience in that particular kind of work. I am pleased to know that the Government are now taking the matter seriously in hand, and propose to deal with it on the lines laid down in the Bill. I have felt that it was scarcely fair to Mr. Petherick or the Commonwealth that the question should be hung up, as it has been for so long. Ever since the collection was handed over to the Library Committee there has been a considerable amount of uncertainty about it. It has been in suspense, something like Mahomet's coffin. Mr. Petherick did not know what the Commonwealth intended to do, and the Commonwealth, apparently, had not time to give to the matter that attention which was necessary and desirable in order to bring it to a proper settlement. In those circumstances, it is scarcely to be wondered at that Mr. Petherick was disposed—if he was so disposed, although I do not know that it was so—to feel that his gift was not altogether appreciated by and acceptable to the Commonwealth. I am sure, however, that those honorable members who have looked into the collection appreciate its high value, and that we are all delighted now to know that the Government are bringing the matter to finality. There are certain matters in connexion with it which I should like to urge upon the attention of the Government. The collection should certainly be properly housed, because, of course, the present accommodation is only a makeshift, and is very unsatisfactory; but, under the present arrangement with the State Parliament, whose premises we are occupying, we cannot encroach too largely upon their space. If, however, it is at all possible to give the collection better accommodation, the matter ought to be considered. At the same time, I recognise that its natural home is in Commonwealth territory, and the sooner we get it there and properly housed the better it will be for all interests concerned. In connexion with this valuable collection of old Australian literature and records, I notice that Mr. Petherick has been engaged for a considerable time past in compiling a very unique catalogue of Australian literature of all descriptions from the earliest days. He has brought it, I understand, up to date, and to a high degree of perfection. The publication of that work would be a most valuable addition to the collection,

and of the greatest use to those engaged in historic or literary research. In addition to taking over the Petherick collection, the Government should arrange, if they have not already done so, with Mr. Petherick to complete that portion of his life's work, and take steps to print and publish it. It should not be left in manuscript form. I believe the complete work will run into a considerable number of volumes.

Mr. DEAKIN.—Run into volumes! Does the honorable member mean that a mere list of the names of books would occupy that space?

Mr. THOMAS BROWN.—The work gives, not only the names, but also a short description of the contents of each book. This makes it all the more valuable. A mere list would be valuable to some extent, but a bibliography of Australian literature such as Mr. Petherick has compiled becomes a most valuable work. It is because of its great value that I am urging the Government to utilize Mr. Petherick's services in completing it, if he has not already done so, and then to have it printed and published. It would be of great value, not only to the Commonwealth and to Australian writers, but also to writers and libraries all over the world. I am glad that we have among us patriotic men of the stamp of Mr. Petherick.

Sitting suspended from 6.31 to 7.45 p.m.

Mr. THOMAS BROWN.—We owe a debt of gratitude to Mr. Petherick for the valuable collection which he has presented to the Commonwealth, because, in a young country like this, it is difficult to secure material such as he has brought together, which grows in value with the lapse of time. Material of this kind is very easily lost. For instance, in the campaign which preceded the adoption of Federation, a large quantity of literature was produced and published, mostly in pamphlet form, and it is surprising how little of it is obtainable now after a lapse of only twelve years. Except in the collections of those who have made a hobby of gathering together publications of this kind, practically none of it remains. At the time, it was not considered of value, and was not preserved, but in the years to come it will be invaluable. We should foster the collection of pamphlets, manuscripts, and letters. I noticed that much of the interest attaching to the Glasgow Exhibition was due to the display of old manuscripts. I there saw the original copy of Burns' patriotic poem, "Scots wha hae wi' Wallace bled," as well as the manuscript of some of Sir Walter Scott's great works. We should do what we can to preserve anything of interest pertaining to Australia. Something should also be done for the preservation of aboriginal names. It is difficult to ascertain the correct pronunciation of these names, which are generally musical, though they do not appear to be so when printed. Furthermore, as applied to districts, they usually have a meaning indicating the nature of the country, or something pertaining to it. It would be interesting to have these names tabulated, with their correct pronunciations, as nearly as could be ascertained, and their meanings. In most cases, the pronunciation which we have adopted is so far from the original that a blackfellow would be unable to recognise the words. No two Government Departments spell these names alike. The name of my electorate, Calare, is spelt in different ways, and so is the name of the place where I live. Possibly, none of the spellings is a correct phonetic record. The Government of New South Wales appointed a Commission to deal with this matter, but I have not heard whether it has submitted a report. In any case, no change has been effected. What is needed is an inquiry which will cover the whole Commonwealth. The work should be commenced at once, because the aborigines are rapidly disappearing, and, in the years to come, it will be impossible to get the information that is needed.

Mr. KELLY (Wentworth) [7.53].—I regret that the honorable member for Calare has not explained why the Library Committee has treated the Petherick collection so shabbily. Although that collection is in some respects unique, it is stored in a basement, on shelves where the books are not protected from the dust, and maps are stowed away in drawers and cupboards; it is treated as a collection would be treated by one who did not know its value, or had not the means to deal with it properly. I have no doubt that we took over Mr. Petherick's collection largely because he felt that we were in a better position than himself to spend the money necessary for the proper protection of the treasures which he had passed his life in accumulating. The Library Committee should offer an explanation of its conduct in this matter. If honorable members visit the basement—I should not be surprised to hear that none of the members of the Library Committee have done so—they will find that some of these valuable records are

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not the better for having been in the custody of the Commonwealth for a year or two.

Mr. THOMAS BROWN.—That is not a fair reflection on the Committee, who have done their best.

Mr. KELLY.—I did not hear a single word from the honorable member on the subject.

Mr. GLYNN.—Because the honorable member was not here before dinner, and the matter was discussed in his absence.

Mr. KELLY.—Then why have not the members of the Library Committee protested in this chamber before? It is of no use for the ex-Attorney-General to try to support the honorable member for Calare and the other members of the Library Committee in this matter, because they had only to direct the attention of this House to the fact that they could not secure supplies to enable them to properly house this collection. If they had done so, honorable members would have seen to it that this Australian inheritance was properly looked after. If the members of the Committee with whom, I understand, the honorable member for Angas in his spare hours occasionally sits, had been seized with a proper sense of their responsibility they would have insisted upon this collection being properly looked after. The trouble is that the members of the Library Committee seem to have regarded themselves as appointed to fulfil perfunctory duties of an ornamental nature, because the House has paid them the compliment of appointing them to it. Their work is not regarded as a trusteeship, and I doubt very much if the Committee have seriously considered the problem of properly housing this collection. If they have, their absolute unfitness for the duties of their position is shown by the shelving they have chosen for the collection.

Mr. RILEY.—They are waiting until we go to the Federal Capital.

Mr. KELLY.—I am afraid that that is the kind of consideration which must have influenced them. It is the worst economy in the world to refuse to spend a few pounds to properly shelve a priceless collection. Until this measure was introduced I had not heard a whisper of any reluctance on the part of the Government to provide proper shelving and accommodation for the Petherick collection. I understand, from the honorable member for Angas, that before the dinner adjournment the honorable member for Calare did express co[illegible]

Mr. GLYNN.—I did not hear the honorable member. I left the chamber at twenty-five minutes past 6 o'clock, and I did not hear what the honorable member for Calare said.

Mr. KELLY.—Then apparently the honorable member for Angas was prepared to interrupt without knowing what he was speaking about. The members of the Library Committee appear to be anxious to protect themselves in this matter, but I am not making an attack upon them. It seems to me that they have regarded themselves as a sort of ornamental body, appointed for no definite purpose. I am glad to see, Mr. Deputy Speaker, that the Chairman of the Library Committee has taken steps to enable him to give some explanation, and, I hope, apology, for the neglect of the Library Committee in this regard. In view of the high office which that honorable gentleman holds, I think he should blush with shame, when he considers the neglect of the Library Committee to take the necessary steps for properly housing the Petherick collection. I often go downstairs to inspect the collection, but when I do so, I am almost afraid to ask to be allowed to see the maps. They have to be dragged by Mr. Petherick out of cupboards in which they can scarcely be kept free from dust. They have to be unfolded and folded in the same way every time; and any one who understands such matters will agree that it does them no good to be handled in that way. I have often felt that what we want is a live Library Committee, presided over by a live chairman; a Committee that would really endeavour to do something to safeguard a collection in connexion with which it is thought worth while to pass an Act of this Parliament. Under this measure, we are to spend £500 a year practically by way of purchase money for this collection. Mr. Petherick does not desire to sell it. He regards it as the highest privilege a man could have to make a literary collection of this unique character, and he wishes to be guaranteed the right to look after it. I venture to say that when he signed the agreement, he had not the least idea that the collection would be endangered in the way it has been by the neglect of the Library Committee. I notice that the Committee consists of Mr. Speaker, Mr. Anstey, Mr. Brown, Mr. Glynn, Mr. Groom, Dr. Maloney, Dr. Salmon, and Mr. Spence. I do not wish them to speak at the moment, but I do think that the members of the

Committee should be able to give some excuse for their want of action in this matter. They might bring up a report on the subject. Here we have a very valuable property, acquired at great expense by the Commonwealth, and a Committee appointed by this House has done next to nothing to make it safe. It is not housed as well as a second-hand bookseller would house a number of second-hand volumes by Marie Corelli. The Library Committee are responsible for the disgraceful way in which this collection is now kept; and it seems to me that, instead of talking grandiosely about books which he would like to see purchased, it would have been better if the honorable member for Calare, as a member of the Committee, had given some excuse for the neglect of their trusteeship in the management of this unique collection.

Mr. McDONALD (Kennedy) [8.2].—As chairman of the Library Committee, I wish to inform the honorable member for Wentworth, who I know was joking, that he adopted a peculiar method, which might lead those who know him to think that he was "pulling somebody's leg."

Mr. KELLY.—I rise to order, Mr. Deputy Speaker. I wish to know whether the honorable member for Kennedy is in order in suggesting that an honorable member, in addressing the House, was doing so in a jesting spirit. Although an honorable member may endeavour to restrain his feelings, he may be imbued with a stern sense of public duty. I should like to know whether the words used by the honorable member for Kennedy are in order; if not, perhaps they will be withdrawn.

Mr. DEPUTY SPEAKER.—If the honorable member for Kennedy has used any words which are offensive to the honorable member for Wentworth, I have no doubt they will be withdrawn.

Mr. McDONALD.—I willingly withdraw; and I accept the statement of the honorable member for Wentworth that he was in deadly earnest in what he said. If that be so, there is only the more reason why some reply should be made to him. I am satisfied that no member of the House took his statement seriously; but, unfortunately, such statements, when printed outside, are regarded seriously. The honorable member made a charge against the Library Committee, and referred specifically to the ex-Attorney-General, the honorable member for Angas. I wish to say that there is no member of this House, and no one who has ever been a member of it, who has put in so much work voluntarily, considering the busy man he is, as has the honorable member for Angas, in connexion with the Library Committee. He is one of its most active members, and has not spared himself in any way to further the interests of the Library. It is not right for any honorable member to make such accusations as those made by the honorable member for Wentworth, when he is ignorant of the actual facts. The Committee have done everything that was possible to have the Petherick collection housed and preserved in as efficient a manner as possible.

Mr. KELLY.—How much has been expended on shelving, for instance?

Mr. McDONALD.—I cannot remember the exact amount that has been spent, but if the honorable member had frequented the Library more often, he would have known that the whole of these books are now carefully preserved in cases with glass doors. Evidently the honorable member cannot have been in the Library recently.

Mr. KELLY.—The glass doors have only been put up within the last week or fortnight.

Mr. McDONALD.—Allow me to tell the honorable member that some months ago I signed the document that paid for the glass doors. The honorable member, therefore, has again made a mis-statement.

Mr. KELLY.—I must rise to order. I submit that the honorable member is not only out of order in charging me with having made a mis-statement, but has also been deliberately unjust in saying that I have not been down in the part of the building where this collection is preserved within the last two or three weeks.

Mr. DEPUTY SPEAKER.—Will the honorable member state his point of order?

Mr. KELLY.—I submit that it was out of order for the honorable member for Kennedy to say that I had made a mis-statement.

Mr. DEPUTY SPEAKER.—If the honorable member takes offence at that word——

Mr. KELLY.—It is not a question of taking offence. The honorable member accuses me of making a mis-statement, and that is the sort of thing that will bring about a breach of the public peace. I should like to know whether that expression is not out of order; and, if so, whether it should not be withdrawn.

Mr. DEPUTY SPEAKER.—The honorable member for Kennedy is in order.

Mr. McDONALD.—I am not aware that I said anything that was out of order; but I point out that the honorable member has made another mis-statement. He has stated that he was down in the rooms where the collection is kept within the last three weeks, and that the books are not cased yet. Allow me to tell the honorable member that they were cased about June last.

Mr. KELLY.—No.

Mr. McDONALD.—I tell the honorable member that they were. It is useless for him to say that they were not, because I know that they were.

Mr. KELLY.—The honorable member simply says he signed the requisition.

Mr. McDONALD.—I signed the paper under which payment was actually made for the glass doors. Personally, I do not mind what may be said about myself, but it is not fair that these things should be said about the Library Committee. I can assure the House that everything has been done to make Mr. Petherick as comfortable as possible in the part of the building that he occupies. Statements that have been made about the collection not being housed properly might lead the public to believe that a valuable collection of historical material was being kept in some part of this building where it could not be carefully looked after. I quite admit that the rooms in which the collection is preserved are not the best that we could desire. Every one must realize that. But, unfortunately for us, this magnificent building, which the State of Victoria has been exceedingly good in allowing us to occupy, does not permit of better accommodation being provided. It is not reasonable to ask the State authorities to remove a large number of their own books from the upper Library, where they are at present shelved, to some other part of the building, where they would require to be re-catalogued at considerable expense to us or to the State —to say nothing of the damage that might be done to the books by so removing them. We have done our best to enable Mr. Petherick to place on view a portion of his collection which he desires to exhibit. The wish has been expressed in an article in one of the newspapers that the collection should be taken away from this building and preserved in the new Melbourne Public Library building. I hope that nothing of the kind will be done. I trust that the collection will never leave the hands of the Federal authorities. We know its value and desire to preserve it.

Mr. THOMAS BROWN.—The next move should be to the Federal Capital.

Mr. McDONALD.—I quite agree with the honorable member. I admit that the shelving is not all that we could desire. But it would be of no use for us to incur heavy expenditure in placing the books on more elaborate shelving. The shelving which we have provided is quite adequate for present requirements. If we were to enter upon any great expenditure we might in the course of a few years be compelled to incur it all over again, because whatever arrangements we made for preserving the collection in this building might be quite unsuitable for preserving it when we get to the Federal Capital. I can assure the House, however, that the collection is being looked after, and I am satisfied that no one can look after it better than the gentleman who is in charge of it now—namely, Mr. Petherick himself. He has come to me on several occasions, and when we found out what his requirements were we endeavoured to meet them as as far as possible. The honorable member for Calare spoke of the value of a collection of the literature pertaining to the Commonwealth published prior to Federation. I venture to say that this Parliament possesses one of the best collections of that kind of literature in Australia. We have been collecting it from the very inception of Federation, as the honorable member for Angas can testify. The late Mr. G. B. Edwards took an exceptional interest in the matter, and in everything connected with the Library. As far as concerns historical records, of which the honorable member for Calare also spoke, I may state that the Committee is doing everything possible. One of the last acts performed by the late Minister of External Affairs, Mr. E. L. Batchelor, was to write a letter to the Library Committee handing over to us the administration of the money placed upon the Estimates for the printing of Australian records originally commenced by the New South Wales Government. The subject will be dealt with at the next meeting of the Library Committee. I am very pleased that this work is to be handed over to them. What is proposed to be done in this matter is this. Eight volumes

of records have already been published by the New South Wales Government. There are still in manuscript records extending from 1811 to 1836. These manuscripts still await publication. The New South Wales Government are prepared to hand them over to us for the purpose of publication. It will probably take a period of nine years to complete the task. Subsequently, we hope to extend the records from 1836 to 1856, when responsible government was established. From that date onwards, records will be collected and published so as to make a complete documentary history of Australia. I do not know of a body of men who have taken a keener interest in collecting and preserving the records of their people than have the members of the Library Committee. I do not make that remark because I am connected with the Library Committee. I know no more of their efforts than I have gathered during the last twelve months or so, but I do know that they have not left a stone unturned in trying to make the collection of records as complete as possible. I believe that we have the best collection of records of this particular class which is to be found in any library in Australia, not even excluding the Mitchell Library itself. In these circumstances, I hope the House will render all possible assistance. I may mention that, at the very beginning of their existence, the Library Committee determined to make this not merely a Parliamentary Library, but a National Library for Australia. With that object in view, they have worked continuously and energetically during all these years, and, in my opinion, they deserve every credit for what they have done. I desire to again acknowledge the special interest which the late Mr. G. B. Edwards took in the work of the Library Committee. I believe that what he did in laying the foundation for a National Library will stand as a monument to him. I wish to thank the honorable and learned member for Angas and Senator Sir Josiah Symon for assisting me in the selection of books during the last twelve months when I have been chairman of the Library Commitee, and for the tireless energy which they have displayed. I can appreciate a joke as much as can the honorable member for Wentworth, who, I think, was not serious when he made his speech this evening. I can assure him that everything is being done to have the Petherick collection housed as well as possible, having regard to the inconvenient circumstances in which we are placed at present. I believe that, when it is transferred to its future home, it will be a special feature of interest in the Federal Capital.

Mr. KELLY.—I desire to make a personal explanation with regard to the remark of the honorable member for Kennedy that my statement that the Petherick Library is not yet properly protected was a mis-statement. With the honorable member for Fremantle, I visited the rooms in which the collection is housed a moment or two ago, and found that the work for which the honorable member for Kennedy says he holds the receipt has not yet been done. Almost one-half of the collection is still without glass doors, and unprotected from dust, and the improved accommodation for the remainder was provided only recently. It may be that my memory was at fault when I said that I made a visit a fortnight ago, but I have been down to the rooms a couple of times this session, and the work was not done then.

Mr. DEPUTY SPEAKER.—The honorable member must not debate the matter.

Mr. KELLY.—I do not intend to do so, sir. Up to that point I find that my statement was correct, and that Mr. Speaker has apparently been misinformed. In regard to the treatment of the manuscripts, books, and so forth, if honorable members care to go down, they can see for themselves the state in which they are.

Mr. WISE.—Is this a second-reading speech?

Mr. DEPUTY SPEAKER.—The honorable member is not in order.

Mr. KELLY.—As I am not in order, sir, in inviting honorable members to go down and see the dreadful state of this library I shall resume my seat.

Mr. HOWE (Dalley) [8.19].—I confess that I do not know the value of the utterance made by the honorable member for Wentworth. I was not very much impressed with it. I rather felt that he was more concerned to express himself with his customary smartness than to deal seriously with the question before the House. My view may be right or it may be wrong; we cannot know. I feel that I am impertinent in attempting to address myself to this question. I have not seen the Petherick collection but I will do so at the earliest possible moment. As a book-lover I admire and respect those who do collect, and I pay my deference to Mr. Petherick, who has rendered a great service in making this gift to the Commonwealth. I appreciate the action of the Administration by whom this collection was taken over, and who, I trust,

will, at a very early date, see that it is properly housed. If the honorable member for Wentworth feels that the books are not being adequately protected, I hope that, soon after this measure is passed, he will experience no further cause of complaint in connexion with this valuable library. I hope also that I shall be able to make a contribution of newspapers, and, perhaps, of a volume or two in practical appreciation of Mr. Petherick's work and the action of the Ministry.

Mr. BRUCE SMITH (Parkes) [8.21].—I think it would be a very great misfortune of we were to allow any spirit of controversy to enter into this discussion. I can readily understand that the little difference between the honorable member for Kennedy and the honorable member for Wentworth arises from the fact that the former could not readily throw off the Speaker's manner and the latter was treating a very serious question in his usual light-hearted way.

Mr. JOSEPH COOK.—We do not get the Speaker on the floor every day.

Mr. BRUCE SMITH.—I think that if ever there was a Bill brought forward in this House which ought to be discussed aside from party feeling, it is this one. It does not ask us for authority to do something, but asks us to approve something which has been done. I heartily approve of what has been done. I was a member of the Library Committee when this arrangement was entered into. I discussed the matter from time to time with Mr. Speaker Holder. I thought then, and I think now, that the Commonwealth is exceedingly fortunate in securing this magnificent collection for the moderate sum which would need to be invested in order to produce an annual salary, if so it may be called, to Mr. Petherick as the Archivist of the Comonwealth. I have known Mr. Petherick in connexion with this collection for upwards of thirty years. He has had the true archivist's spirit during all these years. I knew from time to time that he was gathering, at much cost to himself, and with great personal deprivation, this splendid collection of books, papers, manuscripts, maps, pictures, and a variety of articles; and the amount which the Commonwealth is asked to invest in order to pay him his honorarium is ridiculous, because we are getting not only the collection itself, but also the services of Mr. Petherick, who is one of the most scholarly collectors in Australia. We are getting the services as the curator of all those people—whose number we hope to see increase—who take an interest in the archæology of Australia. We should remember the name of Mr. Speaker Holder in this connexion. I think that the whole collection was first brought under his notice. He was a man of a scholarly mind, with a great love of literature and history. When he discovered that Mr. Petherick had this collection, and was willing to dispose of it to the Government on the terms arranged, he strongly advised that the offer be accepted, trusting to the love of history on the part of the Federal Parliament to confirm the arrangement he had made. In my mind, I shall always attach the name of Speaker Holder to this collection, because he was saturated with the idea of our possessing it. When I explained to him what I knew of the Mitchell Library—because I had the privilege of a personal acquaintance with the donor—he was intensely interested, and, perhaps, a little disappointed to find that the Petherick collection was not really so great and so varied as that which the New South Wales people have erected a special building for. At the same time, he anticipated that, by the Commonwealth Parliament devoting a liberal sum every year to the increase of the collection, we should some day vie even with the Mitchell Library. As to the value, I may say that the Mitchell collection, which contains not only books, but pictures, diaries, manuscripts, maps, atlases, coins, and a great variety of other material, has been estimated as worth £150,000. The Petherick collection is not so large, but it is very valuable, and has occupied Mr. Petherick's time, I should say, for forty or fifty years. We are getting this for the equivalent of £8,000 paying Mr. Petherick £500 a year, which, for a scholar of his repute, is a modest consideration for so valuable an officer.

Sir JOHN FORREST.—It is only an annual payment of £500 a year.

Mr. BRUCE SMITH.—But that amount is the sum required to produce £500 a year.

Sir JOHN FORREST.—That sum will not produce £500 a year.

Mr. BRUCE SMITH.—Originally, it was intended to buy the collection; and it was estimated to be worth £8,000.

Mr. MCDONALD.—There were various estimates from £6,000 to £8,000.

Mr. BRUCE SMITH.—Instead of giving that sum, we have made an arrangement to employ Mr. Petherick as Archivist

at £500 a year, and that annual payment capitalised comes to a very small sum. Yet for £500 a year, we secure this collection, coupled with the services of Mr. Petherick.

Sir JOHN FORREST.—I understand that this £500 a year is not continuous, but only during Mr. Petherick's lifetime.

Mr. BRUCE SMITH.—So long as we have his services, we pay him £500 a year. It is not proposed to pay the £500 after his death, but I think it would be as well not to anticipate that. In my opinion, this is a priceless collection, containing things which cannot be bought for money to-day; there are many instances in which there is no copy or replica. During the early history of the Commonwealth, it is invaluable to us to have the advice of Mr. Petherick as collector of more data of the kind; because we hope some day that the Commonwealth will have the finest collection of Australian historical data in all its various forms that is to be found in any part of the world. The Mitchell Library at present is the best; and I desire honorable members, who are not so familiar as I am with that collection, to know that Mr. Mitchell made it a condition of his gift that a special branch of the Public Library should be constructed in order to hold it. As a matter of fact, the New South Wales Government have actually constructed the Mitchell branch before they have built their library; and honorable members who visit Sydney may see a magnificent building in Macquarie-street wholly devoted to this collection. I do not at all agree with the honorable member for Kennedy, who, as chairman of the Library Committee, says that we should continue to preserve these valuable books and manuscripts in the basement of Parliament. We must remember that as soon as the Capital is sufficiently built for Parliament to meet there, it is intended to move the collection; but I think we ought to give the Victorian people an opportunity of seeing it. It is not a collection to be laid out on a table, or on bookshelves, and the public allowed indiscriminately to inspect it. That is not done in the case of the Mitchell Library. There are very competent assistants to the curator who show the people over that library; and, if it is desired to see the most valuable portions in the way of coins, manuscripts, diaries, and so forth, visitors have to be introduced, and shown over by the curator himself. I do not see why we should not, as an act of generosity to the people of Victoria, who have been good enough to grant us the use of this building for so many years, invite the Government of the State to afford some habitation for the collection in some part of the Exhibition Building. Mr. Petherick could be in attendance there as our Archivist, and the Victorian people, who care to avail themselves of the opportunity, might be enabled to see through the collection before it is finally removed to the Federal Capital.

Mr. FENTON.—There is danger of fire at the Exhibition Building.

Mr. BRUCE SMITH.—I admit that danger; but, if the collection cannot be sent to the Exhibition, then I think the people of Victoria might have an opportunity to see it here. If a little more money were expended on the basement of Parliament House, it would be possible for the limited number of people who wish to see these things to do so in a more convenient manner. I quite agree with the honorable member for Wentworth that, at present, with all that has been done, the whole collection is very much cramped. Maps are put in drawers one on the other in such a way that sometimes twenty or thirty have to be turned over, and drawn out, with all the risk of injury, in order that a particular one may be shown. Seeing that we have paid no rent for this building, we could very well afford, I think, to lay out a little more money on the basement preparatory to inviting the people of Victoria to come and see these very curious historical documents. This is, I think, a convenient time to say that Mr. Petherick has been for years—in fact, the whole of his lifetime—preparing material for an index of Australian bibliography. It is a book which, if published, will fill half a dozen volumes, but it will be the most complete bibliography, or index to Australian historical data, that has ever been published. I should like the Library Committee to consult with Mr. Petherick and to consider whether it would not be possible for the Commonwealth Parliament, in return for this great collection, to contribute a sum sufficient to enable him to publish this work. It will never pay from a publisher's, or an author's point of view, but it will redound to the credit of the Commonwealth if this great work—for it will be a great work—is published for the benefit of the world. We all look forward to a glorious future for Australia, and I think the glory of our future will be very much enhanced if such libraries as that of the British Museum were supplied with a copy of a work including practically every known and literary detail

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with regard to the data of Australian history. I ask the chairman of the Library Committee to lay the suggestion before his fellow members with a view to ascertaining whether Parliament is prepared to advance a sufficient sum to enable Mr. Petherick to publish this work. Honorable members will find in the Bill a fairly comprehensive statement of the contents of this Library. The schedule in describing the collection to be acquired speaks of books, pamphlets, plates, maps, and manuscripts. The same classes of data are contained in the Mitchell Library. In that Library there are contemporary paintings of Cook's ships as they left the English ports, and oil paintings of the ships that accompanied him as they returned to England. There is also a wonderful collection of pamphlets that were discovered in different parts of England—pamphlets that had been printed by people who had come out here, and who had recorded in them their early experiences of the first days of Australia. I should like to assure the honorable member for Dalley, who confessed that he had not seen the Petherick collection, and also other honorable members, that a visit would convince them that it is by no means a dry-as-dust affair. They would find Mr. Petherick delighted to have an opportunity of showing them the great variety of material in his possession, and I am satisfied that an hour or two spent in looking over that material would create in them a new interest in the early history of Australia. I have much pleasure in supporting this proposed confirmation of the arrangement made with Mr. Petherick, and I congratulate, not only the Library Committee in having brought the matter to a head, but Australia, and the people of Australia, on having acquired such a valuable collection.

Mr. W. ELLIOT JOHNSON (Lang) [8.37].—I am very glad that this matter has at last been brought to something approaching finality. It has been hanging fire for many months, and has been causing Mr. Petherick some anxiety. I am pleased to learn from Mr. Speaker that something has been done to improve the means of keeping this collection free from the risk of injury, because for a considerable time it was a source of continual complaint on the part of Mr. Petherick himself that he could not secure proper accommodation for it, and that precautions that he had suggested for preserving it from the risk of injury from damp, dust, and climatic changes had not been adopted. The neglect to take these precautions gave him very much concern for many months. Whether he had had, up to that time, access to the Library Committee to explain to them the nature of his suggestions I do not know, but I strongly advised him to lay his grievance before some of the members of the Committee. I assured him that I believed the composition of the Committee was such that it would try to meet his wishes in any reasonable way. Whether he saw the Committee I am not sure, but for some time I met him frequently, and on almost every occasion he complained of the lack of proper provision against the risks of which he had spoken. I am glad that something has been done with a view to preserving this very precious collection. After Mr. Speaker had assured the House that he held receipts showing that the necessary work had been done the honorable member for Wentworth informed us that he thereupon visited the rooms in which the collection is housed, and found that the work had only been half done.

Mr. McDONALD.—All that Mr Petherick asked for was done.

Mr. W. ELLIOT JOHNSON.—I am not taking the Library Committee to task. I have not had an opportunity to visit the Petherick Library since the opening of the present session. I used frequently to visit it, and shall do so again, but I have not seen it, nor have I seen Mr. Petherick, since the opening of the present session. The collection unquestionably is all that has been claimed for it, and it would be difficult, if not impossible, to replace it. I am glad that this Bill has been brought forward, and that the whole matter has been dealt with, as it ought to have been some time ago. As to the suggestion made by the honorable member for Parkes that the collection should be removed to the Exhibition Building, and thrown open for public inspection, I think that a good deal of injury might be done to it by the transfer. The less such a collection is handled for transport purposes the better. Some of the papers, documents, and valuable specimens are old and worn, and are very tender to handle. Moreover the Exhibition Building itself is hardly a safe place when we consider the risks of fire, and if the location of the collection were even temporarily changed every effort would have to be made to see that the building to which it was removed was, as far as possible, fireproof.

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The public were permitted to have access to portion of the collection, as honorable members who were in the last Parliament will remember. On that occasion the Queen's Hall was used for the purpose of displaying a number of articles, and many members of the public availed themselves of the opportunity of visiting it. Everything, of course, could not be shown in so small a space, but so far as space and the means at command would allow, some of the most interesting portions of the collection were made available for a brief time for the inspection of the general public.

Mr. THOMAS BROWN.—Members are allowed to show visitors over the Petherick Library now.

Mr. W. ELLIOT JOHNSON.—Yes, but honorable members generally may not know that they can do so. I suppose the general public do not know where the collection is to be seen, and, if they did, they would probably have a great deal of difficulty in finding it. It is not housed in the best place, but I am sure the Committee have done the best they could in difficult circumstances. The room is, I think, fairly damp-proof. Although it may be cold and cheerless looking, we have to remember that it is only a temporary habitation, and the necessity for providing proper accommodation for the collection ought to be another argument to induce honorable members to push forward with the construction of the Federal Capital, so that we may make suitable provision at the earliest moment, with the most up-to-date contrivances against climatic and other adverse influences, to insure the safety of the collection for many years to come, if not, indeed, for ever. I wish to ask the Library Committee, or the House, whether it is not worth while to adopt a suggestion, which has been made by Mr. Petherick himself, that a special form of index should be used in connexion with the collection. I understand that he has perfected a system of indexing, cross indexing, and cataloguing, by means of which the references to any event may be found at almost a moment's notice. By this system any particular point in Australian history, for instance, may be traced through quite a number of volumes. It impressed me, when Mr. Petherick explained it, as being a very complete system, and he seems to have spent a tremendous amount of time over it, and to have set his heart upon having it adopted. If the Committee have not already gone into the matter thoroughly, I would suggest, if I may do so without appearing to be impertinent, that it might engage their serious attention.

Mr. RYRIE (North Sydney) [8.48.]—I wish to express a word of appreciation on the consummation of the arrangement in connexion with Mr. Petherick's magnificent gift to the Commonwealth. I am free to admit at once that I have not yet seen the collection. I am honest about it. I am sure there are a large number of members who have not seen it, but, perhaps, they will not admit it. I am sorry that I have not seen it, but I can assure the House that it will not be long before I do inspect it. I hope then to meet Mr. Petherick, and I am sure that he will take a great deal of pleasure in showing me, as he has shown other honorable members, many of the ancient relics and records which he has been successful in gathering together.

Mr. TUDOR.—I suppose there will be a rush down there to-morrow.

Mr. RYRIE.—There will be. I should like to see a list of those honorable members who have not yet seen the collection. I think I am the only honest man among the lot, because I admit that I have not seen it. Mr. Petherick is deserving of the thanks of the whole community, and I am, indeed, pleased that such expressions of appreciation of his action have come from all parts of the House. It is quite right that we should appreciate the actions of such men as he, who have done such valuable service to their country. I am sorry that there are some men who have done invaluable work for their country in the past, and have not received at the hands of the public, or at the hands of the Governments of the States, or at the hands of the Commonwealth Parliament, the recognition to which they are entitled. If I may be allowed to do so, I should like to refer in particular to Mr. William Farrer, the wheat expert, whom I can class among my intimate friends. He was an acquaintance of mine from my childhood, and he is a man who has done as much for Australia as any man we have ever had in this country. Honorable members who are interested in our primary productions will admit that that gentleman has done great service for this country.

Mr. DEPUTY SPEAKER.—Does the honorable member propose to connect those remarks with the subject before the Chair?

Mr. RYRIE.—I am dealing with the question of the recognition of the services of men who have contributed in a great degree to our progress, or who have been responsible for handing down to us valuable possessions. Mr. Petherick has handed to us this valuable collection, while Mr. William Farrer has greatly benefited us in another way by giving us the result of all his researches and experiments in wheat growing. I have come to the conclusion that Mr. Farrer's services were not recognised, and appreciation was not shown to him in the same way as has been done in the case of Mr. Petherick.

Mr. DEPUTY SPEAKER.—The honorable member must not pursue that line of argument.

Mr. RYRIE.—I will content myself with saying that I highly appreciate the magnificent gift which Mr. Petherick has made to the Library of this Parliament. I trust that the valuable collection will be suitably housed, and that, when the parliamentary buildings and the Commonwealth library are completed at Canberra, it will be properly provided for there. I hope that I shall be among those who will have the honour of visiting it at that time, and that Mr. Petherick will still be alive and well, and in charge of it, and able to show us his valuable and interesting records. I am exceedingly pleased that Mr. Petherick has been employed at his present work by the Commonwealth Government. I take it that the £500 per annum which he receives is only to be looked upon as a suitable recompense, to which he is well entitled. I am pleased to know that he will have congenial employment in looking after the valuable records and books which he has gathered together, and which I am sure he dearly loves.

Mr. SAMPSON (Wimmera) [8.54].—It would be difficult to add much to the many expressions of appreciation which have been uttered regarding the wonderful results of the life work of Mr. Petherick in collecting his valuable Library of the early records of Australia. I have visited the Library on several occasions, but one visit was enough to demonstrate the industry, the research, and scholarly application of the gentleman who has brought together, and placed at the disposal of the Commonwealth, this magnificent collection. It is a mistake to speak of the collection as having been purchased by the Commonwealth. In reality, the gentleman whose life's work it has been to bring together the records of the early days of Australia, has offered it as a gift to his country. The honorarium which it is proposed to offer him is not more than an adequate compensation for the work of looking after the collection, and compiling the valuable index on which he is engaged. It is evident that more money is needed for the proper preservation of these treasures.

Mr. BRUCE SMITH.—And they should be added to.

Mr. SAMPSON.—Every encouragement should be given to Mr. Petherick to add to them, and more money should be placed at his disposal for the proper treatment of the valuable charts and maps which form part of the gift, as well as for the preservation of the books. The index to which I have referred supplies an epitome of almost every book and document in the collection. The collection consists of about 11,000 items, of which about 6,000 are books, and the remainder pamphlets, plates, charts, portraits, curios, &c. Its present value is very great, but nothing like the value which it will have in the future. It should be made the nucleus of a much more extensive collection, to remind future generations of the patriotism, self-sacrifice, and ability of those who laid the foundation of what we hope will become a great country. In this connexion, I suggest some permanent memorial of those associated with our early days or connected with the establishment of our nationhood by the framing of the Federal Constitution. We have not shown the reverence for the past which is exhibited by the people of the United States of America, where it is cultivated in the State schools and in the universities. This sentiment is growing here, and we should do everything possible to foster it. We might very well perpetuate, by marble statues or inscriptions in prominent places in our Parliament House, the names of the great men associated with the foundation of the Commonwealth. A few years ago, when the new building for the University College of Arts and Sciences in New York was designed, a Hall of Fame was set aside for the perpetuation of the memory of those who are, or who will become famous in the political, literary, and military history of America. It has been decided that about twenty names shall be chosen in the first instance, and four or five added annually afterwards. Great care has been taken to choose a Committee competent to select the names of those most

entitled to the honour and reverence of their countrymen. This Committee is composed of professors of history, scientists, publicists, editors, authors, and Judges of the Supreme Courts of the Federation and of the States.

Mr. SPEAKER.—The honorable member is now going beyond the question.

Mr. SAMPSON.—I simply wish to point out that, in addition to preserving valuable documents, maps, and similar records, we should take steps to perpetuate the memory of those who have built up our nation, the pioneers whose names are the pride and glory of our history. With others, I congratulate the Parliament upon having secured this magnificent collection as a gift from Mr. Petherick. I hope he will be long spared to give his valuable assistance in still further perfecting the collection, and that Parliament will not hesitate, when the time arrives, to find the money necessary to preserve such valuable documents and records as they should be preserved, and to enable Mr. Petherick to complete the valuable index to it as a record of its contents, which might be distributed for the information of people in Australia who have not an opportunity to personally inspect it.

Mr. FINLAYSON (Brisbane) [9.6].—The main purpose which seems to be served by this debate is, for the first time, to let members of this Parliament, and the public generally, know that there is such a thing as the Petherick collection. I freely and frankly confess that I have not seen the collection, and that, until this Bill was introduced, I was not aware of its existence. I have no desire to apportion blame for my ignorance in the matter.

Mr. THOMAS BROWN.—The matter was considered by this House previously, and the Library has been open all the time.

Mr. FINLAYSON.—I have paid very frequent visits to the Library, but I have seen no notice there that a valuable collection of this kind was housed in any part of this building. I am delighted that this Bill is brought forward, though its consideration appears to me somewhat belated, and that some action is now to be taken to express, not only our appreciation of the value of the collection, but also the necessity for properly housing it. The debate should serve a useful purpose. There can be no question in the minds of honorable members of the priceless value of a collection such as this seems to be. Its value will increase in very great ratio as the years go by. It is not only a credit to Mr. Petherick, but an advantage to the Commonwealth, that we have a gentleman who is willing to give such a valuable collection for the benefit of the people of Australia. I do not know that the States can be said to have been altogether remiss in this respect, because the various State Governments have devoted some attention to the collection of early historical data within their own particular spheres of action. Now that we have a Commonwealth collection of the kind, we should take every opportunity to improve it, and especially to see that it is carefully and properly looked after. I agree entirely with the honorable member for Parkes, who suggests that this collection should be removed from its present location in the basement of this building to some place where it would be easily accessible to the general public as well as to members of this Parliament. I am accepting the statements of honorable members as to its value, and I may say that I have a profound respect for men who devote their time and money to making such collections. In my opinion, they are invaluable. To say that we have no better place to put such a collection, and to accommodate Mr. Petherick, the donor of it, than the basement of this building, is not to our credit. Mr. Petherick deserves, and his collection deserves, better of us. The Commonwealth will lose much in dignity, and a proper appreciation of such a gift, if we allow the collection to remain any longer in the basement of Parliament House. I understand that the Government of Victoria are at present going in for a very large extension of the State Public Library. The honorable member for Parkes suggested the Exhibition Building as a suitable place for this collection.

Mr. BRUCE SMITH.—I see the difficulty there, in the danger from fire.

Mr. FINLAYSON.—There would be considerable objection to locating the collection there; but I think we may assume that the new Public Library building in course of completion in Melbourne is not expected to meet only present requirements, and possibly some spare room might be found in that building which would be available for the housing of this collection. It has been suggested that, as we are likely to remove to the Federal Capital in a few years' time, it would be unwise to go to any considerable expense in this matter; but I say that any expenditure that would tend to the proper preservation of the books,

papers, pictures, curios, and such other things as may be included in the Petherick collection, would be money well spent, even though it should be necessary later to remove the collection to the Federal Capital. I do not suppose that even the most sanguine of us expects that we will be housed in the Federal Capital within the next ten years; and to condemn the Petherick collection to the basement of this building for ten years would show an utter lack of appreciation of the value of the gift. As we are accepting the collection under the remarkably generous provisions of the agreement dealt with in the Bill, we should be equally generous in our acceptation of the gift and in our appreciation of its value, and should see that Mr. Petherick, and the books and papers he is giving us, are properly looked after. On the passing of this Bill, the Library Committee should consider the matter of recommending to the Government a sufficient expenditure of money to secure that this collection will be housed in a manner that will be to the honour of this Parliament, and where it will be available, not only to members of this House, but to the public of the Commonwealth, at all times, and under such circumstances as will guarantee its care and protection, and, at the same time, its proper appreciation and use by the public.

Mr. FOWLER (Perth) [9.13].—It is quite a pleasant change to find introduced in the midst of our party warfare a subject which can be discussed free from party bias, and on which only two definite opinions are expressed, neither of which can be said to come from either side in particular. The first opinion is that, as a Commonwealth Parliament, we have been very fortunate in being able to secure this magnificent collection on the terms indicated in the measure before the House. The second opinion is that it is a matter for regret that so unique and valuable a collection should be housed under circumstances which have made it absolutely impossible, even for members of this House, to know that it is in existence. When the honorable member for Brisbane stands up and tells us that, until this Bill was introduced, he had been quite unaware that we had such a collection in our possession in this building, that is a significant indication that, in some way or other, we have been remiss in stowing away in the vaults of this building what we acquired under the agreement included in this Bill. I admit at once the difficulty of making necessary and proper provision for a collection of this kind, in circumstances that are of a temporary character. In view of the fact that, in the course of a comparatively short period we shall remove to another part of the Commonwealth, it must be admitted that we cannot embark upon any very expensive project in connexion with this matter. It struck me that there is an opportunity of displaying at least a few of the more interesting features of Mr. Petherick's collection just outside this chamber. The Queen's Hall, as it is called, is at present a bare, barn-like structure. Surely some cases could be displayed around it containing some of the more interesting exhibits, which would relieve the bareness of the walls and give an additional attraction to visitors, apart from that of politics.

Sir JOHN FORREST.—Some of the exhibits were displayed in the Queen's Hall for a while.

Mr. FOWLER.—I am reminded that some of the exhibits were there for a time, and I think they might have been kept there continuously.

Mr. THOMAS BROWN.—They were removed when it was considered undesirable to keep them there any longer.

Mr. FOWLER.—There may have been reasons for their removal; but if they had been placed in locked cases they would have been as safe in Queen's Hall as they are in their present quarters. It occurs to me in this connexion that it is hardly fair that Mr. Petherick should be obliged to spend the greater part of his time in the dismal vaults beneath this building. The temperature there is anything but pleasant, and the fact that the sunlight very seldom enters some of the rooms would, I think, justify Mr. Petherick in expecting that more comfortable surroundings should be provided. To come to the general question, I think it a very fortunate circumstance for Australia that we have had a gentleman with the enthusiasm and discernment of Mr. Petherick to make this collection. Any one who has only a slight acquaintance with history has no difficulty in coming to understand and appreciate the value of such a collection as this, commenced so early in the history of our own country. One needs to go only a little way into the history of other countries to realize what a serious defect is, and has been, the lack of interest taken in historical documents in almost every part of the civilized world until

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comparatively recent years. While Australia has very little of a past behind her, still that little is of sufficient interest and importance to justify all the activities of the Federal Parliament. In time the collection with which we are now dealing must be enlarged, so as to make it more efficient and effective for all time. I think that the Parliament, and the Library Committee in particular, might very well direct their attention to securing as good a collection as possible, not only of the bibliography of our Australian aboriginals, but of all matters connected with their history and social conditions. In fact, we should as soon as possible make the beginnings of a museum of the history, the ethnography, and other peculiarities of that rapidly diminishing race which preceded us in the occupation of this continent. There is no doubt that in the past the Australian aborigines attracted very little attention, regarded as they were by the early settlers as an inferior race, and I believe by scientific men as perhaps the lowest race of human beings on the face of the earth. That view, however, has of late years been entirely abandoned, thanks to the investigations of men like Professor Baldwin Spencer, Mr. Gillen, and others, who have shown us that the Australian aboriginals were in many respects possessed of what might almost be called culture. Many of their social habits and customs are exceedingly interesting. A very earnest effort ought, in my opinion, to be made to preserve for future scientific purposes every scrap of knowledge that can be acquired with regard to the dialects of the Australian aboriginals. This alone is a very interesting field of investigation; and I believe one that will be very profitable in the future, in view of the interest that is taken in philology, and of the immense issues that are frequently decided chiefly on a philological basis. Incidental to this consideration, I have often been disgusted, in travelling through Australia, to find how comparatively few aboriginal names have been utilized in the nomenclature of our towns and districts. It is very amusing to any one who comes from the Old Country, as he travels in Australia and visits the various suburbs and townships, to find oneself running from an English town—as far as name is concerned—into an Irish one, thence into a place with a Scotch name, and perhaps back again into another with an English name, all within the space of a very few minutes. It is a thousand pities that, instead of this absurd and crude method of nomenclature being adopted, people did not fall back upon the very euphonious names of the aborigines. I hope that, in whatever direction we extend the work of Mr. Petherick, this matter of enlarging the knowledge of those who come after us in reference to the natives, will not be forgotten. I have very much pleasure, indeed, in supporting the measure before us; and I hope, in common with other honorable members, that some steps will be taken to make the value of this collection more apparent to the general public, and much more accessible to students, than it is to-day. By so doing, we shall not only be treating the collection justly, but we shall to a certain extent be creating an interest in the subject which ought to be productive of useful results.

Mr. PALMER (Echuca) [9.25].—I rise to support the second reading of this measure, but in view of the great value attaching to the Petherick collection it is very regrettable indeed that the House was not asked before to confirm an agreement which I notice was arrived at two years ago. Further, I regret that on this occasion we are not asked to sanction the expenditure which is necessary in order to put these valuable mementoes in a more accessible place. I think that the Ministry might very well consider the advisability of inserting a clause to empower the Library Committee to incur considerable expense for that purpose, so that the true value of the collection could be established in the public mind as well as in our minds.

Mr. FISHER.—It could not be in a safer place than where it is.

Mr. PALMER.—That may be so, but the place is so safe that apparently no one can discover it.

Mr. FISHER.—It is quite a mistake to think that valuable documents are given out of a collection of this kind to any person who chooses to call and ask for them. Precautions have to be taken to insure their safety.

Mr. PALMER.—I apprehend that if the works are so valuable that they cannot be safely made available they will be of very little use indeed to the public. I have learned to-night for the first time that it is permissible for members of Parliament to take their friends to the vaults to view this collection. If that is so, the fact should be made known.

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Mr. FISHER.—It is quite open to members of Parliament to take their friends to the rooms, subject, of course, to whatever regulations the Library Committee may make.

Mr. PALMER.—That is an important piece of news. I indorse the statement of the honorable member for Parkes that the Petherick collection should be put in some place where it could be of very much more value than it is likely to be where it now is. So long as Mr. Petherick lives a great deal of value will attach to the books and records from the fact that he is at hand to explain them. Wherever they may be placed they will be absolutely safe in his charge, for there is no doubt that he is an enthusiast. His life has been spent in making the collection. To suggest that there is a danger of books being purloined or destroyed while he is in charge of them is, I think, an assumption which the Prime Minister was not justified in making.

Mr. FISHER.—The honorable member knows nothing about the matter. At the British Museum he would not be allowed to handle a book without a special permit.

Mr. PALMER.—That is all very well. But Mr. Petherick is placed in the vaults of this chamber, and in a climate which is not suitable. If any honorable member will make a visit to it this evening he will find that the place is very suggestive of rheumatism, and a good many other things. That is, I think, hardly just to Mr. Petherick, seeing that he has handed over the collection to the Commonwealth, and is to get nothing more than a salary of £500 a year. In my opinion, he should be provided with better accommodation. The Government are to blame for not having afforded us a much earlier opportunity to express our opinion on this subject, and also for not having placed the collection in a very much better, and by no means less safe place than at present.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [9.31].—The debate has been interesting, and if it were continued for another day I think that the Petherick collection would be magnified until it would appear to be equal to the best in the British Museum.

Mr. PALMER.—I do not think that any one has said that.

Mr. FISHER.—I have a very high appreciation of this collection from the Australian point of view, and whatever fault is attachable to the last Government, no blame lies against the door of the present Government. When I closed with the offer of Mr. Petherick during my first term of office, the collection was housed in a room in the Exhibition Building, where, if a fire had taken place, not a single volume could have been saved. Subsequently, the Government retired, and their successors entered into an agreement with Mr. Petherick, which the House is now asked to confirm. Last session was a very busy one, and the passage of this Bill was interrupted by the prorogation of Parliament. The agreement which was first entered into was thought to be sufficient, but the honorable member for Angas was not sure whether it would do, and therefore a second agreement, covering the whole case, was prepared and embodied in a Bill which, I think, was the better way to proceed. I agree with a great deal of what has been said by honorable members regarding the wider use of native names, but no blame is attachable to the Commonwealth Parliament. I do not know that any statement made here will effect an alteration. Speaking generally it is the surveyors and the State Ministers who are to blame.

Mr. GREENE.—The Lands Department.

Mr. GROOM.—And the Railway Department.

Mr. FISHER.—The State Ministers have a considerable say in the naming of places. I have known a Minister of Railways to alter the name of a place. I recognise, of course, that the Postmaster-General may have some control in this regard. I am one of those who believe largely in the use of native names, because they are descriptive of places. Generally, when one understands what a term means, one knows exactly the character of the locality, for instance, whether it is watered or hilly, or the kind of growth which it produces. From that point of view the use of the native name is valuable. This discussion has, I think, been useful in another way. Not only will it draw public attention to the historical documents in the Petherick collection being valuable, but it may induce many persons to present historical documents to parliamentary libraries so that they can be taken care of, and ultimately tabulated. It is quite an error for honorable members to think that this collection is valuable from a mere spectacular point of view. These documents are really of value to men and women who wish to investigate the early history of the country, and who can devote their time and talent to discovering the real facts. In many instances

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there may be two documents or more declaring a certain event to have taken place at different times, and, though each statement may be honestly made, the truth may lie in one or the other, or in neither, and between the two. It is only by close and competent investigation that these documents can prove to be of value; and, therefore, it is of no consequence whether they be shown for one year or more. No greater mistake could be made than to remove these documents from this building with a view to displaying them elsewhere. The supervision and protection would prove very expensive.

Mr. ARCHIBALD.—They are objects of study, and not of amusement.

Mr. FISHER.—Exactly; and many of them could not be allowed to pass into the possession of visitors except under the personal supervision of an attendant. We need not exaggerate the importance of the documents; but, in the meantime, while they are being properly catalogued, and the person to whom we are greatly indebted for their collection is here to describe them, they ought to remain within Parliament House. The collection is placed in the vaults because there is no better place in the building; but so far from the basement being disagreeable, there is plenty of natural light on most occasions, and, while in the winter the rooms are heated, in the summer they are exceedingly cool and pleasant. I had not the pleasure of hearing what Mr. Speaker said on behalf of the Library Committee, and I understand that there is no bar on members taking their friends, under proper circumstances, to view the collection; and, therefore, all who desire to do so will have ample opportunity. I am glad to find that the feeling of the House, in regard to this matter, is in accord with that of another place. We have too long delayed taking action, not only to preserve historical records, but to commemorate the learned and able men who have done so much for this young country, and who are passing away, leaving very little behind by which we can recognise them in feature or otherwise. I hope that, before the session closes, the Government will have an opportunity of appealing to honorable members to place a substantial vote on the Estimates to commemorate the notable and leading men of the early Federal days. This is a fitting occasion to refer to the subject, because death is telling all too heavily on us, and the time is ripe for such action as I have suggested.

Question resolved in the affirmative.

Bill read a second time.

In Committee:

Clause 1 (Short title).

Mr. DEAKIN (Ballarat) [9.41].—I cordially concur in the remarks which have been made as to the value of this collection. It is a rare collection, and has found its proper place. The life work of Mr. Petherick has been thrown into its careful acquisition from some sources which are now closed, and has resulted in the recovery of many documents and records which would otherwise have been lost. This would have left a blank in our early history. I congratulate the Government on the passing of a Bill which will enable us to present to the future Library of the Federal centre of Australia a collection worth very much more money than we are paying. It will be a lasting possession of the Australian people.

Clause agreed to.

Clauses 2 and 3 and schedule agreed to, and the Bill passed through its remaining stages.

LIGHTHOUSES BILL.

In Committee (Consideration resumed from 20th September, *vide* page 664):

Clause 1 verbally amended and agreed to.

Clauses 2 to 4 agreed to.

Clause 5 (Acquisition of lighthouses, &c.).

Mr. TUDOR (Yarra—Minister of Trade and Customs) [9.46].—I move—

That the following new sub-clause be added:—"3. The Commonwealth may purchase from any State or person any lighthouse tender, store vessel, stores or equipment or other property used by it or him in connexion with any lighthouse or marine mark."

This provision is necessary to enable us to take over any vessel or property used at the present time in connexion with these services.

Mr. DEAKIN.—Is such a provision really necessary?

Mr. TUDOR.—I have been assured by the Attorney-General's Department that it is. It is doubtful whether, in the absence of such a provision, we should have this necessary power.

Mr. GROOM (Darling Downs) [9.47].—I should like, in the first place, to ask the Minister whether any agreements have been made with the States with regard to the acquisition of lighthouses or properties relating to them, since the Conference of 1909?

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Mr. TUDOR.—Not since then.

Mr. GROOM.—As to the necessity for this amendment, surely on the passing of the Bill, as it stands, there would be power on the part of the Commonwealth to buy anything necessary for the services to which it relates.

Mr. TUDOR.—I raised that point, but was told that this provision was necessary.

Mr. GROOM.—It would be a novel principle to suggest that every time the Commonwealth inaugurated a new Department, the Bill providing for it would have to contain a provision authorizing the Commonwealth to acquire property for the purposes of the particular Department concerned.

Mr. TUDOR.—The Attorney-General's Department held that it was doubtful whether, under the Bill as it stood, we had power to take over certain property.

Mr. GROOM.—Held by the States?

Mr. TUDOR.—I am not quite certain as to whether the doubt related to property held by the States, or by a private person.

Mr. GROOM.—There can be no doubt as to our power to acquire any property for public purposes.

Mr. GLYNN (Angas) [9.49].—I am under the impression that the Minister is seeking power under the proposed new subclause to purchase lighthouses that are privately owned, and that are not part of the public services of a State. The Constitution gives us power to take over lighthouses, but there may be a doubt as to whether lighthouses which are not within a State Department can be acquired. I cannot otherwise see why we have not power to take over all that is necessary for this service; seeing that we have power to make laws with respect to it.

Mr. GROOM.—Are there any private lighthouses?

Mr. TUDOR.—I am not aware of any.

Mr. ARCHIBALD (Hindmarsh) [9.50].—Under the Constitution, we have power to take over beacons, buoys, and lights, and I wish to know whether it is the intention of the Government to take over the whole, or only some, of the lighthouses and lights which are the property of the various States.

Mr. TUDOR.—Some of them.

Mr. FISHER.—We might come to an agreement with regard to a light that was not under our control, but which it would be better for us to manage.

Mr. ARCHIBALD.—There is no rule laid down as to the lights to be acquired.

Mr. TUDOR.—The Commonwealth and State authorities have agreed upon a list of lights to be taken over.

Mr. ARCHIBALD.—I suppose that the most expensive lights will be handed over to the Commonwealth.

Mr. TUDOR.—All the ocean lights will be handed over, but the inner harbor lights will remain under the control of the States.

Mr. GREENE (Richmond) [9.51].—During the debate on the motion for the second reading of this Bill, I asked the Minister of Trade and Customs whether it was proposed to take over some of the signalling stations used in connexion with deep sea shipping.

Mr. TUDOR.—It is not intended to take over any station that is not directly connected with a lighthouse.

Mr. GREENE.—It has been the practice to transfer men from lighthouses to signalling stations, positions in the two services being looked upon as interchangeable. A man is sometimes taken away from a lighthouse on a lonely part of the coast, and put in charge of a signalling station. After serving there for a time, he is sent back.

Mr. FISHER.—Some signalling stations are also lighthouses.

Mr. GREENE.—And some are not. It would be an advantage to take over the signalling stations as well as the lighthouses.

Mr. FISHER.—Even those in our cities?

Mr. GREENE.—I am talking of the signalling stations used in connexion with deep sea shipping.

Mr. TUDOR.—The signalling station in Sydney is used in connexion with deep sea shipping.

Mr. GREENE.—I have in my own electorate three signalling stations used in connexion with deep sea shipping, and there are others along the coast. They give the shipping information as to the state of the bars at the river mouths, and so forth, and these, together with reporting stations, certainly come within the scope of navigation.

Mr. ATKINSON (Wilmot) [9.54].—In supporting the motion for the second reading of the Bill, I stated that one of my reasons for favouring the proposed transfer to the Commonwealth was that the States were allowing some lighthouses to fall into a state of disrepair. In making that statement I went further than I intended. What I meant was that the States, knowing that the Commonwealth was going to take

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over this service, had not kept the lighthouses as much up to date as they would otherwise have done. In other words, they had not put in new lights to the extent that they would have done had they known that the service would remain under their control. I did not wish to infer that they were wilfully allowing lights or beacons to fall into disrepair, because I am well aware that, in some of the States, the Marine Boards have done their best to keep in good condition the lights under their control.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7 (Power to erect or alter lighthouses, &c.).

Mr. FINLAYSON (Brisbane) [9.56].—It is, perhaps, premature to expect the Minister to state at this juncture where new lights may possibly be erected, but it may be generally taken for granted that there is a necessity for new lights on the coast, and an equally urgent necessity for improving many of the existing lights. The lighthouse expert has already reported the result of his investigations on the Victorian coast. Some time ago a statement was made by the Minister in regard to the number of new lights that were likely to be authorized immediately. There is a good deal of truth in what the honorable member for Wilmot said as to the State Governments, in anticipation of the Commonwealth Government taking charge of the service, not keeping the lights up-to-date, but those who are aware of the increased tonnage of shipping, the increased value of the trade done in our ports, and the increased number of people continually travelling on the coast, must agree that the question requires immediate and special attention. I can give the Minister a list of at least twelve places between Cape Byron and Cape York where lighthouses are almost an immediate necessity.

Mr. FISHER.—There are cases where too many lights are as dangerous as not enough.

Mr. FINLAYSON.—Experts who have examined the coast are unanimous that along that particular stretch of coast there are too few lights, and that even the existing lights are not sufficient to achieve the purpose for which they were placed there. Lights that were good enough ten or twenty years ago are altogether unsuitable for present day requirements.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [9.58].—I stated in my second-reading speech that so many suggestions had been made as to new lights, and the spots where they should be placed, not only by those engaged in navigation, but by many outsiders, that the Government decided to engage an expert to go round the coast and deal with the whole subject before any action was taken. That is the reason why Commander Brewis is now going round the coast. He was engaged by the Government about last May. He has to take the opportunity when the vessels which visit the lighthouses are going around on their work. Tasmania is the next place on the list, and we hope that if he can get out of quarantine he will go to the Tasmanian coast in about a week or ten days.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.0].—In hurriedly looking over the Bill, I do not see that it gives power directly to construct submarine signal stations. That work is all important in these days on our coasts, especially at and near Wilson's Promontory. There are two or three islands there where it is very difficult to get a light which shipmasters can see on particular occasions.

Mr. W. ELLIOT JOHNSON.—Submarine signal stations are badly wanted on the Barrier Reef.

Mr. FISHER.—They will not have the same effect on the Barrier Reef as they will in the locality I have mentioned. The value of submarine signal stations, which have been successfully established in other parts of the world, is that a ship can pick up its position in the worst weather, whether lights can be seen or not. The signals can be heard sometimes—though the cases are rare—as far as 12 or 15 miles away, but in nearly every instance clearly 3 or 5 miles away. The ship can get the sound easily either on the port or starboard side; it can turn round until the sound is got equally on both sides, and then the captain will know exactly where he is, and practically how far he is off. We ought to take power in this Bill to establish submarine signal stations, which will be a great guide and safety to all shipping. With regard to the point raised by the honorable member for Brisbane, my information, from those whose opinion I value most, is that there is almost as great a danger in having too many places lighted as in having too few, because the number of lights becomes confusing.

Mr. GROOM.—It is admitted that there are too few on the Queensland coast.

Mr. FISHER.—There is no doubt that the Australian coast can be better lighted.

It is also undoubted that the Commonwealth will have to light it better or we shall hear about it. This Bill will mean practically about £1,000,000 of transferred properties coming over as a burden to the Commonwealth, and we shall have to levy certain rates. The officer employed for the purpose has already made a cursory examination of the coast, as the Minister told the Committee, and has come to some conclusions. There will have to be a thorough survey of the coast as soon as we take over this power and have authority to deal with the matter. There is no doubt there is a demand for a considerable expenditure of money in repairing and keeping in order the present lights, in placing better lights in some of the lighthouses, and in establishing new ones. That demand will be made early and persistently. The Government do not desire to shirk their duty in any way in the responsible position which they hold. I am sure no Government would do so. But all we can do at present is to pass this measure, and give the Government ample power to safeguard the interests of shipping and the good name of the Commonwealth.

Mr. W. ELLIOT JOHNSON.—Will the officer's report be available during the passage of the Bill?

Mr. TUDOR.—So far as Bass Strait is concerned, yes.

Mr. FISHER.—Of course the report is not complete. I rose to repeat what my colleague had said, that, in taking over this new service, the Commonwealth Government mean to carry it out thoroughly, to have a safely lighted and completely lighted coast all round Australia, and to have the most modern means for the protection of life and the safety of shipping property that money can purchase. That includes, not only submarine signalling, but wireless communication from as many of the stations as possible.

Mr. GROOM (Darling Downs) [10.5].—We cannot expect the Minister at this stage to say what new lighthouses he is going to build, but as regards Queensland I understand that the expert's report will be fairly complete.

Mr. TUDOR.—He has been from Brisbane to Port Darwin, with the exception, I think, of the Gulf coast.

Mr. GROOM.—I think there is also information in the Department showing that at one or two places on the Queensland coast there is an urgent necessity for new lights, especially north of Rockhampton. Will the Minister promise to make provision on the Estimates for some of the more urgent lights?

Mr. TUDOR.—We hope to start work during the present financial year on some of the more urgent lights.

Mr. GROOM.—The Treasurer is sympathetic, so I hope that a sum will be placed on the Estimates. There are three or four lights which are urgently needed. I agree with the Prime Minister that power should be taken to provide for submarine signal stations.

Amendment (by Mr. HALL) agreed to—

That the following words be added :—"(*d*) Construct submarine signal stations."

Clause, as amended, agreed to.

Clause 8 agreed to.

Clause 9 negatived.

Clauses 10 to 14 agreed to.

Clause 15—

(1.) A person shall not—

(*a*) wilfully or negligently injure, damage, destroy, or run foul of any lighthouse or marine mark the property of the Commonwealth, or any light exhibited on any such lighthouse or marine mark;

(*b*) wilfully or negligently do anything which causes the view of any lighthouse or marine mark to be obstructed in such a manner as to lessen its efficiency; or

(*c*) without lawful authority remove, alter, ride by, or make fast to any marine mark the property of the Commonwealth.

Penalty: One hundred pounds.

. . . . . .

Amendment (by Mr. TUDOR) proposed—

That the following words be inserted at the end of paragraph *a* :—"or any ship, vessel, stores, equipment, or other property used by the Commonwealth in connexion with a lighthouse or marine marks service."

Mr. GROOM.—The Minister must bear in mind that protection for submarine signal stations is also needed.

Mr. TUDOR.—I think that is covered by the words "or other property."

Mr. GLYNN.—The clause provides that a person shall not "wilfully or negligently injure." It would be a pity to convert a civil liability into a criminal offence. Negligence is the basis of a civil obligation.

Mr. HALL.—Both words are contained in the Merchant Shipping Act.

Amendment agreed to.

Amendment (by Mr. TUDOR) agreed to—

That after paragraph *c* the following words be inserted :—"(*d*) trespass on or without lawful authority enter or go upon any lighthouse or marine mark, or any ship, vessel, or property used by the Commonwealth in the lighthouse or marine marks service."

Clause, as amended, agreed to.

Clause 16—

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular prescribing the light dues payable in respect of ships passing or deriving benefit from any lighthouse or marine mark the property of the Commonwealth on the coast of Australia.

Amendment (by Mr. TUDOR) agreed to—

That the words "and in particular prescribing the light dues payable in respect of ships passing or deriving benefit from any lighthouse or marine mark the property of the Commonwealth on the coast of Australia" be left out.

Clause, as amended, agreed to.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.16].—I move—

That the following new clause be inserted :—

"7A.—(1.) The Minister or any authorized officer may at any reasonable time in the day or night inspect any marine mark or any lamp or light which in his opinion may affect the safety or convenience of navigation and whether such lamp or light is the property of a State, or of any authority of a State, or of any private person, and for that purpose may enter any property whether of a public or private nature.

"(2.) No person shall hinder or obstruct the Minister or any authorized officer in exercising his powers under this section.

Penalty: Fifty pounds.

"(3.) In this section 'authorized officer' means any person having a general or particular authority in writing from the Minister to inspect marine marks or any lamps or lights."

The object of this clause is to give the officers of the Department power to inspect lights at any time. It is considered by those who have gone into the matter that this power is necessary, and in accordance with their decision this clause has been drafted.

Mr. BRUCE SMITH (Parkes) [10.17].—Am I to understand that the Minister proposes to take power to inspect State lights that may not have been taken over by the Commonwealth?

Mr. TUDOR.—Yes, if they interfere in any way with Commonwealth lights. We have assumed such a power over private lights.

Mr. GROOM.—The same power is taken in clause 8 already.

Mr. BRUCE SMITH.—I venture to point out that this is taking power to interfere with State property. Whether that may be necessary or not, my object in rising is to ask the Minister whether he considers that we have power to do what he proposes?

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.18].—The Commonwealth lights will be those which we intend that mariners shall be guided by.

Mr. BRUCE SMITH.—I quite see the merits of the proposal.

Mr. TUDOR.—If there should be any light which is calculated to interfere with a Commonwealth light, or to mislead mariners in any way, we propose to take power under this clause to put such a light out if necessary.

Mr. BRUCE SMITH (Parkes) [10.19].—I do not wish the Minister to misunderstand me, because in speaking on the second reading of the Bill I pointed out that it might be necessary in some cases, in these days of brilliant electric lighting, to take steps to prevent mariners being misled. Whether the clause now under consideration is the best way out of the difficulty is a matter which I think will need to be seriously considered, because it involves what would otherwise be a trespass. If, in this matter, we are going beyond our powers, the Federal authority would, in taking action under this clause, be guilty of a trespass on a State property. To put a light out would amount to a trespass. I raise the question whether we shall not be going beyond our powers in assuming under this Bill a right to interfere with a State property.

Mr. ARCHIBALD (Hindmarsh) [10.21].—I do not see what advantage the Government will gain by carrying this amendment. We shall have the power to inspect our own property in any lights that are taken over by the Commonwealth, but I doubt whether, under the Constitution, the High Court would admit the authority of the Commonwealth to interfere with State lights.

Mr. FISHER.—Any sensible Government would interfere if such lights endangered shipping.

Mr. ARCHIBALD.—That may be so; but we have to reckon with the High Court, and over and over again the Court has asserted State rights as against the rights of the Commonwealth.

Mr. WEST.—We have the power under the Constitution to take over these lights.

Mr. ARCHIBALD.—But the difficulty is that the clause proposes to deal with lights that we are not taking over.

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Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.22].—A State Government might establish a light alongside a Commonwealth light, which would render the latter absolutely useless. We must have the power to protect our own lights. If the Commonwealth lights are not to be those which will guide mariners, it would be better for us not to exercise our powers under the Constitution in this matter at all. I direct the attention of honorable members to the Hornby Light, near Sydney Heads. It is a low-power light, and I am not sure whether it is a fixed or a revolving light. It will be taken over under this Bill, and if they so desired, though I do not think they would do so, the New South Wales Government might erect a light close to the Hornby Light which would make the latter absolutely useless If we take over the control of lighthouses, lightships, beacons and buoys, we must be in a position to see that no lights are displayed which will be likely to mislead mariners.

Mr. BRUCE SMITH (Parkes) [10.24].—I hope the Minister will not think that I desire to frustrate his efforts in any way. We are all aiming at the same thing in this matter, and that is to make our guides to mariners as perfect as possible. It is quite possible, in these days of electric lighting, for other lights to be mistaken for those which are intended to guide navigators. It does not follow that because there may be some difficulty in carrying out our intentions, we can arrogate to ourselves the power to interfere with State affairs. This clause would give the Federal authority power to trespass on State property. For instance, the moment one enters Sydney Harbor he is surrounded by lights of different kinds.

Mr. WEST.—They are under the harbor authorities.

Mr. BRUCE SMITH.—Of course they are; but the honorable member does not see that the Minister is proposing that Commonwealth officials should have the power to enter a State lighthouse under the control of a Marine Board of a State, and possibly put the light out because the Commonwealth authorities think it might interfere with a Commonwealth light.

Mr. WEST.—That is an excellent power to have.

Mr. BRUCE SMITH.—I do not question that, but it may be inconsistent with our constitutional powers. It seems to me that there is a way out of the difficulty. I am quite sure that if the Minister of Trade and Customs pointed out to a State Minister, or to a State Marine Board, that there were lights in a harbor, or on the coast, which were a menace to navigators because of their liability to interfere with the guidance of the Commonwealth lights, the State authorities would be willing to alter them or have them altered. It is quite another matter to arrogate to ourselves the power to interfere with the property of a State Government.

Mr. HALL.—Does the honorable member suggest that the States have a right to interfere with our lighthouses?

Mr. BRUCE SMITH.—No; but the honorable member professes to have some legal knowledge on this subject——

Mr. HALL.—The honorable member is very offensive.

Mr. BRUCE SMITH.—I do not wish to be; but the honorable member ought to appreciate the legal force of this argument. Suppose that a State passed an Act in which it says, "We are going to take power to enter the Commonwealth's lighthouses if they interfere with State lights." We should be face to face with a pretty state of affairs then. The State would have arrogated to itself power to enter Commonwealth lighthouses, and the Commonwealth would have taken power to put out a State light. If the Commonwealth erects lights for the guidance of shipping masters, it does not want to have a State interfere with them.

Mr. FISHER.—If a State passed an Act of that kind I should not object. It is a question of power.

Mr. BRUCE SMITH.—I have pointed out that it is a question of power. The Prime Minister's argument is a very good one. I think it is very desirable that we should have this power. But it is a question as to how we can acquire it. That is the consideration that I point out.

Mr. ROBERTS (Adelaide) [10.26].—Personally I have no doubt about the desirableness of the Federal Government having such a power as is contained in this clause. But I should like the whole control of lights affecting navigation to be centred in the Federal Government, instead of matters being left, as they will be after this Bill is passed, under dual control. We are taking power over certain lighthouses. But other lights will be left under the control of the State Governments. At the same time this particular clause will, if

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carried as at present drafted, give the Federal Minister and any authorized officer power to go and interfere with those lights that are left deliberately under the direct control of the State Governments, and the expense on account of which is borne by them. I can quite understand that if there happens to be a State light that conflicts with a Federal light, it is necessary that the Federal power should prevail to the extent that there is a conflict. The Minister must be held to have supreme power in this respect. But the clause provides that the Minister may exercise this power to the extent of going on State property if at any time in his opinion any State light affects the convenience or safety of navigation. There may be a light in a harbor under the control of a State Government which does distinctly interfere with the convenience or safety of navigation, but may not in any way whatever conflict with a light under Federal authority. In such circumstances the necessary power will be in the hands of an authorized officer. But under the next sub-clause we may be getting into difficulties with State authorities. I doubt the wisdom of so doing. I question the desirableness of giving power to an officer to interfere with a light which is specifically a State property and which does not in any way conflict with a Federal light. I suggest that, in certain circumstances, we may get into difficulties with State authorities under whom the control of certain lights will be centred. I doubt the wisdom of courting such difficulties. That is why I rose earlier in the discussion to suggest that some attention might be given to this clause before we let it pass from under our review. I should like the Government to have full control over all marine lights, marks, and buoys; but if there is to be a dual control, it is necessary that we should respect the control exercised by the States in order to avoid conflict.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.32].—I will not delay the Committee, but I wish to point out that this clause is not drafted so as to give power to the Federal Minister or his officers to act in an arrogant manner, or in any manner that would be offensive either to a State or to a private person. That is not the desire at all.

Mr. BRUCE SMITH.—I did not imply that by using the word "arrogate."

Mr. FISHER.—I do not think that the honorable member did. But the power to protect navigation and shipping must rest somewhere. This clause contemplates that if any person lights, we will say, a bonfire, in any conspicuous place, a Federal officer will have the right, if the light so created be a source of danger, and may interfere with shipping, to order it to be put out. Surely that is a proper power to take. Or persons might mistakenly erect a brilliant light which would decoy shipping into danger. Either the Commonwealth has the power to protect shipping in this way or it has not. At the same time, we cannot contemplate such a thing occurring as that a Federal Minister would interfere with a State light before communicating with the State Government in reference to it. Such courtesy would always be shown to a State. But at the same time it is right that we should protect the public, and, therefore, it is right that this clause should go into the Bill. I entirely differ from the honorable member for Adelaide in reference to the matter. I think that no injustice can be done to a State, or to any private individual, which will not be compensated tenfold to shipping in respect of the protection of life and property.

Mr. BRUCE SMITH (Parkes) [10.34].—I do not think that the Prime Minister has touched the real question. He has dealt with the justice and common sense of it. I am with him in those regards. But we have to deal with something more hard and fast. We have to deal with the law. It is an unfortunate circumstance that the Government have found it necessary to divide the control of lights into two parts. As the honorable member for Adelaide has pointed out, they have left one set of lights in the hands of the States, and another set in the hands of the Commonwealth. Because of that division a difficulty is created. If the Minister will look at clause 6 of the Bill, he will find that he could very well provide for some arrangement with the States.

Mr. TUDOR.—To take over all lights.

Mr. BRUCE SMITH.—No; but it would be easy to insert in clause 6 some provision by which the Minister could have the ready opportunity to point out to a State that there was a conflict in regard to lights, and that steps should be taken to remedy it. What I complain of is that the Bill as it stands runs the head of the Government into a noose. I am entirely with the Prime Minister as to the expediency of what is proposed. I am dealing with the legal difficulties of it. I am guarding the

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Government against a legal difficulty which they do not seem to have noticed, either in preparing their proposed amendment or in the Bill itself, because in new clause 8A the same difficulty will arise. The whole of this measure seems to have been framed on the supposition that the Commonwealth is legally entitled to do anything it chooses to make navigation along the coast safe.

Mr. GLYNN (Angas) [10.35].—I think that the trouble to which the honorable member for Parkes has very properly referred arises from the fact that we are legislating in regard to lighthouses without taking them over. It is a bit rough on the States that, after leaving them the lighthouses, we should regulate how they are to use them. Under this provision we may shut up lighthouses. We have practically taken that power in clause 8, which has been passed.

Mr. HALL.—The honorable member has no doubt as to our power?

Mr. GLYNN.—No. But I have a doubt about the justice of exercising the power in this way. The effect of this proceeding struck the honorable member for Parkes so strongly that he very properly threw some doubt on the existence of the power. But I think that we have the legislative power to do this.

Mr. TUDOR.—Under clause 8 we have the power to compel the States to modify lights, but not the power to inspect them.

Mr. GLYNN.—Yes, we have passed a stronger clause than this. On a previous occasion I pointed out that it is rather rough on the States not to compensate them for a property when we take it over. What we are doing is to pass a law telling the States how they are to use a property when it is not taken over. We are not substituting anything. As the hour is late I suggest to the Minister that we should have an opportunity to think this matter over in bed after our prayers. I do not know that we ought not to make a provision that where, in the exercise of this power, we shut up a lighthouse, and do not substitute anything, it ought to be taken over from the State, and paid for, and then the hardship pointed out by the last speaker would be got over. However, I prefer to discuss these matters in daylight rather than at this hour.

Proposed new clause agreed to.

Mr. WISE (Gippsland) [10.37].—I move—

That the following new clause be inserted:—

"7B. When any lighthouse has been acquired or erected by the Commonwealth, it shall as soon as practicable be connected by telegraph or telephone with a convenient telegraph or telephone office, and the expense incurred shall be charged to the Department administering this Act."

In my speech on the second reading I announced my intention to submit this amendment, because I think that all lighthouses, wherever practicable, should be connected with the nearest telegraph or telephone station. In Victoria we have one or two lighthouses which are not so connected. Repeated applications to have them connected have been met by the Post and Telegraph Department with the statement that the proposed connexions would not pay, and, therefore, it had nothing whatever to do with them.

Mr. BRUCE SMITH.—I do not suppose that the lighthouses will pay either.

Mr. WISE.—No. I ask the Committee to insert this provision in the Bill, so that the expense shall be charged to the Department administering this Act.

Mr. TUDOR.—I accept the amendment.

Proposed new clause agreed to.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.40].—I move—

That the following new clause be inserted:—

"8A.—(1.) Every harbor authority or other local authority having control of any harbor lights or the lighting or marking of any navigable waters shall, as prescribed, make returns to the Minister in relation to the following matters:—

(*a*) the description and situation of each light under its control, and

(*b*) the description and situation of each marine mark under its control."

The clause provides for returns of harbor lights and marks to be supplied by the States, so that we may ascertain the exact number of lights, and how they will conflict with any lights of the Commonwealth.

Mr. BRUCE SMITH (Parkes) [10.41].—I think that the objection which I raised just now applies more strongly to this amendment. I believe that the States can snap their fingers at a provision of this kind. What power has this Parliament to say that the States shall supply the Commonwealth with information as to the management of their own properties? It is not a question of what is desirable. We have not the power to do this.

Proposed new clause agreed to.

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Amendment (by Mr. TUDOR) agreed to—

That the following new clause be inserted :—

"9.—(1.) Light dues, in accordance with the prescribed rates or scales, shall be levied and shall be payable with respect to the voyages made by ships or vessels or by way of periodical payment as the regulations prescribe.

"(2.) The regulations may prescribe the rates or scales of light dues to be payable by ships or vessels and all matters necessary or convenient to be prescribed to carry this section into effect.

"(3.) When rates or scales of light dues have been prescribed under this Act, light dues prescribed by or under any State Act shall cease to have any effect :

"Provided that nothing in this sub-section shall release any ship or vessel or any person from any liability in respect of any light dues prescribed by or under any State Act which became due before the rates or scales of light dues under this Act came into force."

Sir JOHN FORREST (Swan) [10.42].—I desire to know whether the Minister has considered the question I raised some time ago as to protecting the Government from actions? On that occasion I mentioned that in Western Australia an action was brought against the Government for negligence in regard to a light. In section 158 of the Post and Telegraph Act, the Postmaster-General is protected from an action "by reason of any default, delay, error, omission, or loss, whether negligent or otherwise," in the transmission or delivery of a postal article or telegram. I think it is very necessary to enact a similar provision in regard to lighthouses. My opinion is that the Commonwealth will not be liable. But in the case I referred to there was a local Act—and we may have local Acts, too—by which a lighthouse was considered a public work. It was an important case, which was to go to the Privy Council, but the Government of the day—this occurred after I ceased to be at the head of affairs—compromised the matter by making a payment. It seems to me a monstrous thing that the country should go to great expense in providing lights for the protection of shipping, and, through some negligence for which they are not responsible, should be mulct in, perhaps, very large damages.

Mr. TUDOR.—We cannot go further at this stage of the Bill. But as the Senate will have to accept the amendments which we have made, a new clause can be inserted there to cover what the honorable member desires if it should be found necessary. I shall have the matter looked into.

Sir JOHN FORREST.—I do not desire to do more than bring the matter under the Minister's notice.

The CHAIRMAN.—I would point out to the Minister that in the Senate no new clause can be inserted in the Bill.

Mr. GROOM (Darling Downs) [10.44].—I was going to ask the Minister a question on that point, sir. I suggest that he should agree to report progress now, and leave the adoption of the report to another day, so that the suggestion may be considered.

Mr. ROBERTS.—The Senate can add to our amendments.

Mr. GROOM.—What the honorable member for Swan suggests is a substantive provision which does not arise out of any amendment we have made.

Mr. FISHER.—At the report stage we can give notice of an amendment, if that is found necessary.

Title agreed to.

Bill reported with amendments.

ADJOURNMENT.

COASTAL TELEPHONES—WIRELESS TELEGRAPHY—AGRICULTURAL IMPLEMENT INDUSTRY: IMPORTATION OF ARTISANS.

Motion (by Mr. FISHER) proposed—

That the House do now adjourn.

Mr. JOHN THOMSON (Cowper) [10.45].—I desire to call the attention of the Postmaster-General to a telegram from Sydney which appears in this evening's newspaper, stating that the New South Wales Navigation Department to-day received a report from the acting principal lighthouse-keeper at Port Stephens, dated 13th October, relating to the loss of the steamer *Macleay*. The telegram goes on to state—

After referring to the orders given for the steamer to be sent out to search for the *Macleay*, the lighthouse keeper calls attention to the bad telephone. He could not hear some messages sent to him from Newcastle, and they had to be repeated from Raymond Terrace.

This shows the necessity there is for seeing that the telephones at such important stations are in proper repair. The telephones ought to be duplicated for the reason that the officials of the Department are not allowed to touch the telephones if they get out of repair; and, in the present instance, the nearest electrician is at Dungog, 50 or 60 miles away, and, of course, he could not be communicated with owing to the state of the instrument. The geographical

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position of the place makes it difficult for any communication to reach the pilot. or the lighthouse keeper, unless by telephone.

Mr. FENTON (Maribyrnong) [10.49].—In the absence of the Minister of External Affairs, I desire to call the attention of the Prime Minister to certain information which, no doubt, has already come to his knowledge. I understand that, from time to time, the Minister of External Affairs has consented to the importation of certain artisans, and it appears from news published in the press to-day that there is likely to be considerable industrial trouble in consequence.

Mr. JOSEPH COOK.—Where?

Mr. FENTON.—In Melbourne, and I understand that there also may be trouble in other centres of population. I further understand that in the agricultural implement industry trouble may be precipitated by the Department giving consent to the importation of artisans in anything like undue numbers.

Mr. GROOM.—Under contract?

Mr. FENTON.—Practically. I know that some applicants for workmen have been careful to specify for men of a certain trade, and, what is one good thing, for trade unionists. To-day, there have been registered 20 sheet-iron workers, 17 turners, 27 fitters, 23 machinists, 22 blacksmiths' strikers, 5 wood workers, 40 blacksmiths, and a number of labourers. Another cause of complaint is that men who have been employed for a considerable number of years at certain establishments, and have rendered good and faithful service, have been supplanted by new arrivals; and it is in this connexion that difficulty is likely to arise. Provided the State Governments supply the land, I, personally, have no objections to immigrants coming here to settle, but if we bring out large numbers of artisans, there may be considerable trouble. I believe that some of the State Governments propose to indulge in a vigorous immigration policy, and they have been waited on, and informed that there are at present a large number of men out of work. We all admit that employment largely depends on the progress of our primary production; and already there are signs that the production for this year will not equal that of last year. This may lead to considerable dislocation of the labour market, and if we bring out large numbers of artisans, we shall be piling up trouble for ourselves.

Mr. JOSEPH COOK.—What is causing the decreased production?

Mr. FENTON.—The butter industry is a strong indication; and, in two States, at any rate, the production of butter will be a long way behind that of last year.

Mr. FINLAYSON.—Owing to climatic conditions.

Mr. FENTON.—True; and those conditions will also affect the harvest.

Mr. JOSEPH COOK.—Only the other day, the Labour party was claiming credit for the excellent seasons.

Mr. FENTON.—Very likely the seasons would have been much worse but for the righteous Labour party. This evening's newspaper informs us—

> Mr. Whitehead, Secretary to the Labour Bureau, and Miss Cuthbertson, Senior Inspectress of Factories, who were to select the skilled workers, were to leave for London on November 1, and unless otherwise directed would seek to obtain the full number of workers agreed upon by the Conference.

There was a Conference; but, in my judgment, quite a wrong conclusion was arrived at, although some workers took part in it. Honorable members, if they look at to-night's newspaper, will find that there is likely to be considerable trouble in the agricultural implement industry, owing to the preference given to new arrivals, and to the large number of men who are being brought out.

Mr. HALL.—Are they under contract?

Mr. FENTON.—Some of them; the Minister having given consent in some cases. The Government ought to be very careful in permitting this consent to be given; and I mention the matter now so that the Minister of External Affairs may seriously consider the position. The preference given to new arrivals has led to a considerable amount of bickering already; and it is said that this action is taken in the interests of what is known as the Free Workers' Association. We are told in the evening newspaper that some forty blacksmiths were put off some time ago at McKay's Sunshine works; and that since then, forty blacksmiths who arrived from England under contract have taken the places of those who were dismissed. We are further informed that there is no objection to the importation of artisans when the necessity arises; but the workmen here certainly do object to wholesale importations of men to take the places of those who will have to walk the streets. The representative of the men, in the newspaper interview, goes on to say that he looks upon the situation as being extremely grave.

That is a serious statement coming, as it does, from the responsible officer of a union of men employed in an industry where there has recently been great trouble; and we ought to do all we can, by word and act, to prevent a precipitation of industrial trouble. I hope that the Minister of External Affairs will be informed of this matter, and will do his best, at all events, to mollify the feelings of these men who consider that workers are being sent out here to take their places.

Mr. BRUCE SMITH.—Was the McKay affair a lock-out or a strike?

Mr. FENTON.—Both.

Mr. JOSEPH COOK.—What does the honorable member suggest?

Mr. FENTON.—That encouragement should not be given by the Commonwealth Departments to the bringing out of artisans. Some have been brought here under contract, and have taken the places of others.

Mr. RILEY.—The men here object to others being brought out under contract.

Mr. FENTON.—Yes. We have the statement that forty were brought out under contract, and took the places of men already here.

Mr. JOSEPH COOK.—How could the Department help itself?

Mr. FENTON.—The Minister could say, "Yea," or "Nay" to a request for permission to bring out artisans.

Mr. JOSEPH COOK.—Could he?

Mr. FENTON.—That has been done. Ministers seem to me to be encouraging artisans to come out here, and their coming out may lead to serious industrial trouble. It may mean that many men who have paid taxation in this country for years will have to walk the streets, while persons from the other side of the globe take their places.

Mr. HEDGES (Fremantle) [10.57].—I wish to draw the attention of the Postmaster-General to a cablegram, appearing in this evening's issue of the *Herald*, which serves to emphasize the necessity for pushing on with the wireless telegraph installation in Australia. The cablegram, which is headed, "Steamer wrecked." "Wireless call for aid" "Passengers rescued." and is dated "Vancouver, Monday," is as follows:—

> The Canadian Pacific Railways Co.'s steamer *Princess Beatrice*, 1,290 tons, has gone ashore on Noble Island.
>
> Aid was summoned by wireless telegraphy, and the British steamer *Venture* went to the assistance of the wrecked vessel.
>
> Three hundred passengers on the *Princess Beatrice* were taken off by the *Venture*.
>
> The *Princess Beatrice* is a total wreck.

There may be similar wrecks on this coast at any time. Australia is practically the only country that has not a wireless installation. Wireless telegraphy in Australia is a monopoly, which was granted to the Postmaster-General in 1906. The money for the work was voted long ago, and yet nothing has been done. The wreck to which the cable refers is by no means the first in connexion with which the lives of all on board have been saved through the agency of wireless telegraphy; and, for the credit of the Commonwealth, the installation of a wireless system here should be pushed ahead.

Mr. WEST (East Sydney) [10.59].—A few days ago, reference was made in this House to the report presented by Mr. Piddington, the Commissioner appointed by the New South Wales Government to inquire into an alleged shortage of labour there. Whilst in Sydney yesterday, I had occasion to go to the public offices, and saw there practically an army of unemployed. There were lined up in front of the Premier's office door eighty-two men, who follow Mr. McGowen's own calling. Every one of them was a practical boilermaker, and all wanted employment. It is not more than three months ago that application was made to the Minister of External Affairs to permit men in the iron trade to come to Australia. I bring this matter under the notice of the House, because we have been told that there is a great demand for men in the trade. I hope that the Minister will take this matter into consideration before granting any permits for the introduction of contract labour in respect of any trade or calling. There are periods of scarcity of labour in connexion with every trade; but a scarcity of labour extending over only a few days should not be sufficient to induce the Government of Australia to rush men here from other parts of the world. A large number of men in the iron trade have come to Australia within the last six months.

Mr. BRUCE SMITH.—They have got wind of the wages.

Mr. WEST.—No. We should have a better class of mechanics coming here if the wages were higher. In my boyhood, I saw on the hoardings in England advertisements setting forth that mechanics in Australia were receiving £1 and 30s. a day.

Mr. HEDGES.—That was in the gold-digging days.

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Mr. WEST.—My argument is that, if we could raise wages to £1 a day, we should have a better class of artisans coming out. Skilled labour in portions of the building trade in London is scarce to-day, and plumbers are receiving £2 2s., and up to £2 5s. a week. They are not likely to come out here for an extra 2d. an hour; and, unless we can offer a much higher wage, the best class of men will not emigrate to Australia. Unfortunately, many of those coming here are not the best class of tradesmen. My foreman has repeatedly said to me, "I hope that better men will be sent out, or that we shall be able to get some more of our own better class of tradesmen." The Premier of New South Wales was, no doubt, much annoyed that the body of men to whom I have referred should have been paraded outside his office. He was quite prepared, I am assured, to accept the men's word that there was a scarcity of employment in his trade; but they were lined up in order to prove beyond doubt that there was a dearth of employment. Many of the men were personally known to the Premier, and he was grieved to find that such a mistake had been made as to the employment offering.

Mr. BRUCE SMITH.—Possibly there was a strike on.

Mr. WEST.—No; there was simply a lack of employment. When an employer finds that only two or three men, instead of twenty, answer an advertisement offering employment, he at once begins to think that there is a scarcity of labour, and urges the Government to send out men from England. I, and many of my party, desire that emigrants from England shall come to Australia; but we do not want to have a rush of artisans who will simply have to walk about doing nothing. Only on Saturday morning a policeman drew my attention to the fact that three new arrivals were selling newspapers in one of the streets of Sydney. We want those who come here to obtain better employment than that.

Mr. JOSEPH COOK (Parramatta) [11.4].—The honorable member for East Sydney has told us something of this army of unemployed, but he has not informed the House of the further fact, that Mr. McGowen assured the men that he had been advised by Mr. Cutler that he would require 250 in about a month hence.

Mr. WEST.—But are these men to go hungry for a month?

Mr. JOSEPH COOK.—No. My complaint is that the honorable member has kept back some of the facts. There is only a temporary trouble. I think the Premier of New South Wales said that, in a couple of weeks, over forty men would be wanted in one place alone. If the stream of immigration to Australia is to be stopped, because at a particular time a few men are out of work for a week or two, the Labour party had better say at once that they do not believe in immigration. That would be the more honest course to take. There will never be a time in this or any other country where temporary troubles in connexion with the employment of men in particular trades will not arise. The honorable member ought to have told the House that Mr. McGowen said the difficulty could be got over almost immediately, and that they would not only need the eighty men now out of employment, but three or four eighties besides. Those are the facts of the case as I read them in to-day's newspapers.

The honorable member for Maribyrnong evidently has not read the Contract Immigrants Act. If he had he would see that the Minister of External Affairs has very little option left to him provided that certain conditions are complied with. I do not see how, under the Act, the Minister could refuse any immigrants admission to Australia so long as they complied with certain conditions which are laid down very clearly. It is provided in clause 5—

> The Minister shall approve the terms of the contract only—
>
> (1) When a copy is filed with him, and, if he so requires, is verified by oath; and
>
> (2) if in his opinion—
>
> (*a*) the contract is not made in contemplation of or with a view of affecting an industrial dispute; and

That is to say, that they are not coming out here as strike breakers. It is also provided—

> (*b*) there is difficulty in the employer's obtaining within the Commonwealth a worker of at least equal skill and ability (but this paragraph does not apply where the contract immigrant is a British subject either born in the United Kingdom or descended from a British subject there born).

If these men fulfil those conditions how can the Minister refuse them entrance? So long as it is proposed to pay them standard rates, and guarantees are forthcoming that they are not coming out here to break a strike, the Act says they must be permitted to enter. It is of no use for the honorable member to complain of the Minister.

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He has simply done his duty, and if, in addition, there is a guarantee that the men shall be trade unionists when they come here the Minister has no option but to admit them.

Mr. RYRIE (North Sydney) [11.8].—I trust the Minister of External Affairs, whether he has the power or not—I think it has been made clear by the honorable member for Parramatta that he has not—to prevent these artisans from coming to Australia under contract, will not attempt to exercise it in face of the finding of the Royal Commission of New South Wales to the effect that the labour market there was 3,000 artisans short, and in face also of the results of the inquiry held in Victoria. I am not quite clear as to how that inquiry was conducted, but I understand that there was a conference between Ministers and Trades Hall representatives, and that they came to the conclusion that there was a great shortage of this class of labour in Victoria. I trust the Minister would not dream, even if he had the power, of attempting to exercise it. The honorable member for Maribyrnong said he did not object to people coming here to be placed on the land. Quite so. The honorable member, and those who think with him, say, "Put these people on the land, but make a ring and combine of the working men who are here at present and prevent any more artisans being imported here to compete with them in their work. Give the present unionists in Australia a monopoly of the whole of the work, and make the prices for all the machinery, and other things manufactured by those artisans, so prohibitive that these unfortunate men when they do get on the land will be forced off it because they cannot afford to live." I hope the Minister will not agree to do anything to prevent these artisans coming here in as great numbers as they may care to come. I hope we shall get them here in thousands. Honorable members opposite forget that we want population in Australia. Competition is good for all trades, and I hope to see a stream of immigration of all sorts.

Mr. West.—The honorable member would like to see six men competing for one job.

Mr. RYRIE.—The honorable member would like to see competition for everything except labour. I hope the Minister will not take such a narrow-minded view of the matter as to prevent honest British workmen coming to Australia. The proposition is ridiculous. We have this great country given to us as a heritage. Captain Cook discovered it and planted the Union Jack upon the soil. We have been given the right to govern ourselves under the freest Constitution in the world, and then we turn round and slam the door in the face of honest British workmen—men from England, Scotland and Ireland—saying, "Keep out of here. We do not want you, because you will cut down our wages."

Mr. Roberts.—The honorable member does not care about honest British labour. All he wants is cheap labour.

Mr. RYRIE.—I would not give the honorable member "tucker." I hope the Minister will, on no occasion, agree to prevent these honest British workmen being brought out.

Mr. THOMAS BROWN (Calare) [11.12].—I hope the Government will not take the advice of the honorable member for North Sydney, but will exercise a wise discretion in controlling immigration as far as that can be done. They should see that the people brought here are of a class that will do the best for themselves and the best for Australia. During my visit to the Old Country I discovered that the British people generally did not wish to part with the best section of the community—the men and women who would make the best settlers in Australia—but that they were very anxious to be clear of a large number in the slum areas, who presented a problem which it was not easy to solve. If Australia could take that problem over they would be very satisfied to let Australia have them. I discovered that there is, in London, a philanthropic association that is shipping some of those people to Australia. From what I could learn a considerable number of them are not the most desirable people for the purpose of Australian settlement. They are not brought here under Government agency, State or Federal, and according to the information submitted to me the Government would be acting in the best interests of Australia if it exercised some supervision with regard to their health and their suitability for our requirements before they are allowed to enter.

Mr. HANS IRVINE (Grampians) [11.14].—When the honorable member for North Sydney was speaking, honorable members opposite were interjecting about placing men on the land. I would like to

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remind them that only 3 per cent. of the land in Australia has been alienated, and that only 4 per cent. is in process of alienation, which means that 93 per cent. still belongs to the States. Why, then, do honorable members opposite talk of no land being available, and of people being brought here to starve? Why do they want to keep Australia a close borough for labour? We want labour. The country is crying out for population. In connexion with the remarks made about agricultural implement-makers, let me tell honorable members opposite that this is a bad season all over Australia, although people anticipated a good season.

Mr. LAIRD SMITH.—Cheap labour does not mean the best labour.

Mr. HANS IRVINE.—The honorable member, and those he represents, demand a six hours' day, and then they want to come down to a four hours' day. That is said by the honorable member's own class.

Mr. LAIRD SMITH.—The trouble about men of your class is that they will not work at all.

Mr. HANS IRVINE.—I can understand that the honorable member does not believe in work at all. Perhaps he would like free drinks as well. The country is crying for population. I know what the needs of three of the six States are from personal experience. Yet the Labour party would keep out immigrants. Men must be satisfied with a reasonable standard of living, because we have to compete with the nations of the world, and accept their prices. We cannot live wholly on our own productions. The Prime Minister has said something to this effect. We shall never be a nation worthy of the name until we have a steady flow of immigrants to this country, and a national policy of development. I am as much in favour of bettering the conditions of living as is every other reasonable and right-thinking man, but to check the flow of population to our shores will do nothing to bring that about. It annoys me to hear this talk about there being no land for immigrants.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [11.17].—I shall bring the remarks of the honorable member for Maribyrnong before the Minister whose Department they concern, and the matter referred to by the honorable member for Cowper will be looked into.

Question resolved in the affirmative.

House adjourned at 11.18 p.m.

Senate.

Wednesday, 18 October, 1911.

The PRESIDENT took the chair at 3 p.m., and read prayers.

DEATH OF MR. BATCHELOR.

The PRESIDENT.—I have to inform the Senate that I have received the following letter:—

Bloomsbury-street, Hyde Park,
October 15th, 1911.

Senator H. Turley,
President of the Senate.

Dear Sir,

Will you, on behalf of myself and family, convey to the members of the Senate our sincere thanks for the resolution of sympathy and appreciation passed by them.

Yours sincerely,
ROSINA BATCHELOR.

PRINTING COMMITTEE.

Report (No. 2) presented by Senator HENDERSON, and read by the Clerk.

RE-ARRANGEMENT OF PORTFOLIOS.

Senator McGREGOR (South Australia—Vice-President of the Executive Council) [3.2].—I have to state that the Honorable Josiah Thomas has resigned the position of Postmaster-General, and been appointed to the position of Minister of External Affairs, and that the Honorable Charles Edward Frazer has been appointed to the position of Postmaster-General. Until further notice the business of the Government in the Senate will be carried out in the following manner:—The Prime Minister, the Treasurer, the Attorney-General, and the Minister of External Affairs will be represented by the Vice-President of the Executive Council; the Minister of Defence, in addition to his own Department, will in future represent the Minister of Home Affairs, while the Postmaster-General and the Minister of Trade and Customs will be represented by Senator Findley.

PAPERS.

Senator McGREGOR laid upon the table the following paper:—

Audit Acts 1901-1906.—Treasury Regulations—Amendment of Form 5 (Clause 24).—Statutory Rules 1911, No. 148.

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The CLERK laid upon the table—

Return to Order of the Senate of 12th October, 1911—

Treasury Notes—Amounts issued to the respective Banks in the Commonwealth.

Return to Order of the Senate of 13th October, 1911—

Postal Rates for Savings Bank and Building Society Pass-books: Correspondence, &c.

COMMERCIAL BANK OF TASMANIA.

Senator KEATING.—I desire to ask the Minister representing the Postmaster-General whether, if he has no objection, he will place on the table of the Library, or the Senate, copies of all correspondence which has passed between the Department of the Postmaster-General and the Commercial Bank of Tasmania, or anybody on its behalf, in respect to the prohibition of the transmission of the correspondence of the bank through the post, and also in respect to a previous intimation to the bank of an intention on the part of the Postmaster-General to refuse to transmit such correspondence?

Senator FINDLEY.—There will be no objection to placing all the correspondence referred to on the table of the Library.

STEAMER FREIGHTS AND FARES.

Senator STORY.—I wish to direct attention to a statement published in yesterday's *Age*, to the effect that the steamship companies trading between Port Darwin and Sydney, Melbourne, and Adelaide have notified a considerable increase in their freights and fares. I desire to ask the Vice-President of the Executive Council, without notice, whether the Government will take into consideration the desirableness of providing reasonable facilities for people to travel between Port Darwin and other parts of Australia, assuming this information to be correct?

Senator McGREGOR.—I ask the honorable senator to give notice of his question.

Senator STORY.—I wish to notify that I have now been informed by Senator Walker that he has already given notice of a question relating to the same subject. Probably the answer to be given to-morrow will satisfy me.

NAVAL AND MILITARY DECORATIONS BILL.

In Committee (Consideration resumed from 12th October, *vide* page 1315):

Clause 4, as amended—

A person shall not buy, or receive in exchange, or receive by way of pledge or otherwise, for valuable consideration, any decoration which has been conferred on any person being or having been a member of the King's Naval or Military Forces or of the Defence Force for service performed in or out of Australia.

Penalty: Twenty pounds.

Upon which Senator CHATAWAY had moved—

That after the word "Forces," line 6, the words "in the Commonwealth of Australia" be inserted.

Senator CHATAWAY (Queensland) [3.16].—I wish to remind honorable senators of the reasons for my amendment. As the Bill stands, it looks as if we were attempting to legislate with regard to medals and decorations granted by Imperial or other governing authorities in the British Dominions, and as if we intended to prevent the pawning, sale, or disposal for valuable consideration of such possessions. It is only reasonably modest for this Parliament to say, at any rate, that it does not intend to deal with medals and decorations granted by other authorities than that of the Commonwealth. If this amendment be carried, I shall later on propose another, to make it clear that our object is simply to prevent the hawking of Australian medals about the country. I also point out that a number of people in this country own collections of medals which they have bought. If this Bill be passed, the effect of it will be to send up the price of such collections. We have not yet been informed why the Government wish to create a corner in medals and war decorations on behalf of those who own such things. But if we are going to create a corner it will be less serious if we simply limit the operation of the measure to medals conferred upon members of the Australian Forces.

Senator PEARCE (Western Australia—Minister of Defence) [3.18].—I cannot accept Senator Chataway's amendment, because it would destroy what is intended by the Bill. The measure would then apply only to members of the King's Naval and Military Forces at present serving in Australia. I have previously pointed out that in Great Britain those who have earned medals are not permitted to sell or pawn them. There is also a penalty for receiving medals. As the Federal Constitution gave this Parliament control over Defence, that Imperial law does not apply to Australia. We propose to act for the British Government, and to apply practically the same law here as obtains in Great Britain.

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Senator MILLEN.—Can the honorable senator say whether, under that Imperial Act, an Australian might be prohibited from selling or pawning an Australian-earned medal in Great Britain?

Senator PEARCE.—I am inclined to believe that it would not be so, because, when the Imperial Act was passed, it was never contemplated that there would be members of Australian Naval and Military Forces who would earn medals. No doubt if the Imperial Parliament were passing a law on the subject to-day, it would make provision to that effect. There are a number of persons in Australia who have medals to whom the Imperial Act does not apply. We, therefore, desire to pass this Bill so that it will apply to them.

Senator CHATAWAY.—Then the Bill is really inspired by the Imperial authorities?

Senator PEARCE.—It certainly is not, and the honorable senator has no right to make that statement.

Senator CHATAWAY.—I was only asking the question.

Senator PEARCE.—Then the honorable senator must have shut his ears to what I have said previously to the effect that the Veterans Association in each of the States, at their annual gatherings, and the South African Returned Soldiers Association, in correspondence which I have in an adjoining room, have asked for this measure. I should like to point out that even if the amendment be carried, the second amendment which the honorable senator has suggested would be unnecessary, because, under the Defence Act, the "Defence Force" is defined to mean the Defence Force of Australia.

Senator GARDINER (New South Wales) [3.22].—I am sorry the Minister has not agreed to accept the amendment, because, since the last sitting of the Committee, I have had an opportunity of discussing the very point involved in it with one of the most brilliant young barristers in Australia, and he expressed himself as almost certain that we have no power to interfere with a visitor from Great Britain, landing, say, in Sydney, in dealing with medals in his possession in this way.

Senator ST. LEDGER.—I indicated a similar doubt from this side.

Senator GARDINER.—I am sure that the young barrister to whom I have referred would have been much strengthened in his opinion if I had told him that Senator St. Ledger held a similar view. The Minister gave it as his reason for opposing the amendment that it would destroy the Bill, but I should have thought that was a good reason for welcoming it. Under the amendment we should have power only in connexion with medals secured by officers and members of the Defence Force of Australia, and I think that is all the power we should attempt to exercise under a measure of this kind. A man possessing one of these medals or decorations for services rendered to the Empire in some other part of the world might, on landing in any of our cities, with the intent, perhaps, to remain only two or three hours, wish to dispose of it because he was badly in need of money, and why should we go to the extreme of legislating to prevent him? It has been suggested that I am not serious in my opposition to this Bill, but I objected to it when I first saw it, and, as we have considered it clause by clause, I have been strengthened in my view that it should be opposed, and that honorable senators should make it as difficult as possible for such a measure to go from here to another place.

The TEMPORARY CHAIRMAN (Senator GIVENS).—I hope the honorable senator will adhere more closely to the amendment. We are not now discussing the Bill, but the amendment proposed in clause 4.

Senator GARDINER.—I have no desire to argue with the Chair, but if you, sir, had given me time, I intended to show why this amendment should be accepted. Whether it is accepted or not, I hope the Minister will not attempt to prevent honorable senators moving and discussing other amendments.

The TEMPORARY CHAIRMAN.—It is not the Minister, but the Chairman who may limit discussion.

Senator GARDINER.—I am very pleased that the Bill is now the property of the Committee, and that as you, sir, suggest, we have full freedom to debate and amend it. The object of the amendment is to confine the operation of the measure to medals and decorations won by naval and military men in the service of the Commonwealth, and to exclude from its operation such decorations won outside the Commonwealth. I am at a loss to understand why an Australian Minister of Defence should be so anxious to legislate in this matter for the whole of the Empire. If the amendment be carried, we shall be attending to our own business, whilst if it is not adopted we shall be

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deliberately attempting to do something which, on the advice of so distinguished a lawyer as Senator St. Ledger, we have not the power to do.

Senator FINDLEY.—Surely the honorable senator does not take Senator St. Ledger seriously as an authority.

Senator GARDINER.—I am prepared to take seriously any expression of opinion from the honorable senator which is in consonance with common sense. What I do not understand is how the Government can treat this measure seriously.

Senator FINDLEY.—The honorable senator is taking up a paradoxical position in permitting one set of men possessing medals to deal with them, and refusing the same permission to another set of men.

Senator GARDINER.—I cannot hear what the honorable senator is mumbling about. He has apparently contracted the habit of talking to himself. I have heard of people doing so when they are coming home from certain places. I am tired of trying to induce the Minister of Defence to take a reasonable view of this matter, and I am tired of supporting amendments which should appeal to the common sense of every one. The amendment now before the Committee is a very reasonable one, and I have much pleasure in supporting it.

Senator RAE (New South Wales) [3.30].—I support the general object of the amendment, but I wish to see it altered somewhat. It appears to me that if the military authorities of Great Britain are not inclined to press for legislation to deal with our affairs, it is rather a big order for us to propose to legislate for them. Senator Gardiner argued that if we are to legislate for the whole Empire, we shall take on a very large order. We should learn to manage our own business before we start to manage the affairs of the Empire generally. If we are to spend time on useless legislation, it should certainly be confined to matters that concern ourselves. I desire to alter the tenor of the present amendment by substituting the word "of" for the word "in." I understand that the Minister's objection to the present amendment is that, if carried, it would apply only to persons who have gained medals by fighting in Australia. If my suggestion were adopted, the clause would apply to members of the Australian Naval and Military Forces, and would shut out Imperial and Canadian troops. If the only objection which the Minister raises is based on the fact that if the present amendment were carried, the measure would be rendered practically inoperative, it would be entirely removed by the adoption of my suggestion. I ask Senator Chataway to withdraw his amendment temporarily.

Senator CHATAWAY (Queensland) [3.32].—I do not say that I entirely agree with what Senator Rae has suggested; but in order to give him the opportunity which he desires, I ask leave to withdraw my amendment temporarily.

The TEMPORARY CHAIRMAN.—Is it the pleasure of the Committee that Senator Chataway have leave to withdraw his amendment?

Senator LONG.—No.

Amendment (by Senator RAE) proposed—

That the amendment be amended by leaving out the word "in," with a view to insert in lieu thereof the word "of."

Senator CHATAWAY (Queensland) [3.35].—I desire to know if the Minister will accept the amendment in the form proposed by Senator Rae, because it apparently meets the objection which he raised. The clause, if amended as I propose, would appear to apply only to decorations earned in Australia; but in the form proposed by Senator Rae would apply to decorations earned by the Naval or Military Forces of the Commonwealth in any part of the world.

Senator PEARCE (Western Australia—Minister of Defence) [3.36].—I cannot believe that Senator Chataway really thinks that the amendment of Senator Rae meets my objection. If he does, I must have lamentably failed to give adequate expression to my view. The clause, if amended as desired by Senator Rae, would still exclude from the operation of the Bill members of the British Army who are at present in Australia. The desire is that there shall be applied to them here the same law as is applied to them in Great Britain.

Senator MILLEN (New South Wales) [3.37].—The Minister seems to have overlooked the rather anomalous position in which his statement has placed him. He admitted, in reply to an interjection from me, that the British Parliament does not attempt to apply to Australians holding Australian medals the same provisions as we are seeking to attach to Imperial soldiers holding Imperial medals. The anomaly arises in this way, that earlier in the debate the Minister appealed to the Committee to support the measure, because,

he said, it was on all-fours with the Imperial Act, but now he declines to make it agree with that Act, from which he evidently sought to obtain some inspiration, and which enabled him to secure the valuable support of Senator Walker.

Senator PEARCE.—That is a clever piece of sophistry.

Senator MILLEN.—No, it is cold reasoning. If there is any virtue in passing a measure because a similar law is on the Imperial statute-book it must necessarily be a vice to the extent to which we depart from the provisions of that Statute. The Minister has admitted that the Imperial authorities do not attempt to meddle with our affairs. All that the amendment aims at is to keep Australian fingers out of the pies of other people, and it appeals to me on that common-sense ground. I should have thought that the Minister would not persist in keeping this measure in a prominent place on the notice-paper. He must not make the mistake of assuming that obstinacy is strength.

Senator PEARCE.—Will the other side bear that in mind?

Senator MILLEN.—So far as I understand the amendment, it would, if adopted, leave us in exactly the same position as before; and that is, that we should be legislating against persons who may have received Imperial medals for services in Imperial Forces, probably outside Australia. A man in the Imperial Army might have obtained an Imperial medal for service in some other portion of the Empire, and yet, later, become a member of the Military Forces of Australia. We should then have this anomaly, that he would be debarred from disposing of the medal which he had received in Great Britain for services rendered, perhaps, in India, while a comrade in arms here, not being or having been a member of the Military Forces of Australia, would be at liberty to dispose of a similar medal. That is not what is wanted. What I think is wanted is to use these words, "Naval and Military Forces for service performed in the Commonwealth of Australia."

Senator Lt.-Colonel CAMERON.—How can you have service in Australia?

Senator MILLEN.—I hope that we never shall; but I think that, before many years are over, there is every possibility of men being able to earn medals for service in Australia.

Senator Lt.-Colonel CAMERON.—They would not get a medal for it.

Senator MILLEN.—Why?

Senator Lt.-Colonel CAMERON.—Not in a civil war.

Senator MILLEN.—The honorable senator quite misunderstands me if he thinks that I am referring to a civil war. I am referring to the possibility of having to repel an armed invasion. I take it that the whole basis of our present Defence Force is founded on the belief that, sooner or later, we may be called upon to keep these shores inviolate. In my opinion, the amendment will not do what is desired by its advocates.

Senator RAE (New South Wales) [3.45].—Of course, I did not have much time at my disposal to frame an amendment, but I think that any amendment which will tend to limit the effect of this measure must be a good one. I would point out that, while my amendment may not be perfect, it would be useless to draft a perfect amendment to such an imperfect and rotten measure. I am sorry, indeed, that we have to spend so much time on this trash when there are more important measures awaiting us. My opposition to the Bill will continue to the bitter end, whenever it comes. This is retrogressive legislation of the worst character. Anything I can do will be done to delay the passage of the measure.

Senator PEARCE.—And any other measure which is waiting.

Senator RAE.—The onus rests on the Minister, if he is foolish enough to put this trash in front of other proposed legislation. I contend that the amendment, if carried, will do something, and certainly it will prevent us from making bigger asses of ourselves than we have done. In this clause, the Minister is seeking to legislate for Imperial troops. Admittedly, on his own explanation, the Imperial Parliament have never thought it worth while to legislate for Australian troops, and why should we take up time in enacting what a British soldier may do with his medal? It seems to me that the Minister must have gone clean out of his mind to bring down such a clause. It seeks to tell a man who gained a medal fifty years ago for service at Inkerman, Crimea, or Balaclava, or in the Indian Mutiny, what he shall or shall not do with his medal. I have not the strength to kill the Bill altogether. If honorable senators awake to the folly of this proposal and do something towards limiting its scope, so that we shall only be legislating in regard to medals which our own Government may grant to members of the Naval and Mili-

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tary Forces, we shall be bringing it somewhere within the bounds of decency, if there can be any decency attached to such a measure.

Senator ST. LEDGER (Queensland) [3.47].—The Leader of the Opposition reminded the Minister of the most obvious fact, which I think it is necessary for a Minister to remember, that obstinacy is not strength, and the Minister retorted, "Will the other side bear that in mind?" I might remind my honorable friend that that remark, which was intended as a reflection on our side, was, if possible, a severer reflection on the other side, because his own supporters are the most obstinate of the lot. The Minister is confronted at each step with difficulties arising out of the measure, whether it relates to buying or selling medals; he sees that it is loaded with difficulties from top to bottom, and he then reminds us that obstinacy is not strength. We are now dealing with buying and selling, and with the imposition of penalties. As I previously remarked, the Minister has brought in a Bill which does not concern this Commonwealth in any way. He is asking us to assume control over the buying and selling of medals with which we really have nothing to do. Why cannot the Minister learn a lesson? Surely he must know by this time that his pet ewe lamb is a carcass.

Senator PEARCE.—Is the honorable senator the crow?

Senator ST. LEDGER.—Perhaps I am either the crow or the eagle. At any rate, I do not think that the Minister will force the clause through without amendment. He knows that both sides of the Committee are opposed to the measure. Even if the clause gets through, the Bill will have to be recommitted, and there will be further difficulty. It is an excellent maxim that a Parliament should mind its own particular business, and confine itself to its own jurisdiction. We should not attempt to interfere with what is done under Imperial, Canadian, South African, or other Acts of Parliament. The Minister is departing from that salutary principle. He is attempting to interfere with decorations conferred for services rendered outside Australia. Senator Chataway's amendment seeks to confine the Bill within the limits of our own jurisdiction. To that extent, it would improve the measure. I trust that even now the Minister will see that obstinacy is weakness, and that, even if he will not abandon clause 4, he will consent to the amendment upon it. This will probably be the last time that I shall speak upon the measure. I realize that we have wasted enough time—if I may be permitted to use that term—in the discussion of a Bill which is not worthy of the attention that has been devoted to it. Because of the awful waste of time and money that has occurred, I think that we ought now to let the Minister have his little ewe lamb, which, as I said before, is nothing better than a carcass.

Senator GARDINER (New South Wales) [3.58].—When discussing this clause last week, I made a statement—to which the Minister of Defence replied—that there was no such provision as this in any Imperial Act of Parliament. Senator Pearce then purported to refer us to certain Imperial Acts.

Senator DE LARGIE.—I think that this measure is sufficiently important to justify the presence of a quorum. [*Quorum formed.*]

Senator GARDINER.—In reply to my statement, the Minister of Defence referred us to section 156 of the Army Act, sections 2 and 4 of the same Act, to the Regimental Debts Act 1893, section 2, to the King's Regulations, paragraph 1759, and to the Pay Warrant Act. The Minister intimated that those authorities embodied, to all intents and purposes, the provisions of this Bill. Had he finished there, I might have been satisfied, but he continued, "It does not matter to the honorable senator what they contain." Of course, the sting is in the tail. To show that I was not treating the Minister unfairly, and to put the matter beyond dispute, I shall read the whole of the Army Act, and the whole of the other measures cited by the Minister. When I have done that, I shall leave the Committee and the country to judge whether I or Senator Pearce have misled the Senate.

The TEMPORARY CHAIRMAN.—The honorable senator will not be in order in reading the whole of any Act; but he will be in order in quoting any portion which is relevant to the amendment before the Committee.

Senator GARDINER.—My only desire is to put the matter beyond dispute. In order that it may not be said that I am quoting unfairly, I should prefer to read the whole of these documents.

The TEMPORARY CHAIRMAN.—The honorable senator will not be in order in reading anything which is not relevant.

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Senator GARDINER.—Then I shall endeavour to keep strictly to the portions bearing upon what Senator Pearce said.

Senator PEARCE.—This is very fair treatment!

Senator GARDINER.—It is; particularly in face of the treatment to which I was subjected when the Minister said concerning me, "But it does not matter to the honorable senator what they contain."

Senator PEARCE.—Does the honorable senator think it did matter?

Senator GARDINER.—That was a serious reflection upon me to be made by any Minister. It was particularly serious as made by a Minister in my own party. I suppose that I am strong enough to bear such reflections.

Senator PEARCE.—I was judging by the honorable senator's attitude; and the remark was justified under the circumstances.

Senator GARDINER.—My endeavour throughout has been merely to attempt to bring the Minister to reason.

Senator PEARCE.—To the honorable senator's reason.

Senator GARDINER.—Well, I suppose that each of us endeavours to put before the Senate his own view on the questions that we have to debate. The first duty of a representative of the people is to explain clearly his own views.

Senator PEARCE.—With constant reiteration.

Senator GARDINER.—The Minister will find that we are not getting any nearer to a reasonable settlement of this matter by the saying of nasty things. I have no desire to follow his example in that respect. My simple wish is to acquit myself from a charge of unfairness. I trust to be able to convince the Minister before I have finished that he was not justified in the remark that he made concerning me. The Minister first referred to section 156 of the Army Act. That section reads as follows:—

(1) Every person who—

(*a*) Buys, exchanges, takes in pawn, detains, or receives from a soldier, or any person acting on his behalf, on any pretence whatsoever; or

(*b*) solicits or entices any soldier to sell, exchange, pawn, or give away; or

(*c*) assists or acts for a soldier in selling, exchanging, pawning, or making away with—

any of the property following, namely, any arms, ammunition, equipments, instruments, regimental necessaries, or clothing, or any military decorations of an officer or soldier, or any furniture, bedding, blankets, sheets, utensils, and stores in regimental charge, or any provisions or forage issued for the use of an officer or soldier, or his horse, or of any horse employed in Her Majesty's service, shall, unless he proves either that he acted in ignorance of the same being such property as aforesaid, or of the person with whom he dealt being or acting for a soldier, or that the same was sold by order of a Secretary of State or some competent military authority, be liable on summary conviction, in the case of the first offence, to a fine not exceeding Twenty pounds, together with treble the value of any property of which such offender has become possessed by means of his offence—

There is a considerable quantity of matter in this section, but what I want to make plain is that the whole of it is directed to prevent men from selling or trafficking in goods, including decorations, that do not properly belong to them. There is not a word in this section dealing with a man who may wish to sell or pawn his own medals. The section goes on—

and in the case of a second offence, to a fine not less than Five pounds, and not exceeding Twenty pounds, together with treble the value of any property of which such offender has become possessed by means of his offence, or to imprisonment, with or without hard labour, for a term not exceeding six months.

Honorable senators will see that by no stretch of imagination can that section be said to refer to the medals conferred upon a man by his King for services rendered. I must quote sub-section 2 at length. If I did not it might be inferred that I was making a reference to suit my purpose, and I wish to avoid that suspicion—

(2) Where any such property as above in this section mentioned is found in the possession or keeping of any person, such person may be taken or summoned before a court of summary jurisdiction, and if such court have reasonable ground to believe that the property so found was stolen, or was bought, exchanged, taken in pawn, obtained or received in contravention of this section, then if such person does not satisfy the court that he came by the property so found lawfully and without any contravention of this Act, he shall be liable on summary conviction to a penalty not exceeding Five pounds.

I direct special attention to that provision. Does any one mean to say that it would prevent a man from selling or pawning a medal conferred upon him? The serious part of that matter is that the Minister quoted these Imperial enactments chiefly to obtain the vote of Senator Walker, who, we know, is fond of following Imperial legislation.

Senator PEARCE.—The honorable senator is now following Senator Chataway. Both of them are in the same boat.

Senator CHATAWAY.—No, Senator Gardiner is my leader on this question.

Senator PEARCE.—Senator Chataway leads; Senator Gardiner follows humbly.

Senator GARDINER.—I will acknowledge that, in regard to this amendment, I am following Senator Chataway. I hope that, in regard to any amendment that is submitted in the Senate, I shall always follow the line that, in my judgment, leads to a common-sense conclusion, no matter from what source the proposal may come.

Senator PEARCE.—It is, I suppose, unfair for me to refer to the honorable senator as following Senator Chataway, but it was not unfair for him to allege that I made quotations to secure the vote of Senator Walker.

Senator GARDINER.—I have read the greater portion of the section of the Army Act to which the Minister referred us. I have certainly read the portion that bears upon this question. I can quite understand that the Minister, having had this provision placed in his hands, did not see the full bearing of it at once. I acknowledge that I found some difficulty in appreciating its meaning at first. I should not have complained of that, but I do complain of the concluding words of the Minister's statement, when he said that it did not matter to me what the sections contained. The Minister should know me well enough—he certainly will know me well enough before this Bill is through; we shall be old friends by then—to be aware that I am always prepared to consider the authority for a statement. He should have known that if there was one thing more than another that would reconcile me to support even a measure that seemed very objectionable to me, it would be the quotation of legitimate authority for it, in the form of previous enactments dealing with the same question. Lest the honorable senator should accuse me of neglecting to quote the whole of section 156, I had better read the remaining sub-sections—

3. A person charged with an offence against this section, and the wife or husband of such person, may, if he or she think fit, be sworn and examined as an ordinary witness in the case.

4. A person found committing an offence against this section may be apprehended without a warrant and taken together with the property which is the subject of the offence, before a Court of summary jurisdiction; and any person to whom any such property as above-mentioned is offered to be sold, pawned, or delivered, who has reasonable cause to suppose that the same is offered in contravention of this section, may, and if he has the power shall, apprehend the person offering such property, and forthwith take him, together with such property, before a Court of summary jurisdiction.

I should not like to waste the time of the Committee by quoting further from this Act.

Senator HENDERSON.—That would be the last thing in the honorable senator's mind.

Senator GARDINER. — Honorable senators will notice the unfair position in which I am placed. If I leave off quoting, even at this stage, it is indicated by the jeers of Ministerial supporters that I am not acting generously towards the Minister of Defence in connexion with this Bill. I am therefore, I suppose, compelled to read every word of the section bearing upon the matter under discussion. To clear myself of the charge that I intend to block the measure——

Senator MCGREGOR.—The honorable senator said so himself. He said that the Minister and himself would be old friends before he allowed it to pass.

Senator GARDINER. — That was merely an indication of the time it would probably take for so important a Committee to pass so important a measure. I hope that Senator McGregor, who is usually good-natured, will not attempt at this early stage to check the growth of friendship between the Minister of Defence and myself. I think I can appeal to the Minister's sense of fairness to say that I have not left out anything in the section of the Imperial Act which has any bearing on the subject, even though Senator Henderson may suggest that I am not anxious to get on with the discussion.

Senator HENDERSON.—The honorable senator would not do anything of that kind.

Senator GARDINER.—When occupying your present position, sir, and when we were considering this very clause, Senator Henderson ruled that I had already said the same thing on the clause forty times.

The TEMPORARY CHAIRMAN.—Order!

Senator GARDINER.—Can I not at this stage make a personal explanation?

The TEMPORARY CHAIRMAN.—The honorable senator is not entitled, under cover of a personal explanation, to cast a reflection upon a previous occupant of the Chair.

Senator GARDINER.—Senator Henderson's last interjection puts me in an altogether unfair position.

The TEMPORARY CHAIRMAN.—Order! The Committee has nothing to do with that matter at the present stage.

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Senator GARDINER.—I desire, sir, to ask you, as an urgent matter of privilege, whether I am not entitled to put myself right with the Committee on a simple matter which occurred the other day.

The TEMPORARY CHAIRMAN.—A matter of privilege cannot be raised now.

Senator GARDINER.—You will not permit me, sir, to raise a question of privilege now? I am very sorry that you think it necessary to rule in that way. I hope you will have no objection if I propose to appeal to the President against your ruling.

The TEMPORARY CHAIRMAN.—It is within the honorable senator's right to appeal to the President.

Senator GARDINER.—I have asked permission to speak on a matter of privilege while we are in Committee, and it might be as well to obtain a full ruling from the President on the question of an honorable senator's right in this regard.

Senator HENDERSON.—As a means of gathering more wind.

Senator GARDINER.—If that is to be the interpretation put upon my action, I shall not bother about appealing to the President. The Minister of Defence stated that he had also quoted from the Regimental Debts Act 1893, the King's Regulations, and the Pay Warrant Act. I have here the King's Regulations for 1908. The Minister quoted, I think, paragraph 1759, which reads—

> The medals of a soldier dying in the service will be disposed of by the man's Commanding Officer, as follows:—
>
> (i.) When bequeathed by will.—The medals will be sent to the legatee, or to the executors.
>
> (ii.) When the soldier died intestate.—The medals will be sent to the next of kin, in the following order of relationship:
>
> widow; eldest surviving son; eldest surviving daughter; father; mother; eldest surviving brother; eldest surviving sister.
>
> Medals issued after the death of a soldier will be sent to the officer in charge of the records, who will ascertain the name and address of the legatee, or next of kin, to whom the medals should be sent.

The whole argument hinges on the question whether we have the right to deal, not only with the private property of soldiers, but with the private property of visitors to this country. And the amendment before the Committee deals directly with that question. I maintain the attitude I took up on the previous clause, that the measure is an unnecessary interference with the private property of individuals; and the more I consider the question the more I am convinced that the quotations made by the Minister of Defence, to show that medals are not the property of the private individuals to whom they are awarded, make it clear that the authorities of the War Office consider them the private property of the persons to whom they are awarded, and are prepared to go to greater trouble than they would be prepared to take in connexion with any other form of property, to discover whether a medal was awarded to, or was due to, a soldier before his death, and to secure that, on the death of the recipient of a medal, it should be regarded as the private property of his heirs and successors, just as it was his private property before he died. I refer honorable senators now to paragraph 1756 of the Regulations, which reads—

> Medals, other than good conduct medals, forfeited under the provisions of the Pay Warrant:—
>
> (i.) If the soldier is not discharged as a result of the conviction:—Will be sent, for custody, to the officer in charge of the records of the corps, with a view to their restoration, should the soldier subsequently qualify for the same. That officer will retain the forfeited medals of men transferred to the Army Reserve until the men either requalify or are discharged from the reserve.
>
> (ii.) Forfeited medals of men who have died, or have been discharged, without having had the medals returned to them, will be forwarded, annually, on 1st May:—
>
> (*a*) If granted for service in India, to the Under-Secretary of State, India Office, London.
>
> (*b*) If granted for other than Indian service, to the Assistant Director of Ordnance Stores, Royal Arsenal, Woolwich—
>
> in order to be broken up.

I have not at my disposal now the quotation which the Minister made from the Pay Warrant Act. But I have here a number of quotations which it might be too painful to the Minister for me to read. I think I have shown, however, that in the Old Country these medals are considered the private property of the individuals possessing them, and we have no right to legislate in this way concerning the private property of individuals. Senator Walker, therefore, cannot shelter himself behind the pretence that the Minister is proposing, under this measure, to do what is already provided for by an Imperial Act, because the Imperial authori-

ties have not done, and have never attempted to do, what is proposed in this Bill. They have made it clear that the only restrictions imposed upon dealing with medals apply to soldiers who are still in the service of their country.

Senator HENDERSON.—I should like to direct attention to the state of the Committee.

The TEMPORARY CHAIRMAN.—There is a quorum present.

Senator GARDINER.—If there was a quorum present before Senator Henderson called attention to the state of the Committee, I hope that you, sir, will prevent the honorable senator from doing that kind of thing again.

Senator HENDERSON.—When I called attention to the state of the Committee there was not a quorum present.

Senator MILLEN.—There is not a quorum present now. [*Quorum formed.*]

Senator GARDINER.—I wish to make another reference to the grant and issue of medals under the King's Regulations, from which I have quoted.

Senator MILLEN.—Is the honorable senator quoting from the recent edition?

Senator GARDINER.—I am quoting from the same edition from which the Minister of Defence quoted, that for 1908, which, I suppose, is the latest we have here, and there can have been but very few alterations in the Regulations since its publication. I refer honorable senators to paragraph 1730.

The Army Order notifying the award of a medal for active operations will include instructions as to the nominal rolls of the individuals entitled to the medal. The nominal rolls will be prepared by units in triplicate, on forms to be obtained from the War Office, and forwarded to the officer in charge of the records, who will transmit them to the Assistant Director of Ordnance Stores, Woolwich Arsenal. When the medals are ready for issue, the nominal rolls will be returned from Woolwich to the officers in charge of the records, for the latter to show on the rolls what has become of individuals no longer serving with the unit in which the medal was earned. The completed rolls will be returned to Woolwich, and the medals issued as follows:—

(i.) Medals of individuals still serving with the unit, to the Officer Commanding unit.

(ii.) Medals of individuals who have left the unit, to the officer in charge of the records of the corps.

As I pointed out earlier, the object of sending to the officer in charge of the records of the corps is that the recipient of the medal, or his heirs, may be discovered. I again appeal to the Minister in connexion with this clause. I am aware that Ministers have a great deal of work to do, and it is possible that even the slightest opposition to their wishes may sometimes irritate them.

Senator PEARCE.—Is the honorable senator working on that?

Senator GARDINER.—I do not wish to work on it to the annoyance of the honorable senator.

Senator PEARCE.—Does that account for the honorable senator's continued opposition?

Senator GARDINER.—I require no justification for my opposition to this miserable Bill. I can see that the Minister is not prepared to reason with me, while I am prepared to reason with him. I was going to make an appeal to him, but before I was able to do so, he indicated that he is not prepared to listen to an appeal from me. That has been the attitude that the honorable senator has adopted towards me throughout.

Senator HENDERSON.—I call attention to the state of the Committee. [*Quorum formed.*]

Senator GARDINER.—I have quoted at length from the authorities quoted by the Minister, and I have shown that there is nothing in the Imperial Act that deals in the way I honestly believe the Minister imagined it did deal with the transfer and exchange of these medals. I ask the honorable senator again if he will reconsider the attitude he has taken up in the consideration of this measure, and will agree to confine its application to medals won by officers and members of our own Defence Force, as proposed by the amendment. Visitors from India or the Old Land unacquainted with our laws should not be placed in the position, of, perhaps, finding themselves brought before a Court for doing something with medals in their possession which they would have no right to do under our laws, but which they would have a right to do under the laws of any other part of the British Empire. If there is a demand to interfere with the sale or exchange or pawning of medals, our legislation should be confined to those who will be acquainted with its provisions, and should not extend to persons who may come here from the Old Country, perhaps only to stay a week or two. I repeat that the Minister is going out of his way to make what is not wrong an offence. I am quite at a loss to understand why he declines to accept the amendment if he wishes to get his Bill put through. I regret that

he is not taking that statesmanlike view which characterizes him on other occasions. When he is dealing with the defence of Australia, we find him taking a broad, national view, but it seems to me that he cannot grasp the details of a measure of this kind. By refusing to accept the amendment he seeks to narrow down this legislation in a way of which I do not approve. I object to the liberties of the people being restricted as he proposes. The operation of this clause should be confined merely to Australian citizens in the service of the Commonwealth. It will directly affect not only decorations earned in the service of the Empire, perhaps years ago, but, as the Minister admitted at an earlier stage, also medals which, perhaps, have been the property of families for centuries. Some medals have acquired a high value because of their very scarcity. If this measure is passed they will be the subject of trade in every part of the British Empire except the Commonwealth. The time which should be occupied in considering democratic measures is spent in an attempt to curtail the freedom not only of our own citizens, but of citizens of other parts of the British Empire who may visit our shores. I have no desire to block the Bill for one moment unnecessarily, or to speak one word more than is sufficient to make it absolutely clear that this is a dangerous piece of legislation. Clearly all legislation which imposes penalties on persons for doing that which is not wrong is dangerous. This is undoubtedly the worst clause in the Bill; but if the amendment is passed it will be improved to some extent, because the provision will then apply only to our own people. The Minister will have ample time to get the Bill put through this evening, so far as I am concerned; but as soon as the President resumes the chair I shall have to bring up the matter of privilege. If I get the other quotations to which the Minister referred in his speech, I may quote them at a later stage, but, of course, that will not be done with a view to obstruct the passage of the measure. When I was speaking on the clause the other day, Senator Walker interjected, "It is made an offence by an Act of the Imperial Parliament." I replied, "I challenge the honorable senator to produce the Act of the Imperial Parliament which creates an offence of this kind." and Senator Pearce remarked that he quoted the Act on the previous Friday. I have read the quotation referred to. I am sorry to say that not only does it not justify the Minister in saying that the Imperial Act condones legislation of this kind, but, unless he can properly explain his statement, as I hope he will take the trouble to do, it appears to me that he was misled into making a quotation which really had no bearing on the position I took up. I hope that Senator Walker will do me the justice now to admit that the quotations by Senator Pearce do not fairly bear the application which he wished to give them, and that the Imperial Act does not impose any such restriction as it is sought by this clause to make in regard to dealing with medals. If Senator Walker does not admit that there is nothing in the Imperial Act which justifies his statement, and which also justifies my reply to his statement, it is up to him here and now to produce the Imperial Act, and to make a quotation which will convince me that I am wrong. Immediately that is done, no man could be more anxious than I shall be to set myself right with the honorable senator if I have misquoted him in any way.

Senator WALKER (New South Wales) [4.39].—In reply to the remarks of Senator Gardiner, I wish to say that I simply replied that I understood very clearly what Senator Pearce had said. I did not profess to have read the Imperial Act. I merely followed what I may call the quotation made by Senator Pearce, but I should be very glad indeed to hear further remarks from him on the subject.

Senator Lt.-Colonel CAMERON (Tasmania) [4.41].—I think that a word from me on this matter may not be amiss, and I speak with great deference after having heard the various objections urged against the clause. Medals and decorations are presented by the fountain of honour of the Empire to those who deserve or earn them, and any measure which will preserve the feeling that a medal or decoration is an honorable award for honorable action shall have my cordial support. I approve of the principle of this measure, and I would have liked to see it passed unanimously, with only slight modifications.

Senator MILLEN.—It is only a slight modification which is sought.

Senator Lt.-Colonel CAMERON.—I think that the amendment would rather injure the Bill than promote its object. The Government are to be congratulated on the high stand which they have taken. The clause does not deal with political awards,

but with awards which come from only one source—from the fountain of all honour in the British Dominions, and that is from the King himself. I congratulate the Minister, and hope that the Bill will be passed.

Senator WALKER.—What is the prevailing practice?

Senator Lt.-Colonel CAMERON.—The Minister of Defence was quite correct when he stated the condition under which medals are granted at Home, for gallantry in the field and elsewhere, and that is, that there is an inherent right retained by the King to withdraw a medal if the recipient should become an unfit and improper person to hold it.

Senator MILLEN.—The Minister went further than that. I understood him to say that at Home persons are not allowed to sell their medals.

Senator Lt.-Colonel CAMERON.—I do not think that at Home persons are allowed to sell medals. Certainly a soldier is prohibited from selling his medal. Whether the rule obtains after he leaves the service is quite another question. The Minister insisted that at Home the power is retained to follow the recipient of a medal after he has left the service, and I am prepared to accept his statement. If, however, that is not the law there I shall be very pleased to see such a law enacted. I think that the object of this measure is a very good one.

Senator PEARCE (Western Australia—Minister of Defence) [4.47].—In order that Senator Gardiner may not have a cause of complaint I wish to say that, in his long speech, I heard nothing to cause me to vary in the slightest way the opinion which I expressed to the Senate. In fact, the quotations which he made to-day are precisely those which I made, as honorable senators will see if they refer to page 1197 of *Hansard*. His comments on the quotations have not changed my opinion. On the contrary, they have strengthened my opinion that we ought to stand by the clause as it is.

Senator ST. LEDGER (Queensland) [4.48].—I yield to no one in my respect for any decoration or honour given by the King to a man in the Imperial Army, and if I thought that this measure would preserve the dignity of the King I would not, for a moment, resist its passage. I make this statement in order that Senator Cameron may know that any opposition we have offered has not been offered in derogation of our duty and loyalty to the King as the giver of these honours. I think that the Minister has succeeded admirably in making the whole subject of the measure more or less ridiculous.

Question—That the word proposed to be left out of the amendment be left out—put. The Committee divided.

Ayes	...	...	6
Noes	...	...	19
Majority	...	...	13

AYES.

Gardiner, A.	St. Ledger, A. J.
Givens, T.	
Rae, A.	*Teller:*
Sayers, R. J.	Long, J. J.

NOES.

Barker, S.	Millen, E. D.
Blakey, A. E. H.	Needham, E.
Buzacott, R.	Pearce, G. F.
Cameron, Lt.-Colonel	Ready, R. K.
Chataway, T. D.	Russell, E. J.
de Largie, H.	Russell, W.
Findley, E.	Story, W. H.
Keating, J. H.	Walker, J. T.
McColl, J. H.	*Teller:*
McGregor, G.	Henderson, G.

Question so resolved in the negative.

Amendment of the amendment negatived.

Senator CHATAWAY (Queensland) [4.55].—After the decisive vote that has just been given, which has determined that the clause shall apply only to the Naval and Military Forces in Australia, I think that there is room for us to discuss seriously whether the whole clause should be allowed to stand or not.

The TEMPORARY CHAIRMAN.—The honorable senator's original amendment is now before the Committee.

Senator CHATAWAY.—There was an attempt to make the clause apply to Australian Forces outside Australia; but the Committee has decided that it shall apply only to Australian Forces serving in Australia.

Senator PEARCE.—Wait until the amendment is voted upon, and the honorable senator will see whether the majority entertain that view.

Senator CHATAWAY.—I trust that Senator Rae, and others who wish to limit the clause, will now vote to insert an amendment to provide that it shall apply only to the Naval and Military Forces in the Commonwealth.

Amendment negatived.

Senator RAE (New South Wales) [5.0].—I move—

That the words "or out of," line 7, be left out.

If this amendment be agreed to, I shall subsequently move to insert the words "in

or on behalf of Australia." The effect will be that we shall not concern ourselves with other parts of the world, but only with our own Forces. We have quite enough to do in this country, without attempting to legislate for people in other parts of the British Empire.

Senator PEARCE (Western Australia—Minister of Defence) [5.2].—I feel sure that the Committee will not accept Senator Rae's amendment.

Senator RAE.—Bludgeon through all your rubbish!

Senator PEARCE.—The honorable senator may think that that is a suitable way to refer to the matter. I have not referred to his action in such terms. I wish to remind the Committee that we are living under a system of monarchical government. The King is the author and giver of medals and decorations. He confers them for services rendered, not to any particular part of the Empire, but to the whole Empire.

Senator RAE.—Is not that merely a legal fiction?

Senator PEARCE.—It is not a legal fiction, but an actual fact. Not one of these medals is represented by the Government of Australia.

Senator GARDINER.—Then, why interfere?

Senator PEARCE.—That is another question, which I have already explained at considerable length.

Senator RAE.—Who pays for the medals? Do not we?

Senator PEARCE.—We are not dealing at present with the sale of medals, but with the wording of the clause; and I say that if Senator Rae's amendment be adopted the clause will be made meaningless, because medals are not given by Australian authority for services performed in Australia, but are conferred by the King for services rendered to the Empire. The clause is, therefore, framed in view of the fact that medals are conferred for services performed in any part of the Empire. If the amendment were to be accepted, we should be disregarding that fact, which is the main fact relating to the question.

Senator RAE.—If the King gives these medals, why does he not legislate with regard to them?

Senator PEARCE.—The King is only one part of the Legislature.

Senator GARDINER (New South Wales) [5.6].—I think that the amendment should receive consideration at the hands of the Committee. The explanation of the Minister makes me inclined to support it.

Senator PEARCE.—Of course; we expected that.

Senator GARDINER.—To play upon the fact that the King confers medals will not cause me to alter my judgment. I suppose that he gives them as the representative of the people; because the King occupies his position by the will of the people, just as we occupy ours. The fact that this measure will apply to hundreds of thousands of holders of medals, if they choose to come to Australia, and will apply to very few Australian citizens, is, to my mind, a very good reason for the amendment. We are now legislating to deal broadly with medals which are the property of people who are not citizens of the Commonwealth. In so doing, we have nothing to do with the way in which the medals are conferred. I take it that, as sensible men, those who deal with this matter in Great Britain have done all that it was necessary for them to do. But the Minister of Defence asks us to do a little more. I have no doubt that the fact that the King gives medals is quite sufficient to cause some people to go down on their knees; but it ought not to be sufficient to induce us to pass this clause unamended. The speech of the Minister of Defence reminded me of a policeman calling upon a person to assist in the King's name. I hope that the Minister has sufficient forces at his command to "arrest" the opposition to this Bill without calling for outside assistance.

Senator MCGREGOR.—Amen!

Senator GARDINER.—That is, probably, the only part of the prayer, to which the honorable senator has been listening for the last ten years, that he remembers. However, it is not my desire to prolong the debate. Honorable senators opposite laugh; but I can assure them that, whatever I have said on this question has been said only because I realized that others had not said it. I sit in my place night after night, and whenever I hear another honorable senator say a thing which I had intended to say, I take it as said, and do not repeat it; but it will be well for the

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Committee to consider the full bearing of the proposed amendment upon the clause. I suppose the amendment will be defeated by the combination of the Minister of Defence with Senator Cameron—the most remarkable combination of Tory-Democracy that has ever appeared in this Senate.

Senator PEARCE.—What about the Millen-Chataway-St. Ledger-Gardiner combination?

Senator GARDINER.—Taking the whole Senate through and through, we will find nothing to equal the combination to which I have referred. It is a most powerful one, and while it continues we need have no fear for the future of Australia. The Minister might be under the impression, if I spoke at length upon this amendment, that I was trying to "stonewall" the Bill, and I have no desire to lose his good opinion. I wish the honorable senator to understand that my object is to make it a better Bill, if we are to pass it at all. I have very great pleasure in supporting the amendment.

Senator CHATAWAY (Queensland) [5.13].—It seems to me that this is a very desirable amendment. If it is adopted, it will carry out almost entirely the object I had in view in moving the amendment which has been defeated. I tried to confine the operation of this Bill to medals and decorations earned by members of the Commonwealth Naval and Military Forces; and this amendment would practically have that effect. The Commonwealth Government may, and it is part of their policy, offer the use of our Forces to fight abroad, as they did during the South African War, and at Pekin in connexion with the raid on the Legations. If, in such a case, members of our Forces earned medals, they would not be allowed, under the proposed amendment, to sell or otherwise dispose of them for valuable consideration when they got back to Australia.

Senator PEARCE.—The honorable senator has got that far.

Senator CHATAWAY.—No; the Bill has got that far. I have been defeated in trying to amend it, and now I cannot help myself. My object now is that a bad Bill shall be made as little bad as possible. Under the amendment, Australian soldiers winning medals for services abroad would not, when they came back to Australia, be able to pawn them for a feed, as it was suggested Sir John Forrest might do with one of his medals if he became so poverty-stricken as to require to do so. The amendment is not exactly in the form I should like; but I am prepared to support it, because it will provide, to some extent, for what I proposed in my amendment.

Senator RAE (New South Wales) [5.16].—It would not be right to move an amendment, and permit it to be disposed of without a word in its defence, especially after what the Minister of Defence has said. I was astonished that he had no better argument to offer against this amendment than what I, by interjection, stigmatized as a legal fiction. It is really nothing more. Everything is done in the name of the King under monarchical government; but, because lands owned by a State Government in Australia are described as "Crown lands," it does not follow that the King has any direct interest in, or control over, them. We know that it rested with Australians to say whether Australian troops should go to South Africa to take part in the war or to China in connexion with the Boxer rising. And we know that the King and the Imperial Parliament had, in effect, nothing to do with the granting of medals to those soldiers in the King's name for the services they rendered. They were given virtually by Australian Governments. The Minister of Defence could not reply to me when I asked him who paid for them. Any medals conferred on Australian troops would have to be paid for by Australian money, no matter what "flam" business is talked about the King. We should confine ourselves to legislating for Australian troops. We have got into an inextricable tangle, and are making ourselves the laughing-stock of the country in proposing to legislate on Imperial lines. If we are going to do that sort of thing, we might as well depose the King and set aside the Empire. Why should we presume to say what shall be done by troops who have served in other parts of the Empire, and who may happen to stop in Australia for a few hours? We should confine ourselves, in this legislation, to what may be done with medals given to citizens of our own country. It is impossible to prevent this Bill being a sample of ridiculous, unnecessary, and wasteful legislation; but it is our duty to do what we can to tone down its crude extravagances. That is the object of my amendment.

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Question—That the words "or out of" proposed to be left out, be left out—put. The Committee divided.

Ayes	...	...	7
Noes	...	...	16
Majority	...	...	9

AYES.

Chataway, T. D.	Rae, A.
Gardiner, A.	Sayers, R. J.
Long, J. J.	*Teller:*
Millen, E. D.	St. Ledger, A. J.

NOES.

Barker, S.	Needham, E.
Buzacott, R.	Pearce, G. F.
Cameron, Lt.-Colonel	Ready, R. K.
de Largie, H.	Russell, W.
Findley, E.	Story, W. H.
Givens, T.	Walker, J. T.
Henderson, G.	
Keating, J. H.	*Teller:*
McGregor, G.	Blakey, A. E. H.

Question so resolved in the negative.

Amendment negatived.

The TEMPORARY CHAIRMAN.—Does Senator Gardiner wish now to submit his amendment?

Senator GARDINER (New South Wales) [5.24].—I withdrew my amendment temporarily, and I am now prepared to withdraw it altogether. I make this statement, out of consideration for the Government. As honorable senators are apparently disposed to jeer that statement, I shall be prepared to move the amendment.

Senator PEARCE.—No; we are serious in the matter.

Senator GARDINER.—I will assume that honorable senators are serious; and I have no desire to move an amendment which might lead to a long discussion, in view of the fact that the Government have behind them a strong combination of honorable senators, prepared to prevent such an amendment receiving the attention it deserves. Out of consideration for the Government, and with the view to permit them to rush the Bill through as quickly as they can, I shall not again submit my amendment.

Amendment (by Senator WALKER) proposed—

That the word "Twenty," line 8, be left out, with a view to insert in lieu thereof the word "Five."

Senator GARDINER (New South Wales) [5.25].—I should like to say a word on this amendment. There is something in it or there is not. I should like to know, from the Minister, whether the word "Twenty" in this clause does not mean "Not exceeding twenty," and whether, if the word "Five" were substituted for it, it would mean "Not exceeding five"?

Senator PEARCE.—That is so.

Senator GARDINER.—Then, what is the use of making this difference?

Senator PEARCE.—The penalty under clause 3 was amended in the way proposed, and we are prepared to accept this amendment because of the amendment of clause 3.

Senator GARDINER.—This, then, is part of the compact with Senator Walker?

Amendment agreed to.

Amendment (by Senator RAE) proposed—

That the word "pounds" be left out, with a view to insert in lieu thereof the word "shillings."

Question put. The Committee divided.

Ayes	...	...	7
Noes	...	...	17
Majority	...	...	10

AYES.

Gardiner, A.	Sayers, R. J.
Givens, T.	St. Ledger, A. J.
Long, J. J.	*Teller:*
Rae, A.	Chataway, T. D.

NOES.

Barker, S.	Millen, E. D.
Blakey, A. E. H.	Needham, E.
Buzacott, R.	Pearce, G. F.
Cameron, Lt.-Colonel	Ready, R. K.
de Largie, H.	Russell, W.
Findley, E.	Story, W. H.
Henderson, G.	Walker, J. T.
Keating, J. H.	*Teller:*
McGregor, G.	Russell, E. J.

Question so resolved in the negative.

Amendment negatived.

Clause, as amended, agreed to.

Clause 5—

A person shall not, unless lawfully entitled thereto (proof whereof shall lie upon him), wear or make use of any decoration.

Penalty: Twenty pounds.

Senator E. J. RUSSELL (Victoria) [5.32].—I move—

That after the word "decoration" the following words be inserted:—"Provided that nothing in this section shall prevent a female relative of a person upon whom a decoration has been conferred from wearing such decoration."

It is quite a common practice for female relatives of winners of medals of this class to have them made into brooches and to wear them, but under the clause, in its present form, such persons will be liable to a penalty of £20. I do not believe that it is the intention of the Minister to interfere with a well-established practice. There may be many cases in which a husband having won a medal for distinguished service to his country, or in battle,

his wife would like to have the medal made into a brooch to be worn by her. We can also imagine cases where a son has received a medal for distinguished service, and died on a battle-field, and his mother attaches a high value to the honour.

Senator NEEDHAM.—Lord Roberts is wearing his son's V.C.

Senator E. J. RUSSELL.—I can well understand that a mother would be proud to wear in the form of a brooch a medal or a Victoria Cross earned by her husband or her son, and I do not think that it is the desire of this Parliament to prevent her doing so. There are many medals which mothers would wear with pride. I do not think that my amendment needs much recommendation, because its fairness must be apparent. I feel sure that there is no honorable senator who will take the responsibility of opposing it.

Senator PEARCE (Western Australia—Minister of Defence) [5.35].—I am prepared to accept the amendment with the addition of the words "after the decease of that person." I take it that, in his lifetime, the winner of a medal would wear it. It is generally after the death of the recipient of a medal that the female relative likes to get it turned into a brooch.

Senator E. J. RUSSELL.—I accept the suggestion.

Senator PEARCE.—I move—

That the following words be added to the amendment, "after the decease of that person."

Senator CHATAWAY (Queensland) [5.36].—Let me remind the Minister that he has already foreshadowed an amendment that a person shall be at liberty to dispose by will of a decoration. Once decorations have been willed away, I take it that there will be no objection to persons wearing them if they so desire. There is no need for the Minister to be scared of this amendment. I have never heard of anything more absurd than this suggestion to add to the amendment the words "after the decease of that person." It has already been provided that if a son wears his father's medal he shall be liable to a penalty of £20; but now we are asked to turn round and enact that a daughter shall have the right to wear her father's medal. Is it not contemptible to waste the time of Parliament in this way? Is not this amendment beneath contempt? Whether it is accepted by the Minister or not, I ask the Committee to reject it.

Senator RAE (New South Wales) [5.40].—Although Senator E. J. Russell did not support any of my sane amendments, I am prepared to support his proposal. I am rather surprised that an old parliamentarian like himself should have been so eager to accept the Minister's suggestion, because the additional words will destroy his amendment. The average woman is very much soberer than the average man, and, at times, it might be much safer for a man to intrust his medal to his wife.

Senator E. J. RUSSELL.—I only referred to the wearing of medals after the death of the person to whom they were awarded.

Senator RAE.—I understood from the honorable senator's remarks that his amendment was to apply to the wearing of medals by female relatives during the lives of the winners. An amendment has been foreshadowed by the Minister to permit persons to traffic in these articles, and I cannot see how the present amendment is necessary if it is to apply to the wearing of medals after the death of the persons to whom they were awarded.

Senator ST. LEDGER (Queensland) [5.42].—Perhaps the Minister has forgotten that he has foreshadowed an amendment dealing with the disposal of medals by will. As he is aware, a will only speaks from the death of the testator. If the Minister intends to submit the amendment which he foreshadowed, the present amendment will not be necessary. Does he intend to go on with his foreshadowed amendment, or does he regard the amendment of Senator E. J. Russell, with the addition of the words he has proposed, as sufficient?

Senator PEARCE.—My amendment will give no right to the possessor of a medal to wear it.

Senator ST. LEDGER.—Or to dispose of it either. Here is a conflict right away; because, if proposed new clause 7 is passed, a medal which is disposed of by will can only be worn after the decease of the winner of it.

Senator PEARCE.—It will give the right to possess the medal, but not to wear it.

Senator ST. LEDGER.—We shall have to consider the foreshadowed amendment when it comes on; but I am afraid that even then the Minister will not gain his point.

Senator MILLEN (New South Wales) [5.44].—It would have been much better for the Bill, and much fairer on the part of Senator E. J. Russell, if he had given notice of his amendment, so that it could

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have been considered. What is a relative? Are we to have a definition clause added to the Bill? Surely the Minister can see that the amendment will open up a very wide loop-hole of escape from the provisions of the measure. Is it intended to allow relatives to buy medals when we have passed a prohibition against the sale of them? I am an opponent of the Bill, but if it must be passed, let its main provisions be preserved in their integrity. Otherwise we shall have this curious position that one person, claiming to be a distant relative of the original holder of a medal, will be at liberty to buy the medal and wear it. That will open the road for the very traffic which the Bill professes to stop. If the Minister does want to stop the traffic, it will be far better for the Committee to reject both amendments. Otherwise the permission to a woman to wear a medal ought to be made contingent upon the medal having been left to her by the winner under his will. I again draw the attention of the Minister to the fact that if these amendments are passed women will be given the right to buy medals.

Senator PEARCE (Western Australia—Minister of Defence) [5.47].—In reply to Senator Millen, I would point out that clauses 3 and 4 clearly prevent the sale of medals. This amendment, I take it, will only apply to medals which have been willed by the winners to relatives. I think it is clear that it is only after the death of the winner of a medal that a female relative will have the right to wear the medal. If Senator Millen should think it necessary, we might add the words "left by will," but I think that the amendment, as proposed to be amended by me, is quite clear enough. I sympathize with the desire of Senator E. J. Russell that female relatives should be allowed to wear medals after the death of the winners of them. The question has been asked, "Why should not male relatives of persons having medals be allowed to wear them?" Any person who sees a woman wearing a Victoria Cross or a medal will know at once that she has not been a soldier, but is wearing a decoration, probably because it was won by a relative who is dead; but if a man is seen wearing a medal, it is naturally assumed that he won it. That seems to me to be a reason why we should allow women to wear medals.

Senator RAE (New South Wales) [5.49].—I quite agree with the Minister that there is a very marked and obvious distinction between men wearing medals and women wearing them.

Senator MILLEN.—If you are prepared to allow a woman to wear a medal as an ornament, can you not also allow a man to wear a medal?

Senator RAE.—Who could distinguish between a man who is wearing a medal as an ornament and a man who is wearing one as a decoration?

Senator MILLEN.—A distinction can be made—as for instance when a man wears a medal on a watch chain.

Senator RAE.—I admit that a distinction might be made in that way, but if a male person wished to frustrate the law he could do so quite readily. He could so wear the medal that it might appear to other persons that he had won it. As the Minister pointed out, however, no female could be suspected for a moment of wearing a medal for any other purpose than as an ornament. Women are not permitted to serve as soldiers. But the Minister's amendment seems to me to spoil the effect of Senator E. J. Russell's proposal. Under a subsequent clause any person could be arrested for improperly wearing a medal, and the medal could be torn from him by a policeman. Suppose that some lady in all good faith wore her husband's medal by his permission during his lifetime. Imagine a policeman going up and forcibly taking the medal from the lady's attire. There is no good reason why a woman innocently wearing a medal should be "meddled" with. Joking apart, no woman who wore a Victoria Cross could possibly be mistaken for a V.C. hero. No fraudulent object could be alleged against her. No purpose can be served, therefore, by providing that a woman may only wear a medal after her husband's death. There is this further point. If the holder of a medal died intestate—as the majority of soldiers do—his widow could not wear his medal because it had not been willed to her. If, however, he happened to make a will, his widow could lawfully wear his medal. Does not that instance show that the Minister, by unduly restricting the scope of the amendment, is bringing it into ridicule? I think that the amendment as originally proposed is a good one, but that it is by no means improved by the Minister's proposition.

Senator SAYERS (Queensland) [5.56].—I consider that the Minister's amendment makes Senator E. J. Russell's proposal absolutely absurd. No authority ought to be able to go to a woman who was wearing

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a medal and say to her, "Is your husband or your son or your nephew dead?" If the original owner of the medal were living the woman would be committing an offence against a great Act of Parliament, which it had taken the Senate of Australia several days to put through; but if the woman's husband or brother or nephew were dead, and had willed the medal to her, she would have a perfect right to wear it. Is not the thing absurd on the face of it? I have opposed the Bill throughout, but I shall vote for Senator E. J. Russell's amendment, though not for the Minister's amendment upon the amendment. How would the Minister propose to act if a woman were brought up by the police for wearing a Victoria Cross decoration, and called upon to prove that her husband, son, or brother was dead? What means would have to be adopted to prove that she was not a widow, or that her brother or nephew was alive? If a man during his lifetime chose to make a present of a medal to his mother, sweetheart, or sister, why should the policeman intervene? The whole thing is ridiculous. Many a man might experience some pleasure in seeing his medal worn during his lifetime by a female relative of whom he was very fond. Is a woman to be locked up because she wears a medal under such circumstances? Then again, suppose that at the time of the arrest of a woman, for committing an offence under this Bill, the Minister happens to be away in England or in Papua. Is the unfortunate arrested lady to be kept in gaol until his return? I trust that the Minister will withdraw his amendment. I will then support Senator E. J. Russell's amendment in its original form.

Senator E. J. RUSSELL (Victoria) [6.1].—I desire to explain that I had no desire to bring up the amendment without giving due notice. I spoke to Senator Millen on this subject before drafting the amendment, giving him an idea of what I proposed to do.

Senator MILLEN.—The honorable senator must be making a mistake.

Senator E. J. RUSSELL.—I reaffirm that I did explain the object to the honorable senator. I thought that the sentiment underlying my proposal would commend it to him, and I was desirous of securing as much support for it as possible. The object of the Bill is to give a correct value to medals. I think that object is a good one. A medal is a record of services rendered. Under present circumstances, a man who meets with an accident, and goes about with a wooden leg, can buy a medal at the pawnshop, wear it, and appeal to the public for sympathy as a hero.

Senator CHATAWAY.—Does the honorable senator say that that is a usual practice?

Senator E. J. RUSSELL.—I am satisfied that there are men in Melbourne today wearing medals that were not won on service, and the wearers of which are not made of the stuff of which heroes are made. It has, however, from time immemorial been the desire of the female relatives of men to wear little mementoes of those they have loved and lost. We should have no desire to put an end to that practice.

Senator MILLEN.—Who is to determine whether the wearer of a medal is a relative or not?

Senator E. J. RUSSELL.—There are responsible law officers whose duty that will be.

Senator MILLEN.—Is every woman to face a law suit if she wants to wear a medal?

Senator E. J. RUSSELL.—I presume that the police would have to take the responsibility of proving that a person had no right to wear a medal. I gladly accept the addition to my amendment proposed by the Minister, because it makes the meaning clearer. At the same time, if the Minister's addition is rejected, I still think that my amendment in its original form will serve a good purpose.

Senator ST. LEDGER (Queensland) [6.7].—By the use of the word "relative" we are introducing in the Bill a term that is not known to the law. Lawyers know what is meant by the next of kin, by executors, by administrators, and so forth, but what is a relative?

Senator E. J. RUSSELL.—Why does the honorable senator, in his conceit, imagine that others have not looked into the meaning of words used by them?

Senator ST. LEDGER.—I am not troubled about conceit, humility, or any of such abstract terms in this connexion. Will the Minister tell us what "relative" means?

Senator PEARCE.—I will send a dictionary to the honorable senator.

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Senator ST. LEDGER.—An ordinary dictionary would be of no use. The word "relative" is not capable of a satisfactory definition for the purpose of legislation. What does it mean? There is a relative by blood and a relative by marriage. The word as used in the amendment is absolutely irrelevant, so far as the disposition of properties is concerned. The Minister has accepted Senator E. J. Russell's amendment to permit a female relative to wear a medal after the decease of the person who gave it to her. Under the amendment, as fixed up between the Minister and Senator E. J. Russell, if a medal has been conferred upon a female by a person lawfully entitled to wear it she may wear it on the decease of that person. But under the clause, if amended as proposed, the proof will lie upon her that she is a relative of the deceased recipient of the medal, and that it was given to her by him. A woman walking down the street, and wearing one of these medals or decorations, might be accosted by an official of my amiable, but somewhat despotic, friend, the Minister of Defence, and asked to supply evidence that the person who conferred the medal upon her was a relative. She might have to go through all this humbug before she could escape the clutches of the officer sent round by the Minister of Defence to look after these decorations.

Senator CHATAWAY.—Unless she is lawfully entitled to the medal. What does that mean?

Senator ST. LEDGER.—I do not know. The intention of the Minister in accepting the amendment suggested by Senator E. J. Russell is that, if the recipient of a medal confers it upon a female relative, she may wear it without molestation after his decease. But the clause provides that the proof shall lie upon "him," which includes her, to show that she is lawfully entitled to wear the decoration. She may be prevented from wearing the medal or decoration unless she can satisfy the Minister of Defence, through his myrmidons, that it was conferred upon her by some relative, whatever that may mean, and that that relative is deceased. If we are to pass legislative absurdities we should, at least, try to make them logical. Senator E. J. Russell has raised the difficulty of a female wearing one of these decorations, and being called upon to prove that she got it from some relative. Outside the ordinary meanings given in a dictionary, neither Law Courts nor lawyers know much about the meaning of the word "relative." I am sure that the Minister of Defence cannot, for the purpose of legislation, determine what a "relative" is. We may find some work-a-day definition in a dictionary, but that may not be sufficient. As I have previously mentioned, heirs, next of kin, assignees, and trustees are terms known to the law and in legislation, but for the purpose of the ownership or disposal of property the term "relative" is not known.

Senator E. J. RUSSELL.—I rise to a point of order. Is an honorable senator in order in saying to another, "For God's sake, shut up"?

The CHAIRMAN.—I did not hear the remark.

Senator ST. LEDGER.—I ought, perhaps, to apologize for discussing a Bill like this at such length. Senator Chataway has now asked me, in the name of God, to cease my observations upon it, and that should be sufficient to silence any man, and induce him to discontinue his opposition to the measure.

Question—That the words proposed to be added to the amendment be added—put. The Committee divided.

Ayes	...	...	14
Noes	...	...	11
Majority	...	...	3

AYES.

Buzacott, R.	O'Keefe, D. J.
de Largie, H.	Pearce, G. F.
Findley, E.	Russell, E. J.
Henderson, G.	Story, W. H.
Long, J. J.	Walker, J. T.
McDougall, A.	
McGregor, G.	*Teller:*
Needham, E.	Ready, R. K.

NOES.

Barker, S.	Millen, E. D.
Chataway, T. D.	Rae, A.
Gardiner, A.	Sayers, R. J.
Givens, T.	St. Ledger, A. J.
Keating, J. H.	*Teller:*
McColl, J. H.	Cameron, Lt.-Colonel

Question so resolved in the affirmative.

Amendment of amendment agreed to.

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Question—That the amendment, as amended, be agreed to—put. The Committee divided.

Ayes	...	...	16
Noes	...	...	10
Majority	...	...	6

AYES.

Blakey, A. E. H.	Needham, E.
Buzacott, R.	O'Keefe, D. J.
de Largie, H.	Pearce, G. F.
Findley, E.	Rae, A.
Givens, T.	Russell, E. J.
Henderson, G.	Story, W. H.
Long, J. J.	
McDougall, A.	*Teller:*
McGregor, G.	Ready, R. K.

NOES.

Barker, S.	Sayers, R. J.
Chataway, T. D.	St. Ledger, A. J.
Gardiner, A.	Walker, J. T.
Keating, J. H.	
McColl, J. H.	*Teller:*
Millen, E. D.	Cameron, Lt.-Colonel

Question so resolved in the affirmative.

Amendment, as amended, agreed to.

Senator GARDINER (New South Wales) [6.29].—There is a penalty provided for in clause 5 as amended, and I suggest that Senator Walker or some other honorable senator, in order to secure a reputation for generosity, might move in the direction of bringing it into uniformity in this respect with the other clauses of the Bill.

Senator WALKER.—This is a very different thing.

Sitting suspended from 6.30 to 8 p.m.

Clause, as amended, agreed to.

Clause 6—

Every decoration which is sold, exchanged, pledged, or otherwise disposed of in contravention of this Act shall be forfeited to the King, and may, without warrant, be seized by any member of the police force of the Commonwealth or of a State or Territory for delivery to the Defence authorities.

Senator RAE (New South Wales) [8.1].—The clause provides, in effect, that a policeman may, without warrant, arrest any person who is found wearing a medal or decoration. We should strike out all the words after "may," and provide that the medal or decoration may be recovered in a Court of summary jurisdiction. Even the Minister must admit that to raise a contravention of this measure to the level of a first-class crime, so to speak, is to give it an importance which he has not yet claimed for it. Surely no one will contend that such a serious injury will be inflicted, by a person wearing a decoration which he is not entitled to wear, as to make it necessary to provide that a police official may arrest him without warrant, and forcibly take the medal from him.

Senator PEARCE.—No; the clause provides that, after a contravention of the Act has been proved, a constable may seize the medal.

Senator RAE.—Am I to understand, then, that if I should be found hereafter wearing a medal which I was not entitled to wear, I could not be arrested by a constable?

Senator PEARCE (Western Australia—Minister of Defence) [8.3].—First it will be necessary to establish a contravention of the Act, and then, without warrant, the medal may be seized. It may not be in the possession of the person who contravened the Act, but in his house or elsewhere.

Senator MILLEN (New South Wales) [8.4].—I shall be very pleased indeed if the Minister can demonstrate that the intention of this clause is accurately set out. I was glad to hear his statement, because it seems to me that he is only aiming at the same objective as Senator Rae had in mind. If that is his only desire, he will not resent an amendment if it can be shown to be necessary. In the first portion of the Bill there is a prohibition against the selling of a decoration; but under this clause a constable may enter a pawnshop and if, in reply to a question, the pawnbroker says that he got possession of a medal as a pledge, it can be seized.

Senator PEARCE.—If the honorable senator will look at clauses 3 and 4, he will see that the person who pledges or receives in pledge a medal is liable to prosecution and fine. It is under those clauses that action will be taken, and afterwards a constable may seize the medal without a warrant.

Senator MILLEN.—I have no doubt that that is the intention of the clause, but I ask the Minister to read the clause without words which are not necessary for the purpose of my argument—

Every decoration which is . . . pledged . . . in contravention of this Act shall be forfeited to the King, and may, without warrant, be seized.

Inasmuch as the measure makes all pledging illegal, I hold that, under this clause, a constable will have the right to ask a pawnbroker how he got possession of a medal; and if it was by way of a pledge, he will say at once that it was

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obtained in contravention of the great Bill which it took the Senate three or four weeks to pass. Having directed attention to the necessity for an amendment, I leave the matter to the Minister to deal with. I feel sure that a verbal alteration would give the Minister all the power which he wants to obtain, without running any risk.

Senator PEARCE (Western Australia—Minister of Defence) [8.6].—The clause may be open to the construction which Senator Millen has pointed out, but my advice is that it is not. I have asked that the Crown Law authorities shall again be consulted, and if that meaning can be put on the provision, we shall have an amendment made. It is not intended to have that meaning at all.

Clause agreed to.

Amendment (by Senator PEARCE) proposed—

That the following new clause be inserted :—

"7.—(1.) The Minister may grant permits, in writing, subject to such conditions and restrictions as he thinks fit to impose, to public institutions or *bonâ fide* collectors to acquire and retain decorations.

(2.) Subject to the conditions and restrictions contained in the permit being complied with, the provisions of this Act shall not apply to any sale to or acquisition by the institution or person named in the permit of any decoration."

Senator GARDINER (New South Wales) [8.7].—I do not know whether it is wise to empower the Minister to grant permits to perhaps a few favoured persons in the community. I do not say that our Minister would do such a thing, but we might have a Minister who, under a loosely-drawn provision of this kind, would make such a concession, and that great army of men who, in different parts of the Commonwealth, have been carrying on a legitimate business with medals will find that they are shut out. I should like the proposed new clause to be made more definite or to be rejected. I have not had time to consider an amendment, because I did not expect that the Minister would attempt to hurry the measure through at this rapid rate. I should prefer a clause providing that the Minister "shall" grant permits, not only to public institutions or *bonâ fide* collectors, but also to persons licensed under the laws of the States to deal in medals. That would protect those who are in possession of a number of medals which they obtained in a legitimate way. The Minister has stated that this measure is not to be retrospective in its operation, but a man who has acquired 100 medals at a cost of, perhaps, £500, will find, after it has passed, that he can no longer exhibit them for sale, because the right to sell is taken away. I wish to secure to dealers in medals the right to continue to trade in them, or if the Minister is not prepared to go so far, at least to allow them to sell their stocks. If an amendment in that direction could be proposed by an honorable senator who has the ear of the Minister I think it would be to the advantage of present traders. The proposed new clause says that the Minister may grant a permit according to his disposition. Even with so fair and reasonable a Minister as we have, I venture to predict that if Senator Walker and I were to apply for a permit to purchase medals the former's application would be assented to and mine would be refused, because I retarded the passage of the measure so much. I am not inclined to leave important matters to the discretion of the Minister. If it be necessary to have drastic legislation, let it bear on all persons alike, and let there be no favourites of the Minister, no matter who he may be. I propose to move the omission of the word "may" with a view to substitute the word "shall," so that it shall only be necessary for an applicant for a permit to prove that he is a *bonâ fide* collector.

Senator NEEDHAM.—The word "may" is generally accepted as mandatory.

Senator GARDINER.—That is news to me. In that case there can be no objection to the use of the word "shall." Instead of the words "subject to such conditions and restrictions as he thinks fit to impose," I would prefer the words "subject to such regulations as may be made under this Act," because I do not believe in passing a measure if its administration is to be left subject to the whim of the Minister. It is possible that we may get a Minister who will act in a way which no one anticipates. If any one had told me six months ago that Senator Pearce would have introduced a Bill of this kind I should have laughed at the suggestion. If we get a worse Minister, how serious will the position be? The Minister ought not to be left the discretion to discriminate between two applicants for the right to buy medals. Perhaps, under this measure, one man may acquire the right to buy medals, but no one in the Commonwealth will have the right to sell medals to him. The more I look at the proposed new clause the more complicated it appears to me. The Minister has placed in my hands an amendment which he says he will accept if moved by me. It affords me satisfaction

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not to proceed with the amendment I outlined, and to move—

That after the word "decorations," line 5, the following words be inserted:—"or to persons licensed under any State law in relation to pawnbroking to dispose of decorations in their possession at the time of the passing of this Act."

Had an intimation of this kind been given three or four days ago I should not have had so much to say on this measure.

Senator RAE (New South Wales) [8.19].—I should like to ask the Minister whether it might not more fully meet the case if he named a date when the measure is to come into force? That would put every person on the alert to try to dispose of any medals in his possession before that date. The amendment extends the power of the Minister to grant permits to pawnbrokers to dispose of their stocks, but a request of this kind might be made to the Minister at any time, and, therefore, I think that a period of six or seven months should be allowed to persons in which to dispose of their goods.

Senator ST. LEDGER (Queensland) [8.20].—I draw the attention of the Minister to the rather extraordinary verbiage of the proposed new clause. It says that the Minister may grant permits in writing subject to such conditions and restrictions as he thinks fit to impose. But I would point out that it is usual to make conditions and restrictions subject to regulations made in pursuance of the Act. The Minister is asking for *carte blanche* with regard to conditions and restrictions. I do not think there is any provision in any Act of Parliament which gives a personal right to the Minister to determine "as he thinks fit." If these words are allowed to go in, they may be construed to mean that Parliament gives to the Minister power to make any regulations or restrictions according to his personal whim. Why cannot we follow the usual practice and provide that things shall be done "subject to regulations made under this Act"? The clause goes on to say that the Minister may grant permits in writing to public institutions and *bonâ fide* collectors. It does not, however, say anything with regard to disposing of medals and decorations. In one portion of the clause, the Minister evidently does not intend to restrict the right of *bonâ fide* collectors of medals to acquire such objects. But if a collector can acquire them, why should he not be able to dispose of them to another *bonâ fide* collector? If the right to acquire is given, why should it not carry with it the right to dispose of?

Senator PEARCE.—I think that the right to acquire implies the right to dispose of.

Senator MILLEN.—Is that sufficiently clear?

Senator PEARCE.—I am quite willing to insert the words "dispose of."

Senator ST. LEDGER.—I also suggest that the Minister should insert the words "subject to regulations made under this Act."

Senator PEARCE.—There could not be regulations under such a measure as this.

Senator ST. LEDGER.—Well, I will not labour the point.

Senator RAE.—On behalf of Senator Gardiner, I ask leave to withdraw his amendment temporarily, so as to permit of a prior amendment being moved.

Senator CHATAWAY.—I object.

Senator MILLEN (New South Wales) [8.25].—Power is now being given to the Minister to relax the law where he is perfectly satisfied that no attempt is being made to defeat the intent and purpose of it. That being so, I suggest that wider power should be taken than the clause appears to convey. I would make it read—

The Minister may grant permits in writing, subject to such conditions as he thinks fit to impose, to any public institution or to any person to sell and acquire and retain medals and decorations.

At present, the clause is limited to institutions and *bonâ fide* collectors, who may acquire, and to pawnbrokers who may sell. But I can conceive of people who have held medals and decorations in their families for many years. They may, for some reason, wish to sell to another person who may not be a collector in the ordinary sense. I do not think we can shape any clause which will be sufficiently comprehensive to embrace all varieties of cases which may suggest themselves to the mind. We might leave it to the Minister to grant permission, feeling certain that it would only be granted where it was regarded as certain that the purpose and intention of the law were not being violated.

Senator RAE.—Substitute "any person" for "collector."

Senator MILLEN.—Yes; we might leave it entirely to the Minister to decide whether any person should be entitled to sell or buy. It must be clear that there are many cases in which an injustice would be done if a transfer, even for valuable consideration, is not sanctioned. In many of such

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cases, no harm could possibly happen from the transfer of a medal which has been held in a family for many years to another person who desires to acquire it.

Senator PEARCE (Western Australia—Minister of Defence) [8.28].—I do not feel inclined to open the door as widely as Senator Millen suggests. It would be going too far. We have already included public institutions, *bonâ fide* collectors, and those persons who under a State law have legally acquired medals. That is going far enough.

Senator MILLEN.—Why not give the same right to individuals?

Senator PEARCE.—I cannot think of a case where any hardship would be done if the clause were passed as amended in the manner proposed. As regards the point raised by Senator St. Ledger, he will have an opportunity of moving an amendment when the clause is reconsidered.

Senator CHATAWAY (Queensland) [8.30].—Is there any clear definition in a State Act as to what "pawnbroking" means? Pawnshops are sometimes called loan offices. All sorts of other names are also employed.

Senator ST. LEDGER.—There is a legal definition of "pawn."

Senator PEARCE (Western Australia—Minister of Defence) [8.31].—There has not been time to search the various State Acts, so that I cannot give a positive reply to Senator Chataway's question. The amendment has been hurriedly framed, and will be looked into carefully to insure that it covers what it is intended to do.

Senator CHATAWAY (Queensland) [8.32].—I assume that the Minister will take the necessary steps to see that the Bill does not go to another place containing the word "pawnbroking," if that term is nebulous and ill-understood?

Amendment agreed to.

Proposed new clause, as amended, agreed to.

Amendment (by Senator PEARCE) proposed—

That the following new clause be inserted :—

(8) This Act shall not prevent the disposition by will of any decoration.

Senator ST. LEDGER (Queensland) [8.33].—Why not give the same privilege to a person who wishes to dispose of a medal or decoration by deed or settlement? A deed is a well-considered act, just as much as is a will.

Senator LONG.—Is not a will a deed?

Senator ST. LEDGER.—A will is something more than a deed. Wills are construed by a different set of regulations from those used in construing a deed.

Senator PEARCE (Western Australia—Minister of Defence) [8.34]—The principle of this Bill is that, during the lifetime of the holder of a medal, he shall not dispose of it. To enable him to do so by deed would be foreign to our purpose.

Senator RAE (New South Wales) [8.35].—What effect would this clause have in the case of a person who was the natural heir to the owner of a medal who had died without making a will? Would the medal revert to the King?

Senator PEARCE.—The Curator of Intestate Estates would administer the estate.

Senator RAE.—The Curator of Intestate Estates administers with the idea of raising all the money he can. But would the heirs have the right to detain a medal owned by the intestate person? I do not think that the purpose of this measure is to prevent the heirs of the holder of a decoration from retaining it; but to prevent any other person acquiring the decoration during the lifetime of the person upon whom it was conferred. A medal has very little intrinsic value, and if it got into the hands of the Curator of Intestate Estates, it might never get back again into the hands of the natural heirs. Would the Minister be agreeable to a provision being inserted to insure that the widow, or next-of-kin, shall have a right to acquire a medal in the event of the holder dying intestate?

Senator PEARCE (Western Australia—Minister of Defence) [8.36].—I admit that there is a slight gap in the Bill, so far as concerns intestate estates. I have had an amendment drafted that I think will meet the case. I move—

That after the word "will" the following words be inserted, "or by devolution under a State Act in the case of intestacy."

Senator ST. LEDGER (Queensland) [8.37].—Suppose that a State Act dealing with intestacy prescribes the method of devolution of real and personal property. In what position would the Curator of Intestate Estates be when a medal came into his possession?

Senator PEARCE.—Claims will be put in, and the Curator will have to determine how he will distribute the estate.

Senator ST. LEDGER.—If a medal is to be regarded as an heirloom, I suppose it will pass to the heirs.

Senator PEARCE.—If there are no heirs it will revert to the King.

Senator ST. LEDGER.—I understand that in a case where no will is made, and

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the State Act relating to devolution does not apply, the medal will go back to the King. Is that the deliberate intention of the Minister?

Senator PEARCE.—That is the practice.

Senator ST. LEDGER.—Probably the Minister is rightly advised. As a matter of fact, the word "heirs" has a very limited application in our law.

Senator RAE (New South Wales) [8.39].—I know what "devolution" means, but I do not know all that the law relating to intestate estates means. No one can tell how the law operates in all of the six States. Would it not be simpler to provide, after the word "will," that the widow or next-of-kin, in a case where there is no will, shall have the right to retain a medal? A medal is not property in the ordinary sense of the term. A sentimental value attaches to it, and I want the widow or next-of-kin to have the right to nourish that sentiment. The Curator of Intestate Estates might simply be a finnicking individual, who would not lose an opportunity of realizing half-a-crown upon a medal.

Senator PEARCE.—The Curator could not sell.

Senator RAE.—Why not say straight out that the widow or next-of-kin shall have the first claim?

Senator MILLEN (New South Wales) [8.40].—The point raised by Senator Rae is simple compared with what is going to happen when an estate is both insolvent and intestate. The Minister is now making an exception, in so far as a State law affects the estate of an intestate person Under a State law, dealing with the subject, it would follow that the Curator of Intestate Estates would be entitled to realize on one of these medals.

Senator PEARCE.—He could not sell it; it would not be a realizable article.

Senator MILLEN.—But I point out to the honorable senator that he is making an exception in this particular case.

Senator PEARCE.—That is a very abstruse problem.

Senator MILLEN.—I have only to call attention to it. If the Minister chooses to turn his hair grey in wrestling with it, I have no objection. I do not propose to wrestle with it any further.

Senator CHATAWAY (Queensland) [8.41].—I wish to ask whether there is anything in this Bill to prevent an executor of an estate, or the owner of one of these medals or decorations, melting it down, and disposing of the proceeds—not selling it as a medal?

Senator PEARCE.—I do not think there is anything to prevent that.

Amendment agreed to.

Proposed new clause, as amended, agreed to.

Senator RAE (New South Wales) [8.42].—I ask the Minister now to accept the suggestion to fix a date when the Bill will come into operation. It would be much more simple to do that than to go to the trouble of issuing permits to sell medals to a lot of pawnbrokers, and other people. If they are given notice that the measure will come into operation on a certain date, they will be able, in the meantime, to dispose of any medals or decorations at present in their possession.

Senator PEARCE (Western Australia—Minister of Defence) [8.43].—In view of the alterations which the Committee have made, affecting pawnbrokers, I think the honorable senator's suggestion is worthy of consideration. As it would be necessary to recommit the Bill to insert a new clause to give it effect, I give the honorable senator my assurance that before the measure is finally passed into law, an amendment will be drafted.

Senator MILLEN.—If the Minister is considering an appropriate date for bringing the Bill into operation, I suggest that it should be the 26th April.

Title agreed to.

Senator PEARCE (Western Australia—Minister of Defence) [8.44].—I move—

That clause 6 be reconsidered.

If honorable senators will look at sub-clause 2 of clause 7, which reads—

Subject to the conditions and restrictions contained in the permit being complied with, the provisions of this Act shall not apply to any sale to or acquisition by the institution or person named in the permit of any decoration—

they will see that the point raised by Senator St. Ledger is met by that sub-clause, and it is therefore unnecessary to reconsider the clause to which he referred.

Question resolved in the affirmative.

Clause 6—

Every decoration which is sold, exchanged, pledged, or otherwise disposed of in contravention of this Act shall be forfeited to the King, and may, without warrant, be seized by any member of the police force of the Commonwealth or of a State or Territory for delivery to the Defence authorities.

Amendment (by Senator PEARCE) agreed to—

That after the word "is," line 1, the following words be inserted:—"proved on the trial of the person in possession thereof for an offence against this Act to have been."

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Senator MILLEN (New South Wales) [8.46].—I may be mistaken, but I am under the impression that it was agreed to be necessary to reconsider clause 3 to bring it into conformity with clause 4 as amended. It will be remembered that in clause 4 we introduced the words "for valuable consideration," and I pointed out to the Minister at the time that it would be necessary to insert similar words in clause 3.

Senator PEARCE.—I think they were inserted in clause 3.

The CHAIRMAN.—Clause 3 was amended only by the substitution of the word "five" for the word "twenty."

Motion (by Senator PEARCE) agreed to—

That clause 3 be reconsidered.

Clause 3—

A person being or having been a member of the King's Naval or Military Forces or of the Defence Force shall not sell, exchange, pledge, or otherwise dispose of, any decoration conferred on him for service performed in or out of Australia.

Penalty: Twenty pounds.

Amendment (by Senator PEARCE) agreed to—

That after the word "of," line 4, the words "for valuable consideration" be inserted.

Clause, as amended, agreed to.

Bill reported with amendments.

KALGOORLIE TO PORT AUGUSTA RAILWAY BILL.

Bill received from the House of Representatives, and (on motion by Senator PEARCE) read a first time.

SEAMEN'S COMPENSATION BILL.

Bill received from the House of Representatives, and (on motion by Senator FINDLEY) read a first time.

PETHERICK COLLECTION BILL.

Bill returned from the House of Representatives without amendment.

COPYRIGHT BILL.

In Committee (Consideration resumed from 5th October, *vide* page 1109):

Clause 2—

Part VI. of the Principal Act is repealed and the following Part inserted in its stead:—

Part VI.—INTERNATIONAL AND STATE COPYRIGHT.

. . . . . .

Senator KEATING (Tasmania) [8.55].—I would like to ask the Minister in charge of this measure if it is proposed to limit the amendments of the existing Copyright Act to what is outlined in the Bill now before us. When speaking on the second reading, I drew attention to the necessity, if we proceeded to amend the Act, for its amendment in more particulars than is provided for in this Bill. I made reference to the desirableness of bringing our Copyright Act into line with the Imperial Copyright Bill, which, I understand, has passed the House of Commons and merely awaits now the concurrence of the House of Lords, if it has not already received it. Early in the Imperial Bill provision is made to meet the modern developments of reproduction by mechanical means. I pointed out, when discussing the Bill on the second reading, that clause 1 of the Imperial Bill provides, amongst other things, that "Copyright" means certain things which are outlined in paragraphs *a*, *b*, and *c* as indicated in that measure, of which paragraphs *a* and *b* are already contained in our Act, *c* being a new provision, and one which we certainly should adopt in our Act. If the Government have no amendments dealing with this matter to introduce, I should like to have an opportunity of suggesting an amendment to the Committee in order to take its sense as to the desirableness of extending the definition of "Copyright" to include what is contained in paragraph *c* of clause 1 of the Imperial Bill to this effect—

Copyright shall include the sole right in the case of literary dramatic or musical work, to make any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed or delivered.

The proper place to insert that would be in section 13 of the existing Act dealing with copyright in a book, which is defined to mean the exclusive right to do or authorize any person to do a number of things in paragraphs *a*, *b*, *c*, *d*, *e*, and *f*; and I would propose to add paragraph *c* of the Imperial Bill as an additional paragraph *g* to that section. We would be justified in assuming that that provision will appear in the Imperial Copyright Act, and, by adopting it, we would have the advantage of conformity with the provisions of that Act, and any judicial decisions which might be given under it. But in order to have this provision inserted in the Bill, we should have to hark back to Part III. of our Act. Clause 2 of this Bill repeals Part VI. of the Act,

and substitutes a new part. If we pass that clause, we shall have to retrace our steps to include the provision I have mentioned. It was only for that reason that I rose to point out the necessity for the matter being considered at this stage. If the Vice-President of the Executive Council is not prepared to take the initiative, and will afford me an opportunity to do so, I shall justify the inclusion of the provision.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [9.1].—Senator Keating has always taken a very deep interest in matters relating to copyright or trade marks, and I am sure that his intentions on this occasion are the very best. But it is not conducive to uniformity for the Commonwealth to accept an Imperial Bill which has not yet become an Act. Although it has passed the House of Commons, and is before the House of Lords, yet that is no criterion as to the form in which or when it will be passed. To my mind, if anything should be done to carry out Senator Keating's intention, it would be to postpone the consideration of the Bill until we know the final form of the Imperial legislation. The very cause for the introduction of this Bill makes such a course inadvisable. In the past we enacted very liberal copyright legislation, but we omitted to include artistic productions, and it was for the purpose of remedying that defect that this Bill was introduced. It would be much better, in the interests of uniformity, to pass the Bill, so as to give relief to those who have suffered, and as soon as possible after the passage of the Imperial amending Bill, to embody its provisions in our law. I would remind Senator Keating that our legislative processes are very much simpler than those of the Imperial Parliament, and that it will be less difficult here to give relief where it may be found to be required. Either this Bill should be postponed until the Imperial measure has been passed, or it should be passed in its present form in order to give relief where it is really required. I hope that Senator Keating will not persist in his intention to amend the Bill, but will be satisfied with my assurance that as soon as the necessity for securing uniformity arises, every facility will be afforded, here and elsewhere, to amend our law accordingly.

Senator KEATING (Tasmania) [9.7].—I think that the Vice-President of the Executive Council has misunderstood me entirely. I did not make the suggestion at this stage on the ground of securing uniformity at all. I never for a moment suggested that our copyright legislation should be delayed until we see how the Imperial Parliament has dealt with its Bill. Had we done that, we should not have the Copyright Act of 1905. We all know that, since the middle seventies, the authorities in Great Britain have been giving attention —sometimes of a spasmodic character, but certainly continued attention—to the necessity for passing comprehensive legislation on the subject of copyright in all its bearings. For years past there have been Bills presented to either House of its Parliament, particularly to the House of Lords. But, in 1905, we did not wait until the Imperial Parliament had passed an Act, nor did I appeal to any proposition before that Parliament as an inducement to the Senate to pass a measure, or ask the Senate to do so on the ground that we should necessarily have uniform legislation. Our Act contains some provisions the like of which are not to be found in other legislation—provisions which, while entirely novel, have been an undoubted success. I remember receiving very ominous warnings from certain honorable senators at my attempt to make them law. What I did point out on the second reading of this Bill was that, since 1905, developments have taken place which have made it possible to infringe in substance and in fact what are copyrights, performing rights, and other monopolies of that character. Technically, legally, and strictly, they are not infringements. Finding that these are the circumstances, it is our duty to provide remedial legislation, and to make our copyright effective in every respect. I pointed out, too, that that fact has been realized in Great Britain, and that, in order to provide a proper remedy, a measure has been introduced which has proceeded so far that it has got through the House of Commons. I indicated the nature of that measure, but not for the purpose of getting uniformity, although I realized what would be the advantages of uniformity hereafter if it became an Imperial Act. We would then have uniform interpretation; and as an indication that we would not now be adopting expressions which were meaningless, but expressions which had been prepared after mature consideration, and, as a guide, I pointed to these provisions in the Imperial Bill which may get through the House of Lords, and become part and parcel of an Act. Is there any reason why we should hesitate? Are we not all aware that, in

different centres in Australia, it is possible to see enacted at picture shows notable dramatic performances; and are we not aware that the dramatic rights in respect to some of these performances may be held and enjoyed under our Copyright Act by some person who has not authorized such productions, but whose rights in respect of the productions are just as seriously infringed and detrimentally affected as if they were enacted by a company of actors? Are we not aware, too, that there are mechanical performances by means of the phonograph, musical transpositions, musical performances by means of the æolian and the pianola and other mechanical contrivances of that character, which, in fact and in substance, are just as detrimental to the owner of the performing right under the Act as if the performances were given by an individual with a piano or other musical instrument? If it were done by an individual it would be an infringement of the performing right, but, because it is done by means of a mechanical device or contrivance, the owner of the performing right is denied any remedy or redress merely because we did not include what we should, and no doubt would, have included in the Act of 1905, if developments had reached the stage which they have reached to-day. I have merely pointed out that the British authorities have recognised this state of things. In the necessarily slow and cumbersome way in which the British authorities must approach all remedial legislation dealing with subjects which are not of burning importance to the electors, such as the licensing of public-houses, education, and matters of high Imperial concern, they have proposed to provide a remedy. Injured or aggrieved individuals have sought redress in the Law Courts, only to be told, as I informed the Senate in the case of Boosey and Company *versus* White, that the performance of a copyrighted piece of music by means of the æolian does not amount to an infringement, and so no injunction can be obtained against it, and no damages can be successfully applied for in a Court of Law. Why should we not do as we did in 1905? Has the old spirit which animated this Parliament in that year and induced it to endeavour to do right in all these matters, regardless of legislation elsewhere, departed? Are we to wait, to be nothing but the slavish imitators of legislators elsewhere? The Minister referred to the fact that we can deal more expeditiously with legislation than they can in the Old Country. Knowing that we have that opportunity, why should we not rise to the occasion? Why should we not meet the necessities of the moment? It has been a boast on the part of the Commonwealth that its copyright legislation was more comprehensive and advanced than other enactments of the kind. When we have an opportunity presented to us now by simply adding to clause 13 a provision of the character I have mentioned, why should we neglect it? I have pointed out that what I have asked to be inserted is merely a sub-clause of a clause of the Bill before the British Parliament. I did not refer to that fact to indicate that it should be adopted by us because it is British legislation. I pointed out that the words I want inserted must be free from suspicion, inasmuch as they were drafted by well-known authorities, and have received the indorsement of the House of Commons. If there are local causes for delaying the passing of the Imperial Bill, that is no reason why we should hesitate. It is not necessary for uniformity, but it is a good guide for us. Until the Imperial Bill becomes law surely we can have something which will make our Act watertight? If there is legislation passed at Home twelve months, or two years, or five years hence, which, in this respect, may vary from the clause I have read, it will be quite possible for this Parliament, if it sees fit, to adopt that in preference to what is now proposed. I put it to the Minister that no possible harm can be done by adding this provision to clause 13. If the addition is made, it will carry out the spirit and the purpose of our Act, and in the best way which is open to us. Acting on the guidance which the Imperial Bill affords us in this respect, no consequences can follow which cannot be of advantage. No injury will be done to anybody, and to some extent we shall help to make our Act watertight, and, perhaps, give a lead to the Home authorities in bringing to legislative form what I have read. This addition, if made to clause 13, will simply provide that any person who holds a literary, dramatic, or musical right under the Act shall have the sole right, either by himself or by an authorized person, to make records, perforated rolls, cinematograph films or other contrivances by means of which such works may be mechanically performed or

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delivered. That is the object which the Imperial Parliament is seeking to achieve, and what better guide can we have? The fact that the Imperial Bill has not become law should not debar us from proceeding. If it should be found necessary in the Lords—I do not think it will be—to eliminate or modify the provision, it will be time enough for us then to reconsider what I am asking the Committee to do to-night. I think, too, that the Vice-President of the Executive Council in dealing with the question of uniformity overlooked the fact that the very provisions which this Bill contains, from beginning to end, have no precedent in Imperial legislation. Clause 2, which covers proposed new sections 62 in four paragraphs, 62A, 63 in two paragraphs, 63A and 63B is absolutely unprecedented and novel legislation, and the argument which the Minister has used against my proposal to insert a provision before clause 2 applies with tenfold force to that extensive provision itself. There is no Imperial warrant for clause 2, but there is the agreement which was arrived at between the countries represented at the Berlin Conference and in the Berne Convention, and which has not yet become Imperial law. We are taking that step in advance. What I propose with regard to mechanical productions was also agreed upon at the Berlin Conference. That international conference decided that copyright, performing right, and musical right should be included. If we are to anticipate the Act of the Imperial Parliament, why does not clause 2 of this Bill anticipate their proposal in other respects? I am not suggesting that the Committee should go further than the Minister himself is prepared to go in anticipation of Imperial legislation. We provide in clause 3 for the registration of works published in series. That is unprecedented so far as Imperial legislation is concerned. There are other provisions of this Bill which are entirely in anticipation of Imperial legislation. So that the argument as to that point, and as to the necessity of waiting until the Imperial Bill becomes an Act, applies with equal force to every one of these provisions. As to the other matter referred to by the Vice-President of the Executive Council—namely, with regard to artistic copyright, and the necessity for our making provision in the law to remedy a defect—let me remind the Committee that when the Copyright Bill was before the Senate a few years ago, artistic copyright was deliberately and designedly excluded from the conditions, in this respect, made applicable to literary copyright. It was not a mistake. It was not an accidental omission. It was the deliberate policy of the Senate at the time.

Senator McGREGOR.—The very fact that what was done was deliberate did not make it the less a mistake.

Senator KEATING.—My honorable friend referred to the subject as if this Bill had been designed solely to remedy an oversight, omission, or defect in the law. I remind honorable senators that in 1905, when the existing Act was passed, it was sought—against my express will and against the terms of the Bill, as originally introduced—to attach to copyright a number of conditions, notably with regard to the production in Australia of the works to be copyrighted, with respect to printing and many other matters of the kind. The sense of the Senate was against the Bill as presented, and conditions of the character that I have mentioned were attached. Those conditions were regarded as having something of a fiscal character. They were considered to be in the nature of protection, inasmuch as they imposed upon those desirous of acquiring copyright the necessity of local production in many instances. I wish to point out that the Bill, if accepted in its present form, virtually sweeps away the conditions then laid down. I hope that honorable senators are doing this with their eyes open. I speak without any feeling, because the conditions were incorporated in the Act against my express wish, and were not in conformity with the measure as presented. I ask the Vice-President of the Executive Council to realize that the incorporation in this Bill of the provisions that I have read, as to the inclusion in the term copyright of the right to prepare, or authorize the preparation of mechanical means of production, is nothing novel. It is something occasioned by the development of the times. It is something which might be included in the term copyright as recognised by the Berlin Conference. It is something which is recognised as necessary to be included in the statutory definition of copyright as expressed in the Bill passed by the House of Commons. It is something which we also should recognise; and this is the time and this is the Bill in which it should be expressed and recognised, and in which we ought to do justice. We cannot be better guided than by using the forms of expression which

the Imperial authorities, after international consultation, and after careful draftsmanship, have submitted, and which have received the indorsement of the House of Commons.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [9.26].—When I referred to uniformity I had no intention of expressing the idea that either Senator Keating or I was bound by any claims for uniformity with legislation passed by any other country in the world. We are always prepared to go "on our own" where the exigencies of the case demand that we should do so. But I wish to point out that, when in 1905 we were legislating with regard to copyright, the Imperial Parliament was doing nothing upon the subject. Though, as has been stated by Senator Keating, since 1875 the Imperial Parliament has been dealing in an intermittent manner with legislation on this subject, they have actually done very little. It is because they have done very little that we were prepared to do so much. At the present time the Bill, which has been referred to by the honorable senator, is before the House of Commons. I think it advisable that we should take advantage of the deliberations of the Imperial Parliament and pay heed to the work they may do, and which may guide us in further amending our copyright law in the direction of uniformity.

Senator KEATING.—The Imperial Parliament has not passed anything like clause 2.

Senator McGREGOR.—It would be very easy to accept the amendment which the honorable senator has suggested in section 13 of the principal Act. But it must be remembered that the Bill which the honorable senator has in his possession is designed to meet the very necessities that have led to certain provisions being inserted in this Bill. There are, for instance, provisions dealing with the relations that should exist between the holders of copyright and the proprietors of mechanical contrivances.

Senator CHATAWAY.—Why should we pass a Bill which does not provide for all contingencies?

Senator McGREGOR.—The Bill to which Senator Keating has referred does so as far as possible, and it would be almost necessary that we should do something of the same kind. That is the reason why I counsel delay. We should be anxious to get the benefit of the Imperial legislation on the subject. If there were not a Bill before the Imperial Parliament —if there were no apparent intention to legislate in Great Britain—we should be justified in stepping forward and passing a Bill that would be as comprehensive as possible. But, under the circumstances, I think that the wisest plan is to wait and see what the Imperial legislation will be. Then, if we think it advisable, we can, as soon as possible, act in conformity.

Senator KEATING.—The Government should hang up the whole measure, then, because it is all new.

Senator McGREGOR.—There is a necessity for the Bill that is now before us. Applications and appeals have been made to the Commonwealth authorities upon the subject, from those who consider themselves entitled to copyright in artistic work. It has become evident that something should be done. But no urgent claims have been put before the Commonwealth authorities for amendments in the direction suggested by the honorable senator. I am not saying that they are not advisable, or that they ought not soon to be embodied in our copyright law. But a demand has not been made for them to the same extent as a demand has been made for legislation on the subjects covered by the Bill before us. It is for that reason that I should like to see this Bill passed into law as soon as possible. I am sure that, hereafter, the material which the honorable senator has in his possession, will be taken into consideration, and those who are suffering in any way, under existing conditions, will be afforded the remedies to which they are entitled. I therefore trust that the Bill will be proceeded with, upon the understanding that, in the near future, we shall take up the subject more comprehensively than we could possibly do in the measure that is now under consideration.

Senator KEATING (Tasmania) [9.33].—I wish to ask the Vice-President of the Executive Council again whether he seriously urges that the whole of this measure is justified by any applications that have been made to the Federal authorities?

Senator McGREGOR.—That is what I understand.

Senator KEATING.—What application has been made to the Federal authorities, for instance, with regard to clause 62*a*? My honorable friend has referred to artistic copyright, in saying that applications have been made for the introduction of this measure. He urges that a Bill of this character is required to remedy defects in the existing law. I deny that the Bill remedies any defects; on the contrary, it

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deliberately sweeps away what has been the underlying principle of the law of copyright in the Commonwealth. I can only think that those who have been responsible for the drafting of the measure have been absolutely unmindful of the emphatically expressed policy laid down with regard to copyright in 1905, and that they have even failed to consult the debates on the subject at that time. I venture to say that this Bill, if passed, will prove to be an imperfect, and most mischievous, piece of legislation, and that it will be utterly inconsistent with provisions in the existing Act.

Senator St. Ledger.—How does it conflict?

Senator KEATING.—The conditions attached to copyright were of such a character that they were referred to as having a fiscal bearing, or as being protective. It is now proposed to extend reciprocity in such a way as to make it possible for any one to get copyright in the Commonwealth without complying with the conditions prescribed in 1905.

Senator McGregor.—They can only get it by reciprocating with the Commonwealth.

Senator KEATING.—But what advantage is that to local writers, publishers, printers, and others? Those are the considerations which received very prominent consideration in connexion with the establishment of our system of copyright in 1905. The United States system appealed to a large number of legislators here and elsewhere. It was pointed out that America had virtually cut herself out of association with other countries in connexion with copyright. It was considered that to legislate, to some extent, on the same lines as America had done would constitute an advantageous position for us. It was sought by a sufficiently large majority to engraft similar provisions in our Act. But now, by inconsisent legislation, it is proposed to remove those conditions. I am not so much concerned with the policy as with the inconsistency which will exist, and with the trouble and difficulty in which those who are affected by copyright will find themselves when they have the original Act and this amending measure before them. With respect to the suggestion of the Vice-President of the Executive Council in relation to applications made to the authorities by persons who thought they were entitled to copyright in the Commonwealth, I would point out that the defects in the existing law have been apparent to many people. The reason why they have not made application to the authorities is that they knew that, in consequence of a series of judicial decisions in the Old Country, it was absolutely useless to present their claims until new legislation was introduced in the Commonwealth. Since this Copyright Bill has been introduced, I have received communications from different parts of Australia relating to it. Only this afternoon, I was waited upon by a gentleman who told me that he had in his possession in this city a memorial signed in several of the capital cities of the Commonwealth by artists, writers, and others, asking for an amendment of the Copyright Act—and that quite independently of the introduction of this Bill. The gentleman left this building with the object of going to fetch the memorial, which he promised to hand to me to-morrow.

Senator McGregor.—Has it been long in existence?

Senator KEATING.—It has been in existence some little time.

Senator McGregor.—Those responsible were very foolish not to send it to the Department for consideration.

Senator KEATING.—They may have been very foolish, but their desire was to make the memorial as representative as possible, and that it should include as many signatures as possible. The gentleman informed me that it had been intrusted to a lady writer to obtain signatures, and had been mislaid for a time. It has now, however, come to hand again, and I hope to have it in my possession to-morrow. This gentleman read of the introduction of the Copyright Bill when he was in Brisbane or Sydney. He came down to Melbourne about it, and was disappointed to find that it did not touch any of the grievances which he sought to have remedied. I told him that I did not think that the Copyright Bill would be dealt with this week. By the courtesy of the Minister, I had been in consultation with some of the officers of the Government in connexion with it, and I understood that the subject would not be gone into properly until the Attorney-General returned to Melbourne. I was under the impression that the measure would not be proceeded with for a little while, and that ample opportunities would be given for a sufficient and satisfactory amendment of the law, which would substantially remedy existing grievances, as well as those which are possible contingencies. I hope the Minister will raise no objection to my moving the

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insertion of a clause 1A, if that would be in order, after the Chairman has called on clause 2, to give effect to what I have already expressed. If the honorable senator cannot see his way to do that, I would ask that he should, at any rate, defer the consideration of this Bill in Committee for a little time. It might he dealt with this week, or next week. There is no necessity for a long discussion on the matter. I can assure the Vice-President of the Executive Council that I am as anxious as he, or any of his colleagues, that our Copyright Act should retain the reputation it has of being legislation of a somewhat model character, advanced, and meeting all the necessities of the time. If there is no objection to my following that course, I am prepared, if in order, to move the insertion of a new clause 1A.

The CHAIRMAN.—There is a difficulty about adopting that course since clause 2 has been called. The honorable senator might move the insertion of his proposed new clause after clause 2, with an understanding that later it would be put into its proper place. Another way out of the difficulty would be to deal with the matter on a recommittal of the Bill.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [9.43].—I am certain that Senator Keating knows very well that I have every sympathy with him in the work he is endeavouring to do. I realize, however, the difficulty of his moving such an amendment as he suggests at this stage when clause 2 is before the Committee.

The CHAIRMAN.—Clause 2 has been before the Committee on two sittings.

Senator McGREGOR.—That is so. I do not see how Senator Keating could introduce his amendment after clause 2. I am prepared to go on with the Bill as it stands. I will consult the Attorney-General to-morrow, and will give Senator Keating an opportunity to have an amendment, which he is anxious to see embodied in it, brought before honorable senators again. I am prepared to do all I can in connexion with legislation of this kind, to assist every member of the Senate to bring before honorable senators any proposals which may be considered to be in the interests of authors and artists, not only in Australia, but all over the world. If what I have suggested would satisfy Senator Keating for the present, we might be able to make some progress. I have no desire to keep honorable senators late to-night, and Senator Keating can accept my assurance that I will assist him in every way to carry out his intention, if what he proposes meets with the approval of the Attorney-General's Department.

Senator KEATING.—Is it proposed to put clause 2 to the Committee as one clause, or to put the proposed new section separately?

Senator McGREGOR.—If we consider the first two lines of the clause first, and, by agreeing to them, repeal Part VI. of the principal Act, we shall have made some progress.

Senator ST. LEDGER (Queensland) [9.47].—I join in Senator Keating's request. Apart from the honorable senator's professional knowledge of the subject, he is possessed of knowledge as an ex-Minister, who was charged with the passing of a Copyright Bill through the Senate. The honorable senator is informed as to the policy and intention of measures of this kind. We have not had a great deal of time to consider the matter, and the more Senator Keating contrasts the legislation of the past, in connexion with copyright, and the evident intention of this Bill, the more clear it seems to be that his request should be granted. I hope, in the circumstances, that the Vice-President of the Executive Council will not attempt to proceed with the measure to-night beyond clause 2.

Senator McGREGOR.—I do not propose to ask the Committee to pass the whole of clause 2 to-night.

Introductory paragraph agreed to.

Proposed new section 62—

"(1.) Subject to this Act, copyright and performing right shall subsist under this Act in literary, musical, dramatic, or artistic works (as the case requires) first published, performed, or produced in any of the following countries:—

(*a*) The United Kingdom;

(*b*) Any State or Colony which has become a State;

(*c*) Any country or British possession in which any International Copyright Convention has effect, if that Convention also has effect in Australia; and

(*d*) Any other country or British possession as to which a proclamation under this Part is issued.

"(2.) Copyright and performing right subsisting by virtue of this section shall have the same extent as if the work, the subject of the right, had been first published, performed, or produced in Australia, but shall not subsist for any longer term than the term enjoyed in the country of origin of the work.

"(3.) Where a work is first published, performed, or produced simultaneously in more

than one country, the country in which the shortest term of protection is granted shall be deemed to be the country of origin of the work.

"(4.) This section applies to literary and artistic works in which copyright or performing right subsists in the country of origin, whether published, performed, or produced before or after the commencement of this Act, but does not apply to works in respect of which copyright or performing right does not so subsist, or to works in respect of which copyright or performing right subsists under any other Part of this Act."

Senator KEATING (Tasmania) [9.50].—I direct the attention of the Committee to the far-reaching consequences of this proposed new section. This is one of the extensions to which I referred. Part VI. of the original Act simply provided that—

62. The owner of any copyright or performing right in any literary, musical, or dramatic work, or artistic work, entitled to protection in Australia by virtue of any Act of Parliament of the United Kingdom, or entitled to protection in any State by virtue of any State Copyright Act in force at the commencement of this Act, shall, on obtaining a certificate of the registration of his copyright or performing right under this part of this Act, have the same protection in the Commonwealth against the infringement of his copyright or performing right as the owner of any copyright or performing right under this Act.

Under that provision, it was obligatory on persons who wished to take advantage of our international copyright provision and our protection of State copyright to register. But, so far as copyrights acquired locally, or from production in Australia, were concerned, registration was only permissive; it was not compulsory. What is to be the position in the future? Are we to impose compulsory registration upon local copyrights, or is it to be permissive registration upon local copyrights and international copyrights? This is a matter about which we should be clear before we pass this proposed new section. Formerly, if any one's copyright was infringed, and he sought to obtain damages or an injunction, he had to register; but his right to damages or to an injunction was not based upon registration, nor did it date from the date of registration. But, in order to enforce his rights by judicial process, he had to register. With regard to international and pre-existing State copyrights, registration was absolutely essential. It was the root of Australian copyright. Now, without saying a word about registration in this clause, it is proposed to recognise international and State copyright wherever there is reciprocal recognition. It is abundantly clear that there will need to be some provision in this Bill to harmonize the conditions as to registration. I hope that position will be made quite clear.

Proposed new section agreed to.

Progress reported.

ADJOURNMENT.

KALGOORLIE TO PORT AUGUSTA RAILWAY.

Motion (by Senator McGREGOR) proposed—

That the Senate do now adjourn.

Senator McCOLL (Victoria) [9.55].—On Thursday last, the Vice-President of the Executive Council was good enough to say that he would lay on the table of the Senate certain correspondence which has taken place between various State Governments and the Commonwealth Government in regard to the gauge of the Kalgoorlie to Port Augusta railway. I would like to ask if that has been done?

Senator PEARCE.—Several papers on the subject have been laid on the table; but, as I will be moving the second reading of the Bill, I shall make inquiries on the subject.

Question resolved in the affirmative.

Senate adjourned at 9.56 p.m.

House of Representatives.

Wednesday, 18 October, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

ISSUE OF WRIT.

Mr. SPEAKER informed the House that he had issued a writ for the election of a member to serve for the electoral division of Boothby, in the place of the Honorable Egerton Lee Batchelor, deceased, and that the dates appointed in the writ were as follow:—Date of nomination, Friday, 3rd November; date of polling, Saturday, 11th November; the return of the writ to be on or before Thursday, 30th November.

MINISTER OF EXTERNAL AFFAIRS.

Mr. KELLY.—I wish to ask the Prime Minister whether it is not a fact that the late member for Boothby received as Minister of External Affairs invaluable information regarding foreign relations through his personal intercourse with the British

Minister of State for Foreign Affairs? If so, will the honorable gentleman take into consideration the advisability of securing the advantage thus given to the Australian people by sending the new Minister to England, if possible next recess, to see the British Minister for Foreign Affairs?

Mr. FISHER.—The honorable member has correctly stated the position regarding my late colleague. Certain confidential information was given by British Ministers to the three Australian Ministers who attended the Coronation, of whom Mr. Batchelor was one. The suggestion which the honorable gentleman makes will be given serious consideration. None of the Ministers who received the information referred to is at liberty to convey it to any one else.

FEDERAL CAPITAL SITE.

Mr. RYRIE.—Has the Minister of Home Affairs had brought under his notice the following resolution passed at a meeting of the Victorian Architectural Students Society of Melbourne—

That the members of this society refuse to have anything to do with the Federal Capital competition under the present conditions. That the attitude of the society be identical with that of the R.V.I.A., and that circulars be sent to all members to that effect.

Has his attention been drawn to a letter signed by the President of the Institute of Architects of New South Wales, in which occurs this paragraph?—

It is misleading for Mr. O'Malley to infer that the protest of the architectural world "is simply because we will not bring out architects from England and America to judge designs instead of having Australians." The Minister knows that the principal objections are two—namely, first, the competitors have not sufficient confidence in Mr. O'Malley to accept him as sole referee.

Mr. SPEAKER.—The honorable member may not read from an article reflecting on an honorable member.

Mr. RYRIE.—I have not done so with the intention of embarrassing the Minister. I wish to know if his attention has been drawn to these statements, and if, in view of them, he will reconsider his determination?

Mr. KING O'MALLEY.—No one regrets more than I do that these unions have gone on strike, but we cannot let them dictate to the Home Affairs Department.

Mr. FISHER.—It is not a fact that the Minister is deciding the matter.

PRINTING COMMITTEE.

Report (No. 2) presented by Mr. BAMFORD, read by the Clerk Assistant, and adopted.

INFANT FOODS.

Dr. MALONEY.—Has the attention of the Minister of Trade and Customs been drawn to the following statement appearing in the London letter published in the *Age* of the 16th instant:—

Figures just collected show that no fewer than 11,728 infants died in 77 of the principal cities of England and Wales in the 47 days from 17th July to 2nd September. In the great majority of cases the cause of this extraordinary mortality was gastro-enteritis, resulting from the use of bad milk. The medical experts of the Local Government Board find that many infants fed on condensed skim milk are undergoing a "slow process of starvation," which renders them liable to various diseases, including rickets. They state further that there are serious drawbacks to the use, except as a temporary expedient, of full-cream sweetened condensed milk as an infants' food, the most objectionable feature being the presence of an excess of sugar in relation to other food elements Full-cream, unsweetened condensed milk appears to be a suitable substitute for fresh cow's milk. The doctors remark that the fact that such milk keeps less well than the sweetened variety is perhaps an additional safeguard, as it results in the milk being exposed for a shorter time to domestic contamination. As for the skimmed variety, they urge that it be labelled as unfit for infant food.

As the Australian baby is the best immigrant we can have, will the Minister extend to it the protection of his Department, by providing that the milk referred to shall not be imported into this country unless labelled, "Unfit for infant food"?

Mr. TUDOR.—I saw the article referred to, and realize the importance of providing the best nourishment for young children who have to be fed artificially. The Commerce Act empowers the Department to compel this milk to be labelled, "Unfit for infants' food," and under the Customs Act its importation can be prohibited. Unfortunately, the people of Australia decided that we should not have power to deal with local manufactures. They preferred to leave the control of that matter to the Legislative Councils of the States.

Mr. KELLY.—With reference to the reply of the Minister of Trade and Customs to the honorable member for Melbourne, I should like to ask whether the Minister intended to convey that, in view of the fact that the Commonwealth does not exercise jurisdiction within States, he proposed not to act upon the jurisdiction

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which the Commonwealth has in its own domain, or that he proposed to take steps under the powers now vested in him to prevent the importation into Australia of foods that are dangerous for human consumption.

Mr. TUDOR.—I certainly am preventing the importation of such foods all the time. Plenty of harmful food has been condemned.

Mr. W. ELLIOT JOHNSON.—Then why did the Minister give a misleading answer?

Mr. TUDOR.—I did not.

IMMIGRATION.

Mr. ATKINSON.—On 21st September last I asked the Prime Minister if a certain letter from a Mr. McCallum in Western Australia, warning immigrants against coming to Australia, had been brought under his notice, and whether he would inquire into the correctness of the statements which appeared in the press, and give them a public denial if he found them to be incorrect. The Prime Minister promised to cause the External Affairs Department to look into the matter as he was not aware of the facts himself. May I now ask the right honorable gentleman if he has taken any steps in the matter?

Mr. FISHER.—I am sorry to say I have no recollection of having taken any steps, but now that the honorable member has brought the matter up again, I shall ask my colleague the Minister of External Affairs to look up the facts.

COMMERCE ACT.

Mr. JOSEPH COOK.—Last session the Minister of Trade and Customs gave the House a distinct promise that the officer in his Department who controlled the imports and exports under the Commerce Act should consult the State authorities with a view to having established as complete a cordon of restrictive regulations and control over commerce, both coming here and going from here, as it was possible to get. I should like to know now from the Minister if he has taken those steps, and with what result?

Mr. TUDOR.—I do not remember giving a promise that the officer in question should consult the State authorities, but that he has consulted them is well known. He has, I believe, consulted officers in every State, and has tried to arrive at the best determination in the interests of Australia as to goods both coming in and going out.

Mr. JOSEPH COOK.—Will the Minister lay upon the table a statement showing what has been done as the result of the consultation referred to?

Mr. TUDOR.—I shall have the matter considered, and cause a statement to be prepared, if the honorable member so desires.

LIGHTHOUSES.

Mr. ARCHIBALD.—Has the Minister of Trade and Customs received any report from the lighthouses expert regarding the lights on the South Australian coast?

Mr. TUDOR.—The officer in question has not yet inspected the lighthouses along the South Australian coast, so that I could not possibly have received a report from him upon them.

DEFENCE.

MILITARY COLLEGE: ENTRANCE EXAMINATION—MILITARY SADDLES.

Mr. BAMFORD.—I wish to ask the Minister representing the Minister of Defence if his attention has been drawn to a report on the first entrance examination for the Royal Military College of Australia, held in February, 1911. I may be pardoned for reading the following paragraph from it:—

> The method of entry to the Military College proposed by Lord Kitchener is described in paragraph 50 of his Memorandum on the Defence of Australia, dated 12th February, 1910, which reads as follows:—
>
> "Candidates should be selected from the most capable of the Senior Cadets, each Area Officer submitting the name of his best cadet to the major in charge of ten areas, who will then examine these ten cadets and forward five names through the District Head-quarters, who will state their recommendations, if any, to the Central Administration."

Cannot the Minister recommend or adopt some other system of promotion than to leave it to the area officer? There are officers and officers, and could not all chance of favoritism be eliminated by some regulation made by the Department?

Mr. FRAZER.—I shall bring the honorable member's remarks under the notice of the Minister of Defence, and ask him to let the honorable member have a reply.

Mr. RYRIE.—Can the Minister representing the Minister of Defence tell the House whether a contract has been let for military saddles for the Commonwealth light horse of an old pattern, and not of the latest pattern as approved by the War Office?

Mr. FRAZER.—I cannot tell the honorable member, but if he will give notice of the question I shall get the information for him.

NORTHERN TERRITORY.

Licences.

Mr. W. ELLIOT JOHNSON (for Mr. McWilliams) asked the Minister of External Affairs, *upon notice*—

Whether he will refrain from renewing the licences for the sale of intoxicating liquor in the Northern Territory until Parliament has had an opportunity of discussing the whole subject of the control of the liquor trade in the Territory?

Mr. THOMAS.—I shall take into consideration as early as I can the important issues raised by this question.

POSTMASTER-GENERAL'S DEPARTMENT.

Inspectors, Victoria—Wireless Telegraphy Stations, Pennant Hills and Fremantle — Canadian-Australian Mail Service—Deputy Postmaster-General, Western Australia—Uniform Postage Stamps.

Mr. PALMER asked the Postmaster-General, *upon notice*—

1. Whether there are two inspectors about to be appointed in his Department in Victoria; and, if so, are the positions to be advertised, and when?
2. Whether, in filling such appointments, regard will be paid to seniority?
3. Whether a recommendation has been made in favour of an officer some ten years junior to other officers who are eligible for the positions?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. It is proposed to increase the number of inspectors in Victoria, and, on the passage of the Estimates, application will be made to the Public Service Commissioner to advertise the vacancies in the usual way.
2. Appointments are governed by relative efficiency and seniority.
3. No.

Mr. KELLY asked the Postmaster-General, *upon notice*—

1. At the time the tender of the original contracting syndicate for the erection of wireless telegraphy installations at Pennant Hills and Fremantle was accepted by the Government, was it understood by the Department that the said syndicate owned the Australian rights in the Telefunken wireless system?
2. Did the said syndicate inform the Government that they did, or did not, own the Australian rights in the above system; if so, which?
3. Is the Minister aware that, out of the £45,000 in cash and shares which was paid by the £65,000 company for the rights of the £5,000 syndicate, £19,500 in cash and shares was given by the syndicate to the Telefunken Company in Germany?
4. Can he say whether or not this transaction may be taken as proving that the original contracting syndicate did not own the above Australian rights, but were the agents of the German Company?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. It was stated in the letter accompanying the tender of the Australasian Wireless Limited that the patents for Australasia of the Telefunken Company's system would be transferred to the company if their tender were successful.
2. See answer to No. 1.
3. No.
4. See answer to No. 3.

Mr. KELLY asked the Postmaster-General, *upon notice*—

In connexion with the Telefunken installations of wireless telegraphy at Pennant Hills and Fremantle—

1. Did the Government seek and obtain from members of the original contracting syndicate an indemnity against actions for damages for infringements of patent rights in "wireless"?
2. Did the Government seek and obtain from the same source any binding guarantees against actions to obtain injunctions to restrain the Commonwealth from using the above installations when complete?
3. If not, will the Minister say why it was not thought necessary to take the latter contingency into account when attempting to guard against the former?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. Yes.
2. The indemnity obtained extends to all proceedings in respect of alleged infringement.
3. See answer to No. 2.

Mr. FINLAYSON asked the Prime Minister, *upon notice*—

1. Whether any proposals have been lately made to the Government in regard to the Canadian-Australian Mail Service?
2. If so, by whom have these proposals been made?
3. What is the nature of the proposals?
4. What is the attitude of the Government on the matter?

Mr. FISHER.—I have asked my colleague, the Postmaster-General, to look into the matter, and he will, I hope, be in a position to furnish full information in a few days.

Sir JOHN FORREST asked the Postmaster-General, *upon notice*—

1. Seeing that there were several experienced officers of the Postal Department in Western Australia who had claims for special consideration by reason of long years of faithful and exemplary service in the Department, what was the reason that the position of Deputy Postmaster-General was not conferred on a local officer in that State?

2. Does he consider that a Deputy Postmaster-General should have local knowledge of the State, of the officers of his Department, and of conditions and requirements of the Postal and Telegraphic Department in the State?

3. Has the officer appointed as Deputy Postmaster-General these qualifications?

4. What was the position in the Postal Department and the length of service of the officer recently appointed as Deputy Postmaster-General in Western Australia, as compared with the Acting Deputy Postmaster-General, and the three senior Inspectors of the Postal Department of that State?

5. Are not the positions of Deputy Postmaster-General, Chief Electrical Engineer, and Chief Mail Officer, in Western Australia, now held by officers brought from other States; and does he not think that the feeling that exists, that the claims of local officers belonging to the State are not sufficiently considered, has apparently a good foundation?

6. Will he have this matter investigated?

Mr. FRAZER.—The answers to the honorable member's questions are as follow:—

1. The claims of Western Australian officers received full consideration, but the officer selected for the position possessed in a greater degree the experience and aptitude held to be desirable in the officer filling such a position.

2. Yes, other conditions being equal; but local knowledge, which must necessarily be subordinated to more important considerations, is soon acquired by an officer who is thoroughly acquainted with postal business.

3. The officer appointed is considered to possess qualifications which outweigh that of local knowledge.

4. The positions occupied and length of service are as follow, but it should be recognised that efficiency and not length of service is the primary factor in making appointments:—

F. Whysall, Assistant Superintendent of Mails, New South Wales	36 years
J. J. Lloyd, Chief Clerk, Western Australia	36 years
A. W. Piesse, Senior Inspector, Western Australia	39 years
F. W. Milbank, Inspector, Western Australia	24 years
A. E. Pries, Inspector, Western Australia	27 years.

5. The officers mentioned were transferred from other States. The claims of local officers have always received every attention, but the Commonwealth Service is not limited by State boundaries.

6. The matter was fully considered prior to the appointment of Deputy Postmaster-General being made.

Mr. FINLAYSON asked the Postmaster-General, *upon notice*—

When the new Commonwealth postage stamps are likely to be finally adopted by the Government and issued to the public?

Mr. FRAZER.—The exact date cannot yet be stated; but the matter is receiving attention.

CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Debate resumed from 17th October (*vide* page 1443), on motion by Mr. HUGHES—

That this Bill be now read a second time.

Mr. DEAKIN (Ballarat) [2.50].—I beg to felicitate the Attorney-General on his return to this House in, I hope, the best of physical health. Judging from yesterday, I should say his mental health has not been impaired. There was as much slimness, if I may use a familiar phrase, in his method of introducing this particular Bill as distinguished his introduction of the former revolutionary measure bearing the same title last year. The honorable and learned gentleman is distinctly the "mildest mannered man" that ever tried to "scuttle" the constitutional "ship." All these evidences of complete and obvious restoration, however their form may be in question, are, I am sure, welcomed by both sides of the House.

In relation to this measure, as to those preceding it, we all start from common ground. The principle of arbitration is now universally accepted throughout Australia. The majority which declared for it, and has supported it again and again, has steadily increased. While it must be admitted that many of the methods which we have employed in order to give effect to this most admirable principle have been sadly deficient in some respects, nothing has occurred, so far as I am aware, to shake the confidence of the people in their belief that, with time and caution, and with sufficient adaptation to our circumstances, this principle can exercise its sway in every corner of this great Commonwealth, to the especial benefit of some classes of the community, and, in a larger and more general aspect, to the distinct benefit of the whole of our people, thus assisting to further greatly our principal national aims. So far we are on common ground. It has been our hope that we should be able to evolve for ourselves so distinctly modern and practical a form of application of this principle that it would be, as some other less admirable efforts have been, associated abroad with the name of Australia. At the present time such knowledge as exists of our adventures in this direction is partial and incomplete, as the results, it must be admitted, are still partial and incomplete.

Mr. FISHER.—They are very good.

Mr. DEAKIN.—Nevertheless they are partial and incomplete. If the Prime Minister wishes to suggest that they are already complete and no longer partial——

Mr. FISHER.—I say they are very good.

Mr. HALL.—They are not partial.

Mr. DEAKIN.—They are both partial and incomplete.

Mr. ROBERTS.—I think we may put it that improvement is never complete.

Mr. DEAKIN.—Improvement is always possible. We do not desire then to identify those results with all that is sought; on the contrary, we have to recur again and again —I hope without unduly wearying the House—to principles on which the initial step was taken. These have been kept more or less steadily in view until recent Ministerial experimental departures promised to develop something which is not conciliation, and may not turn out to be arbitration. It is for us to guard ourselves against these additional growths. They do not spring from the original seed, but represent an entirely different variety of legislation, political rather than industrial in its character.

The refreshment of memory with which I am threatening honorable members need not occupy us long. The late lamented Mr. Kingston, in accordance with his habit, was careful to set out in the draft of our first and principal measure in 1904, in the second clause, what the chief objects of that Bill were. These constitute, in effect, a careful condensation of what appeared to him, and to us, to be the principal features of our conciliation and arbitration scheme. These were to prevent locks-out and strikes, to prevent and settle industrial disputes, to encourage amicable agreement between the parties, to promote the working of the Court and of the State industrial authorities in aid of each other, to encourage the organization of both employers and employés, and to provide for the making and enforcement of industrial agreements between employers and employed. That is a list of the great purposes we had in view. Now when we come to measure it with our actual achievement in the last seven years, all will admit that many new aspects of this question have been borne in on us by the persistent experience we have enjoyed in the working of the Arbitration Court during that period. These new aspects, while they leave our principles unshaken and unshakable—that is to say, our confidence in those principles unshaken and unshakable—lead us seriously to question some of the modes we have lately adopted. They suggest the query whether they really spring from the root of our original planting of 1904.

No one who glances around Australia today, or who recalls the newspaper records of the last few months, can affect to believe that conciliation and arbitration, so far as these are officially operative, have been effective in producing the halcyon condition of things for which we are always hoping, and must long continue to hope. Seven years is a short period in the life of a nation. It is not a long period for experimental application of legislation, particularly when, partly owing to the constitutional position, and partly also from the necessities of the case, it is undertaken in connexion with a tribunal and a jurisdiction not only novel as a creation, but of which experimental endeavour alone could test the applicability to particular cases. I do not point to the almost universal unrest that obtains to-day throughout the Commonwealth. We are not blind to the fact that that unrest is manifested *also in* many other parts of the world where there is no such legislation.

Mr. WEST.—The schoolmaster is abroad.

Mr. DEAKIN.—The school is going on, but the schoolmaster is very much abroad. Making all allowances for ourselves as the one community that has set itself, deliberately and thoroughly, to grapple with social problems, in the interests of peace, order, and good government, we cannot fail to see that a certain number of tares have found their way into our sowing, and must be reckoned with in the reaping.

In these circumstances, it is but reasonable that every proposal for an addition to this law should be closely scrutinized. Although this measure in form is a mere amendment of the principal Act, the alterations already made by this Parliament, and those we are now making, go far beyond a re-adjustment. They cover both destructive and partially constructive efforts to adapt the principles of arbitration to our actual situation. Naturally, those charged with this obligation have realized that there are special features of Australian life and development that require to be taken into account. While we may hope that we are treading a path in which our progress will be of some assistance to others, we also realize that for a considerable portion of

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the way that path is affected by the peculiar idiosyncrasies of this continent.

Starting from our basis—the Act of 1904—the complementary Act that experience had proved necessary continuing effectively upon the original lines was passed by us in 1909. Short and simple as it was, it met at that time all the urgencies of the situation. It was a short Bill, which, read in conjunction with the original Act, rendered the administration of the latter considerably more simple and fruitful than it otherwise would have been.

We came next to the amending Bill of last year. That represented an entirely new departure. As I said at the time, it was one of a most momentous character, involving fundamental changes in the Constitution. The majority of this Parliament then decided that it would depart from the regular process of statutory development. It would not content itself with repairing omissions as they were discovered, but struck off on a new line, at least at right angles to our former road, if not with some unintentional retrograde tendencies. The importance of last year's Act is being very gradually borne in upon the community. If the people have not realized the transformation that it implies, I am certain that when the present amending Bill is added they will be brought face to face with a condition of things that promises to take us a good deal away, either to the one side or the other, of the goal for which we originally set out.

For the last three years, therefore, each session has had its Arbitration Bill. Judging by the character and occasion of the measure now before us, we may expect still more. So far as the Attorney-General has explained it to us, this Bill springs entirely from the judgment of the Court in a recent distinctly leading case. It arrives, so to speak, directly from that decision. Practically the whole of the Attorney-General's speech consisted of what, from the honorable and learned member's point of view, was a digest of that judgment. He submitted amendments following the lines of the judgment, so as to remove all the obstacles discovered in the course of that protracted case, to the recognition of scattered employés as constituting an organization. Last year we annexed a very large area of new territory, in which some, but not much, exploration has since taken place. A great deal of the authority which we then acquired remains yet unexercised. We have only had light thrown upon the particular portions of it affected by the case cited, and touched in two or three other cases dealt with in the interim. So far from having exhausted the possibilities or even the certainties of the last measure, we have not yet come to grips with most of them.

Yet we are now faced with a new measure that goes considerably further along the new road which your Act of 1910 marked out, and ventures into even more dangerous surroundings. As submitted to us here, there was nothing in it to have troubled the sleep of our lightest slumberer. Four or five of the clauses were framed in connexion with the Engine-drivers' case, although only two or three of them arise indirectly out of that case. The remaining clauses were dismissed with a graceful wave of the hand. They were mere machinery amendments. So we were told. They may prove machine guns, but still they were machinery amendments. The Attorney-General felt that he had commended them to the House by that short, simple, and, to him, entirely satisfactory phrase, though it not only revealed nothing, but did not even promise to reveal anything. It is quite true that most of those clauses do involve alterations to our arbitration machinery, but some of these are of the first importance. Taken collectively, this series of mechanical alterations assumes a very serious aspect. We have to take them in connexion with the first Bill brought in by this Government last year. It is a very simple matter to recommend another measure on the ground of its relation to a law already on the statute-book. This, in itself, was a complete breakaway from our industrial policy of 1904-9.

These machinery clauses may be put forward as a natural sequence of preceding legislation, but in this case they were not contemplated or required by anything that went before 1910; they substantially alter the character and conduct of a tribunal vested with large and, in many respects, indefinite powers. It is possible by a line in a seemingly unimportant clause to revolutionize a large policy, or to make a departure of great moment. The Attorney-General, no doubt, will be equal to the task of explaining the extensive range of his proposals, and their essential relation to the strategic scheme in his mind. When he does so, they will prove no simple proposals to be taken with one's morning milk without fear of ill-effects, but as a substantial addition to the diet of strong

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meat upon which we are to subsist this session.

Let us not forget that this Parliament, like every other, moves in fetters. We legislate with a view to concrete action potently affecting the existing industries and employments of our people. Another authority interprets our legislation. The constitutional limitations imposed on us are vital, and in this instance of even more consequence than usual. Our legislation is concerned with the affairs of practical men, whose businesses are making profits for themselves and assisting the country to progress. Some, of course, are incurring losses. We are, in advance, laying down conditions for their undertakings, guided only by the light of uncertain and complicated arbitration decisions, few of which have given satisfaction to both, and several to neither, of the parties whose disputes were responsible for them. Still, that is the best we can do for them. To gather the cumulative effect of this measure and that passed last year, we must study them in their contrast and their conflict with the parent stock on which they are to be grafted, the Acts of 1904-9. If we do that, we shall find ourselves much further removed from the old path than the astute author of this measure would have us believe.

Mr. ROBERTS.—Collins-street is a very different thoroughfare from the original bullock track.

Mr. DEAKIN.—It is, and we hope that in process of time our legislation may permit a similar contrast. We know, too, that eggs must be broken to make omelettes.

Few as yet realize that these two measures represent enormous strides in a new direction. We shall do well to watch how we are interfering with all our various occupations. The constantly changing, the never long-settled, conditions of modern industry, perpetually introducing new methods and mechanisms, as well as alterations of trade relations, must be taken into account. In the coal trade, during the last two or three years, as well as in other industries, external conditions have operated most unfortunately. In brief, our difficulties increase by the fact that the fixed laws which we pass have to be applied to constantly varying conditions. Parliament can only exercise the foresight which belongs to the individuals who compose it. We must expect to be taken by surprise now and again. Unexpected developments will render futile, or partly ineffective, proposals which, as we understood the conditions, reasonably promised to become fruitful.

Let us make all the allowances that generosity can suggest for possible means of error. I am not addressing the House from the lofty stand of the dogmatic critic. We all remember Disraeli's definition of the critic. This Bill, and that of 1910, display a misplaced confidence in the legislative power, and a defective knowledge of the conditions with which we are faced. There are new influences operating in Australia to-day not yet realized thoroughly, even by business men, and not at all by others. There are changes coming which we do not foresee, yet it is proposed to legislate for all industries as if everything were fixed and known, the country mapped out, and the roads clear before us. Our seven years' experience should warn us. When the first Act came to be interpreted, we had the constant comments and *obiter dicta* of Judges and representatives of parties before them as to its insufficiency, its errors, and want of applicability, although the law had been drafted with the best intentions, and with *all* the knowledge at our command. Nevertheless the Bill before us is introduced with as much confidence as if the provisions of that of last year had worked exactly as was anticipated, although they also have been chiefly fruitful in surprises, and of value when informing us what we cannot, and, in some instances, what we ought not, to do. With that measure only a year on the statute-book, we have another series of proposals of which all but four or five are irrelevant to the experience which we have gained since it was passed.

It will be easy to show that departures of great moment, for which there is no warrant in our experience, are proposed. We have not been offered a fraction of the evidence necessary to justify these serious amendments of the law. The suggestion of the Attorney-General yesterday was that this was a little Bill. The House will find that it is not a "little" Bill, and that it will ultimately have to be met. The drawing of bills is often pleasant enough, but meeting them is more frequently inconvenient. This is one of the Bills which will have to be met. Some of its promises are long-dated, and some short. This and last year's measure will multiply precedents, and problems, and also costs, to an enormous

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degree. As a professional man, the Attorney-General cannot be expected to be affected by that. We must deal with this question, not merely from the legal, but also from the political, side. The startled expression in the countenances of honorable members opposite indicate that they regard that as an amazing statement, but on reflection they will admit that political interests, aims, and purposes affect legislation because they affect legislators.

Mr. FISHER.—It is well that that is so.

Mr. DEAKIN.—It is both well and ill. It is well, inasmuch at it makes it to the interest of politicians to study public questions, and to devote themselves to the elucidation of practical problems, but it is ill because they often discover that they have a personal interest in giving a particular reading to these problems, and that a particular interpretation is likely to suit the constituency to which they look for their retention of office. This applies to all parties. We in Parliament look through double glasses; first, through legal glasses, to which many of us are not accustomed; and, secondly, through the political glasses to which we all become accustomed. This combination of lenses does not always, and of necessity, discover the best solution of a problem from the public point of view. We are members of the public in a very much less vital way than we are members of the Legislature, and our knowledge is also largely limited by our own particular personal interests. When, however, one reckons with the strong sway, the strong swing, of a direct political interest to the other difficulties of our position, one ceases to wonder any longer at the defects of our legislation when we are dealing with all the practical interests of the Commonwealth. We are not surprised that our Court of Arbitration has had a chequered history, or that, so far as it has gone, it has been probably more occupied in discovering the difficulties of its position than it has been in finding within its powers practically working solutions of the problems presented to it. I am afraid this is rather a lengthy exordium, but have now cleared the decks by making allowances and concessions wherever possible.

The tendency to confuse party tactics with the claims of real industrial needs is not unknown even in the rarer atmosphere of Federal politics.

Mr. WEST.—We experienced that a little while ago in the referendum campaign.

Mr. DEAKIN.—Was that issue confused by party tactics? It was not the honorable member's fault if it was not. I am sure that any shortcoming in that regard on his part was unintentional.

The industrial situation to-day in Australia may be briefly summed up. Although we ought to be as a united people with one industrial policy in force, we have as a matter of fact two campaigns, totally dissimilar and absolutely antagonistic, being conducted side by side. In the first place we have in the difficult circumstances I have mentioned created a tribunal to grapple with our industrial problems in order to bring about industrial peace. Side by side with that lawful and law-abiding effort operating over the whole Commonwealth, and our continuous legislative endeavours to improve and adapt it, by peaceful endeavours so as to settle industrial disputes and to introduce a reign of social and industrial justice, we find a discordant, disconcerting chorus of dissension accompanying strikes and strifes from one end of Australia to the other. Sometimes it blazes out in one quarter; sometimes in another, lawless, irresponsible and destructive. Curiously enough, it may be questioned if in our past history there has been any prolonged period in which those disturbances have been as common as they have been lately. This, too, at the very moment when—and perhaps partly for that reason—while we are paying all the more attention to the pacific and legislative and judicial side of industrialism, we are at the same time exhibiting our inability to control, even with the help of the legislation we have passed, these disorderly, disloyal and disintegrating outbreaks. All this, too, in a country in which a Court exists for the very purpose of being appealed to, and through which we are gradually framing a code of industrial law from which all persons aggrieved may secure redress.

Mr. FENTON.—The hospital nurses are at it now.

Mr. DEAKIN.—Yes, just at a time when a larger number than usual may be required in some parts of the Commonwealth! It cannot be alleged that this Parliament, as a Parliament, has been in any way responsible for creating these outbreaks. Nothing that Parliament has done has either created, fostered or authorized them. Yet they exist, yet they persist, yet they multiply. They become of the most serious character. So far as

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we can tell, the immediate cause of these insurrections in many instances is something, if not trivial, at all events small. Such are the explosive conditions now existing that a comparatively slight matter is sufficient to create a disturbance of immense proportions. Surely this utter inconsistency between our aims, efforts or laws with these perpetual outbreaks is the conundrum of Australia to-day.

Mr. ROBERTS.—I think the world's history teaches that they synchronize with a country's prosperity.

Mr. DEAKIN. — That is true in a measure. No one would affect to believe that it is at all a complete explanation, although it is some explanation. At the present time disturbances are taking place in countries which are by no means in good circumstances, and, of course, in those countries the bad circumstances will be alleged as a contributory cause. I have no doubt that each condition operates in some degree, but in any case the position is very extraordinary. We do not ordinarily sit down and take account of our position. We read the foreign news, and little items about politics in the papers, but these broad, plain, and simple facts of our situation that stare everybody in the face hardly receive the consideration they deserve.

Mr. HALL.—Does the honorable member think there are really more strikes now?

Mr. DEAKIN.—I think, if the honorable member adds together all those that have taken place in the last two or three years, he will find that the total is more serious than those which I can remember in any period of similar length in Australia.

Mr. HALL.—The shearers' strike created more trouble in a year than these others would in ten years.

Mr. DEAKIN.—That one strike, occurring at one time and on a large scale, although almost entirely confined to one State, was very serious. So was the railway strike in Victoria, but there were lengthy intervals before and after in which comparative peace and prosperity reigned.

Mr. J. H. CATTS. — In a number of these cases the men have no redress at law.

Mr. DEAKIN.—I am not saying that they have in every case, but under our Arbitration Acts to-day there can be very few excluded. I know none that are, except those that exclude themselves. Of course if they choose to do that, there are cases where they cannot be compelled to come before the Court. I do not recollect now any case which has been excluded by the want of sufficiently ample provision in our law. On the one side we have our Courts and our proceedings under the reign of law. On the other side we have all these violent proceedings under a reign of lawlessness. In some cases, at all events, those who have engaged in strife seem to have been surprised, or forced, or tricked, into the conflict without being allowed that adequate consideration and choice which was their right as members of a democratic community, and still more, I should have thought, their right as members of industrial organizations with their livelihoods at stake. However, I simply wish to deal with those as symptomatic in relation to the present situation of this Parliament.

I admit that it is very difficult for us to see how the Court which we have established at such cost, and with so much pains, can be expected to exercise the authority that it possesses, or to enjoy the confidence that it deserves, while its jurisdiction is being ignored by the very men whom it was established to aid and protect. We are haunted by scenes of strife and disturbance, which every one must regret. Such a competitor with our Court, with its labours for peace and unity, could not occur more unfortunately, either as to time or place. Its existence in Australia to-day, to use a French phrase, must "give us furiously to think." Then the last amending Bill was objected to at the time on the ground that it went far beyond the scope of the original measure in relation to the granting of that preference to unionists which has been discussed again in relation to Government appointments during this session. Certainly the developments which have followed from the legislation of last year, and which promise to accompany this piece of legislation which goes still further afield, cannot be satisfactory to any one. That preference to unionists was conceded cheerfully and willingly by a majority of a former House, in order to obtain industrial peace, and as one of the guarantees of industrial justice. Those who forbore to strike, who parted with their claim to cease work, were to be rewarded, at the judgment of the Court, by the allocation of preference to unionists. Now we find that this preference is offered administratively in an entirely different relation. Instead of being

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the prize offered to those who conform to the law and assist in the maintenance of peace, it becomes an additional weapon of strife and source of bitterness.

Surely the part of Parliament is to firmly adjust the law with a view to the pacification of disorderly elements, to trim the ship of State, and endeavour to keep it on an even keel. Our business here is to avoid as far as possible even the suspicion of bias in any legislation in this matter. Our object must still continue as from the first, when it appeared on the face of the original Arbitration Act, and has been echoed in its successors. That object is to establish a reign of fair play under an impartial tribunal. It was recognised from the first that a tribunal alone could face those difficulties and complexities to which I have already alluded at perhaps more than sufficient length. I have done so, however, with a view of finally recalling to honorable members the state of affairs from which we started our journey in search of industrial peace, comparing it with the straits in which we now find ourselves. Had we continued to follow the path which was trodden from 1904 to 1909, had we continued to endeavour to obviate strikes and locks-out, to prevent and settle disputes, and to encourage industrial agreements, utilizing the State tribunals wherever possible, and encouraging amicable relations between the parties, nothing could have landed us in our present difficulties, and nothing should have been allowed to intervene or to aggrieve any section of the community. We should then have strengthened the claims of the tribunal on the public at large, and on those whom it specially affected, in such a way that by this time we should have had behind it a body of public opinion far more potent in reinforcing the Court than anything else can be. The Court can set out its requirements, and see that they are obeyed according to the letter of the law; but what was needed was such a policy as would command public confidence so that behind each and every one of its findings we should have rallied an overwhelming strength of public sentiment. Those who thought of evading or escaping their responsibilities, whether employers or employés, would then be obliged to realize that, with the judgment of the community against them, they could do so only at their own risk.

To-day the Attorney-General, not satisfied with those extraordinary, and, some of them, extravagant changes made last year, now ushers others in. I do not propose to attempt an examination of them except in a very general way. Other members of the legal profession will probably criticise them in the light of experience gained in those very Courts and cases, experience such as I myself have never enjoyed. But obviously this simple-seeming measure, so innocently introduced, in what I may term its first operation promises some extraordinary results. The Attorney-General summarized the case to which reference has already been made several times, that of the engine-drivers, and has inserted four or five clauses arising directly or indirectly out of that case. He has set to work to remedy what he considers the defects discovered by inquiry, as touched on in the judgment by some or other of the learned Justices who gave the decision. But I can scarcely believe that the Attorney-General has disregarded, though he appears to have disregarded, the effect of the amendments he now proposes beyond the case in question, quite outside the scope and bearing of the problem intended to be solved.

I would not offhand attempt to pass a full opinion on the consequences of his amendments in regard to "Industry" as defined in our existing arbitration legislation. But clearly "Industry" under the amendments of the Attorney-General is, so to speak, given the go-by both as a term with all it connotes, and in relation to the main structure of the original measure. He proposes to deal, not with industries as heretofore, but with crafts or bodies of tradesmen; and in that way he is dealing with a different unit. The unit of the whole of the arbitration legislation as it stands is the "industry"—the relations in an industry of employers and employed who, whether on opposite sides or in agreement, together constitute the "industry." That is the unit under all the Acts that have been passed up to now. A craft is, or can be, separated from such an "industry." A craft working everywhere and everywhere under many different employers and in many different classes of business—is an entirely different unit, in very complex combinations; and one cannot be substituted for the other without revolutionizing if not wrecking the original Arbitration Act and the decisions under it. If the Attorney-General really wishes to begin all over again and to rear a new industrial structure, it is perfectly open to him to do so. But to attempt by mere grafting on

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the existing legislation—to leave the processes, terms, procedure and character of the legislation as it was, for its old familiar purposes and some new purposes, and yet to alter it vitally and drastically in the "unit" which is its very base and foundation—is to attempt the impossible. I venture to say that when the amendments of the Attorney-General are examined it will be realized that wittingly or unwittingly —intentional I think it must have been—he is introducing a new principle and endeavouring to graft it where it cannot live, much less grow. There is such a plain contradiction created under the one term that the amendment cannot form part of the arbitration structure as now established. Unless he builds a totally new structure, the result can only be destructive to himself and fatal to his proposal.

This is one of the very vital matters which requires to be taken into serious account. In the engine-drivers' case it will be remembered the attempt was to allow them to constitute themselves as one body, as one "industry," no matter whether their members were employed in one or a hundred different "industries," as we have usually termed them, anywhere or everywhere within the Commonwealth. Whether that can be done by law or not, it appears to me to raise a practical issue, one that can only be settled separately in regard to each calling. As an outsider I can see certain industries in which engine-drivers, quite without relation to the employment, might be grouped together, and I can think of a number of others where, according to my small experience, it seems as if the grouping would be incongruous and dangerous, and could only be applied with great caution and discrimination in limited areas. But in any case it would be foreign to the Act, and possibly to the Constitution. The statement made yesterday by the Attorney-General that, unless engine-drivers are treated as one whole, irrespective of the various kinds of industries in which they are engaged, they will be unable to obtain the benefits of the Arbitration Act is not in accord with fact.

Mr. HOWE.—I agree with the Attorney-General in that.

Mr. DEAKIN.—The man who agrees with you when you are wrong may be courageous, but he is not judicious. By the confession of those who are arguing the case for the engine-drivers, the same effects as those from this grouping could be obtained in effect under the present Act. It could only be done in the several industries, and by separate applications, which would involve them in a great deal more expense. Some men would have to make more than one application, and, therefore, it appears that it is not a question of possibility or impossibility, but a question of expense—of, so to speak, dearness or cheapness.

Mr. ROBERTS.—To use the honorable member's own words, that was merely the *obiter dictum* of the lawyer engaged in the case.

Mr. HALL.—I was the lawyer, and I did not make any such confession.

Mr. DEAKIN.—The honorable member for Werriwa says that he did not make any such confession. It is obvious that he has something to confess, but, as a professional man, I should not dream of asking him what it is. My information is derived from a rapid glance yesterday at the report of the proceedings. I saw that statement was made; and notice that it has been repeated in the press without qualification or contradiction, so that it appears to me, subject to what I may hear in the House, a reasonable alternative. I can quite understand that in biscuit making, wood carving, or any other business, conducted on a great scale, and employing engine-drivers, those drivers may have already been treated as part of the industry. If they have not, I should like to know what is the obstacle. So far as I have been able to gather there is only the question of cost. Speaking as anything but an expert; the case for the engine-drivers, who are quite subsidiary in number in most industries, being dealt with as members of that "industry," and receiving the current rates which drivers would obtain, appears to present next to no difficulty, or, at all events, should present none. The object of the Attorney-General, however, is, no doubt, in this, as in other instances, the linking up of larger and larger aggregations of employés. The more limited in number the organizations are, the better he will be pleased. If all the organizations could be concentrated in one whole, obviously the men, who, under the terms of the organization, would command them, could then control the whole of the labour of Australia. Whether an Arbitration Act would be required under such circumstances I am not clear, but certainly the power those men would then

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exercise would be enormous. Outside the House, public speakers make no secret of the goal of their ambition, and they are hopeful of the day, not too remote, when they will exercise that authority.

Mr. J. H. CATTS.—This amendment goes in the opposite direction.

Mr. DEAKIN.—The amendment, so far as it distinguishes crafts, is certainly going in the opposite direction, but I am not concerned with the inconsistencies of the Attorney-General in this regard.

Mr. HALL.—I thought the honorable gentleman said that the object was larger aggregation?

Mr. DEAKIN.—I said that the main object of some unionists was larger and larger organization. I say quite distinctly that on this particular occasion, in building on crafts instead of on industries, there is division instead of aggregation.

Mr. ROBERTS.—The honorable member seems overjoyed at the idea of disintegration.

Mr. DEAKIN.—Not in the least; I regard it as a family matter for honorable members opposite to settle amongst themselves.

The foundation of the curious position sought to be created is found in clause 2, which omits from the original Act the words "arising between any employer or an organization of employers on the one part and an organization of employés on the other part." That implied condition of a "dispute" and of all "disputes" is, at present, mandatory and binding; it is the foundation of the Act and of the system. Having got rid of that requirement in clause 2, it is proposed, by clause 3, to amend section 4 of the principal Act, and to define "industry" as including, amongst other things, "any calling, service, employment, handicraft, or industrial occupation, or avocation of employés." I see that "avocation," and not "vocation," is used; but propose to omit the unnecessary initial letter. I do not know why men should be ashamed of having a vocation, or insert this additional letter, and then employ the word in two senses. To return, it is proposed to get rid of the fundamental requirements of the principal and every succeeding Act, since each and all of them are built on "organizations," and to make "industry" include groups which are craft or industrial groups, and not organizations, while still continuing "industries" of employers and employés.

I have now finished with that particular aspect of the case. I would next call attention to paragraph *c* of clause 3, which provides that "industry" shall include a branch of an industry and a group of industries. If there was any doubt before as to what was being done by dismissing organizations and taking in crafts here we have it emphasized. An industry can first of all be divided into many branches, or you can take the industries, major or minor, in any sense, adding them together collectively to make a group consisting of any number of "branches" or "industries."

Mr. HALL.—That is not new. It is in the existing Act.

Mr. DEAKIN.—I know that, and am referring to it only to emphasize what I have said with regard to the crafts and other outsiders. This provision was introduced in the Act of last year, and so far as I am aware it has not been acted upon. When we read this former gift of power of subdivision to any extent, and of addition and accumulation to any extent in the other direction, we find that, with crafts as our unit, we can build or unbuild, divide or segregate, as we please. I think that in the discussion on the Bill of last year I called attention to the extreme transformation occasioned by the introduction of that very subdividing and aggregating clause to which I have just referred. All these extravagant novelties of last year are now being linked with new proposals over which they exercise an operative influence. Taking them together the divergence from the position of 1904-9 becomes more marked at every stage.

I do not propose to detain the House any longer, although nearly every clause implies either a widening of powers or an opening of doors so far as the Conciliation and Arbitration tribunal is concerned. It is often advisable, indeed, advantageous, to widen powers and open doors; but in creating the Arbitration Court in the first instance we had to launch the President upon an uncharted ocean. Our difficulty was to clothe him with powers and at the same time enable him to use them effectively over this immense area. Consequently, certain apparent limitations were introduced, not with a view to narrowing the scope, although in fact they did so, but because some boundaries were necessary. If this new tribunal was to act and to act effectively, it must act from a definite base, and, as far as possible, in

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definite ways. Our difficulty, then, was that the scope appeared to be too large. Australia as a field for the operation of any single Court, even of three, four, or more Justices, controlling its industries in all their operations and conditions, is simply unthinkable. The limitation under the Constitution restricted the arena to disputes overflowing beyond the borders of any one State.

The idea at the root of Mr. Kingston's proposal in sub-section 5 of section 2 of the original Act was to enable the States to refer industrial disputes to this Court, and also to permit the working of the Court and of State industrial authorities in aid of each other. The first part of that provision is important, the second is particularly important, and its presence in the Act indicates how Mr. Kingston felt our need. He felt, and indeed we all felt, that without this assistance and support, the Court must remain ineffective. Our desire was not that it should be the only Court in Australia dealing with industrial disputes, but that there should be subordinate Courts in every State. We thought that the Federal tribunal should act as a Court of Appeal. It was to act of its own jurisdiction in any dispute that overflowed from one State to another, and, in addition, it was to act as a Court of Appeal in relation to disputes that had not overflowed the boundaries of any one State. That idea has been prominent in the minds of all who have been associated with either industrial legislation or administration. Just as the High Court of Australia is in a sense a Court of Appeal from the various State Courts, if litigants choose to go to it, so in this case the Federal Court was to be in its way a Court of Appeal.

This implies and requires, therefore, a development of State tribunals such as Wages Boards and Courts of Conciliation—both or either all operating for the same end and over similar areas within the States. Without them, without the continuous co-operation of such Courts, it is impossible to deal with the whole of the industrial affairs of Australia. No single Court, however strong, diligent, able, or numerous, could hope to cope with them. The circumstances of an area such as that which the Commonwealth controls, both by reason of its rate of settlement, its climate, its varying conditions and productions, and many other considerations present substantial differences that require to be recognised and emphasized. Indeed, a judicious, and at the same time equitable Australian decision, would require in certain cases a recognition of those differences and provision for meeting them by the Federal tribunal. There are contrasts in the circumstances of living in the Commonwealth, which must also be recognised if the Court is to acquire a true reflex of the needs of the people, and to cope with them in a practical fashion. I see nothing in this measure making in the least degree towards the attainment of that ideal, or any advance in that direction. But I do see in some of the powers to which I have referred, and some that are implied, an attempt to deal with what may be purely State bodies, such as crafts, and others, so that, in effect, minor areas which ought, in the first instance to be dealt with, and often can be better dealt with, close at hand by those on the spot—either by the Wages Board system, the Arbitration system, or both together—will be dealt with by this Tribunal.

One can read into these amendments a preparation for attempts to get behind the State Courts and the State organizations for dealing, as Courts of first instance, in a primary manner, with local industrial troubles. One can see in these provisions an attempt to get behind local organizations, and also in some indirect way to require or allow such questions to be dealt with by the Federal tribunal. That would not be good either for the industry or for the tribunal itself. It is impossible for the Federal Court to even hope to cope with those relatively minor issues which should be dealt with by Courts of first instance. Even if we could acquire such an authority we ought not to admit it. On the contrary, every pressure ought to be brought to bear upon the States, in order that local tribunals should deal first with every question from its local aspect. The Federal Government should prove its Federal character by adopting in a Federal spirit, by federalizing the local findings, so that they should harmonize with each other. It used to be claimed that we must bring justice to every man's door. We cannot hope to bring industrial justice to every man's door if we place him in the hands of one Court, presiding over the industrial affairs of the whole Commonwealth. Even with our present population that would not be possible. Our enormous distances and scattered and varied conditions make it absolutely out of the question.

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Mr. WEST.—That is public opinion at the present day.

Mr. DEAKIN.—I hope it is. That is why I regard these departures as being absolutely contrary, if not hostile, to a Federal policy. This House should be satisfied before passing any of these amendments, that they are to form part of a truly Federal scheme, so that, instead of discouraging local administration and local development, they shall encourage it. No Court, however strong, operating from one centre, could possibly cope with all the requirements of Australia as it is to-day, to say nothing of the rapid development that we hope to see continue all over the Commonwealth. The honorable member for Darling Downs has just reminded me that in introducing the original Bill in 1903 I laid great stress on the Federal character of the Court. In *Hansard*, volume xv., page 2859, I am reported as having said—

> It may not be out of place to remark that those who have scanned the Bill will have seen that its Federal character obtains, not only in consequence of that limitation, but by reason of the particular provisions which are made to enable the Federal tribunal here created to co-operate with local tribunals where they exist, and to be relieved by them of some of the duties cast upon it, where they are capable, to some extent, at all events, of being locally disposed of. Honorable members will find, also, the authority or privilege conferred upon States without such tribunals, or which already possess them, to utilize this Commonwealth creation. In all these aspects, therefore, the measure, drawn upon broad lines, is Federal in all its characteristics.

In addition to that, in dealing with the original Bill, or an amendment of it, I ventured to call the attention of the House to the opportunity afforded by the creation of the Inter-State Commission as a body of independent experts, who could be charged with the investigation of a series of problems, either those which could not come directly before the Court, or those general problems which would directly affect the judgment of the Court. The existence of such a tribunal would be of immense assistance, because its chief duty would be to study and define all the circumstances under which labour is carried on throughout Australia, to measure the cost of living, of production itself, of interchange of products, values of imports and exports, health statistics, trade returns and exchanges, and all those issues of interest to society, matters which nowadays are studied to the utmost by civilized nations. Such a body, formed of men appointed for their competence to acquire, collate, and examine the facts on which they would be called to report, would furnish the Arbitration Court with unimpeachable evidence. Industrial conditions would be a main care. Its reports would give enormous assistance, not only to the Commonwealth Court, but also to all local tribunals. One of the chief faults of this measure, which it shares with its predecessor of last year, is in emphasizing the work of the Commonwealth Court, and ignoring local boards and authorities. This is not healthy or natural. Every member on this side, and, no doubt, many another, thinks that our wisest line of action is that which springs from Federal aims and impulse. The original difficulty of the Arbitration Court was that there were too many doors open, that its jurisdiction was so wide that it was difficult to make it effective. Yet we are now opening more doors, and making the jurisdiction still wider. What must be the result?

Putting aside the clauses drawn to meet the engine-drivers' case, clause 7 deserves attention. Section 16A of the Act passed last year authorizes the President to summon any person to attend at a time and place specified, and requires the person so summoned to attend and stay as the President may direct. He may be seen in public or private, as the President prefers. But, under the amending clause, among the persons who may be summoned are, not only those engaged in or connected with an industrial dispute, but any person engaged in or connected with any dispute relating to industrial matters, and any person, whether connected with an industrial dispute or not. This means that any person in the Commonwealth, whether connected or not connected with an industrial dispute, may be summoned. Why, then, not say so?

Mr. HUGHES.—No provision has proved of more value that section 16A.

Mr. DEAKIN.—Has it not been interpreted to mean that the person summoned must have some connexion with the dispute before the Court? Otherwise what is the reason for this elaborate provision?

Mr. HUGHES.—The full benefits of the section were defeated by the limitation of its scope. It may be necessary to summon persons not involved in a dispute.

Mr. DEAKIN.—Then, why not say so in plain terms? Why say that a man may be summoned either if he is connected, or if he is connected in a remote way, or if he is not connected at all? If you are a

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party to an application, there is the pleasant prospect of having to pay costs and expenses at the order of the Court. In clause 7, a compulsory conference is provided for, which is another extension of jurisdiction. Clause 11 widens the principal Act by omitting the conditioning words "within a reasonable time, and the President so certifies." There appears to be some desire not to allow a reasonable time, and to escape the certificate? Clause 12 widens the duties and powers of the Court, and in clause 13 a bold flight is taken. You are not to be subject to prohibtion or mandamus in any other Court on any count whatever. Does the Attorney-General think that that will be effective?

Mr. HUGHES.—Yes; in so far as the section of the Act does not cover prohibition or mandamus.

Mr. DEAKIN.—Does the honorable member think that the Courts will be bound by that?

Mr. HUGHES.—I think that the provision will prove useful.

Mr. DEAKIN.—If sanctioned, and nobody expects that. Clause 14 provides that wherever you can deal with matters or disputes, you can deal with parts of them. Clause 15 enlarges the opportunities for mending one's hand in connexion with industrial disputes by adding demands made by a party in the course of the dispute. You are not, as under ordinary circumstances, to be compelled to go into Court with a definite statement. The respondent, instead of knowing what he must face, must be prepared to meet any new developments thought of during the hearing. This, from the professional point of view, will be highly profitable, but it will make the jurisdiction of the tribunal more burdensome. An applicant should know his business before going to Court, and should not be encouraged to submit careless statements of claim by the permission to alter them later.

Mr. HUGHES.—Only when the Court thinks proper.

Mr. DEAKIN.—The honorable member knows that this provision is capable of great misuse, and will prove very expensive. Clause 16 gives more powers to appoint. Clause 19 is important, because you have brought within the sweep of the Act, not only associations which are not registered, but associations which cannot be registered.

Mr. HUGHES.—That is to meet cases in which it may be desirable to hear the claims of organizations of employés containing fewer than 100 members.

Mr. DEAKIN.—Or any other anywhere. Clause 20 provides an extension of jurisdiction to existing and future disputes. I have run through these as rapidly as possible in order to bring out the fact that everywhere there is the same purpose of widening the jurisdiction and opening the doors. We had a Court which started under a confessed and obvious disability, because of the indefinite nature and extent of its powers and the hugeness of the area over which its decisions were to be given force. We are asked now to assist it by multiplying its difficulties, by still more enlarging the area, by opening more doors, by getting rid of more limitations, and embarking gaily for other unknown shores. This increases the responsibilities and the work of the Court in connexion even with applications of the old kind. Besides that, there are opportunities for applications of a new kind to be made at any time on new grounds, affording opportunities for still more heavily weighting this already overburdened tribunal. The complaint in industrial circles now is of the time that parties have to wait before they can get their suit before the Court. If that has been the case under the old *régime*, there will be many more opportunities of still further delay under the new. There will be probably more suitors, more delay, more surprises, and no provision made to meet the situation thus created.

Mr. HUGHES.—No testimony could be more eloquent as to the value of the Court than that all the unions are trying to get into it.

Mr. DEAKIN.—I started with a declaration as to the value of the Court, and am arguing for its popularization. But to popularize it truly, justice must be speedy. It must not be unduly delayed, and my point here is that, by giving more opportunities for delay, and by still more crowding the Court, we shall be creating a still worse condition of things than exists to-day. This can be effectively met, do what you will with your own Court, only by fostering and encouraging the subsidiary State institutions which will be able to play towards it the part which minor Courts play now to a Supreme Court or Court of Appeal.

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The question when a Court is not a Court has been partly answered in this case, inasmuch as from the very first it was given non-judicial powers. In many respects those powers might be called administrative; at all events, they are such as no Judge exercises. These are now being increased in number and importance, so that what was an Arbitration Court in name was from the first an extra legal tribunal in fact. It parted with so many of the restraints, so many of the vital conditions of a Court, that it became a tribunal. Now it is parting with the character of a tribunal, and becoming an absolutely nondescript authority, exercising great administrative powers and great personal authority, with some remote legal relations, some undefined general magisterial responsibilities. It requires from the President the constant exercise of personal judgment upon matters which are in no sense legal or connected with the law, but that are practical, industrial, relating to work and wages, to powers and methods of work, together with all those incidents of production which have nothing whatever to do with legal experience or knowledge. These require to be judged by practical experts, and in regard to them, of course, the expert evidence produced must be assessed at its true value.

Mr. FISHER.—Is not the way the people accept the judgments of that Court remarkable?

Mr. DEAKIN.—Our people have in all circumstances accepted the judgments of all our principal Courts without challenge.

Mr. FISHER.—Here is a new Court which the honorable member says is not a Court in the ordinary sense of the word, and yet the people accept its decisions almost as if it were a legal Court.

Mr. DEAKIN.—My reply to the Prime Minister was simply to safeguard myself against misapprehension, for I was about to add, when he interposed, that it is true that, going outside, not only legal procedure and methods, but outside legal knowledge into a sphere in which his judgment is only the judgment of an able, well-read, well-informed, and thoughtful man, experienced in examinations, the Arbitration Court's decision is accepted on all kinds of expert issues without question. That is a remarkable, and, as far as it goes, a satisfactory feature, but whether it is satisfactory to the President of the Court, or whether it will be satisfactory with these enormously large and extended powers, is another matter. Whether the same undoubted and general acceptance will be found in the case of other Judges being added, or being appointed to the same position who have not had the same means of commending themselves to the popular judgment in public life, is a question which, at this stage, I do not intend to debate. The difficulties of the Court are being multiplied on every hand. The demands made on the President of the Court are increasing with every measure. It was too heavy to begin with. It is enormously too heavy now, and yet a further addition to it is being made by this measure.

Mr. FISHER.—I do not think the Court objects.

Mr. DEAKIN.—I do not hint that; but am adding that, from the outside point of view, it is placing a most unfair burden on the shoulders of a single man or a single Court—of any man, for I speak without reference to any individual, and of any Court, no matter how many Judges it may contain.

We need not consider how far some of these proposals are within the constitutional limit, for that, after all, is a question that will have to be settled by others than ourselves. The view that I have endeavoured to place before the House is that this is no machinery measure. Far from it. It is an extension of the last measure which I then described, and still consider, as revolutionary. Although not a tithe of its powers have yet been exercised, they are to be supplemented and extended and their area widened in this Bill. Consequently, I am now more convinced than ever that, having departed last year from the accepted principles and standing of the Court, and from the policy on which that Court was originally founded, as set out in Mr. Kingston's programme, we are face to face, not simply with a trifling amending measure, but with part of a fundamental amendment of the whole of our law in relation to arbitration, and also with a number of incidentally attempted amendments of the Constitution added to those proposed to be resubmitted at our next election. We are not following the path that is likely to provide Australia with that essential even of political government—subsidiary local governments, State and municipal. We are providing for these in all the States but slowly, although some are fairly well ahead. In Victoria, for instance, the number of Wages Boards

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has been added to in the last few days, and in others good progress has been made; but we have by no means reached anything like the standard of State efficiency we desire.

It is only upon such a basis that it will be possible to rear a thoroughly efficient and truly Federal Tribunal. The word Court is really out of date in that regard, and the word Tribunal hardly fits it. Let me say that the President, for the time being, clothed with these extraordinary powers, is not afforded a fair field. He is not given the assistance he requires, and should receive, from bodies in the various States, which would deal with the issues from the local stand-point, while he would weigh them in the national scales and deal with them as Australian.

As the preceding Act distinctly took the wrong road, this Bill proceeds further in the same direction. Of course, for the Opposition to challenge the measure is simply to discharge their duty. There is no possibility of our votes affecting members on the other side, whose majority enables them to dispose of this and other issues as they please. Still we are doing them the service of putting before them, as forcibly as we can, the reasons that direct our judgment. It might lead to misconception of our attitude if, in the case of a measure such as this, containing some proposals which can be made acceptable, if they are not entirely so now, and others that merit examination, honorable members on this side voted against the second reading. In order, therefore, to put their position more clearly before the people, I beg, in conclusion, to move, as an amendment on the motion for the second reading, the introduction of these words—

> That no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community.

That emphasizes and insists upon our principle that, to be just or successful, industrial legislation and administration must be Federal and inclusive, not unitary and exclusive, as is here proposed. Upon that principle, and that basis alone, will the industrial classes of this community receive justice, and the community as a whole find its permanent interests safeguarded.

Mr. HALL.—I rise to order. I ask your ruling, sir, as to whether the proposed amendment is in order. An amendment on this motion must be, in some way, connected with the measure before the House. Amendments on second readings generally take the form of proposing to omit something, with the view of substituting something else; but the amendment as read by the Leader of the Opposition is in no way connected with the business before the Chair. There is no proposal in the Bill to do what is suggested in the amendment, by vesting the whole industrial power of the country in any one individual. The amendment, as moved, is not even remotely connected with the Bill before the House; and, in the circumstances, I ask you to rule that it is not an amendment on the motion "That this Bill be now read a second time."

Mr. DEAKIN.—The amendment refers distinctly to the measure as one, the effect of which will be to concentrate the whole control of all the conditions of carrying on all the industries of the continent in one person. My argument, from first to last, has consistently returned to the same point. I contend that the only possible method of dealing with these issues is a Federal one, and that this measure is not a Federal proposal; that its effect is to concentrate in the President of the Arbitration Court for the time being the control, under new and extended conditions, of the whole of the industries of the Commonwealth. This is impracticable and fraught with danger. Nothing, I submit, could be more relevant to the measure before us.

Mr. W. H. IRVINE.—I had always understood that the only condition applicable to amendments of this kind is that they must be relevant to the subject-matter of the Bill. They need not, in any respect, deal with the provisions of the Bill; in fact, if an amendment did deal with the clauses, it would be ruled out of order. Some twelve or fourteen years ago there was a case in the House of Commons, the name of which I forget, but which can be found in *May*. The amendment on that occasion was that a Bill, which did not make provision for a certain matter, was not satisfactory to the House.

Mr. ARCHIBALD.—That is a different kind of amendment.

Mr. W. H. IRVINE.—Quite so; but it bears out the view I am endeavouring to impress on Mr. Speaker, namely, that, so long as an amendment is relevant to the subject-matter of a Bill, it need not have anything to do with the particular means

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proposed in the Bill to deal with the subject-matter. In the instance to which I have referred, it was held, after debate, that the amendment was perfectly in order.

Mr. SPEAKER.—The amendment is in order. I should like to point out that the honorable member for Ballarat evidently intended to move that all the words after "That" should be omitted, with a view to inserting certain words.

Mr. DEAKIN.—I thought I had so moved.

Mr. SPEAKER.—I take it that the House realizes that that was the intention of the honorable member, and I shall put the question in a corrected form.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [4.45].—I am sure that honorable members congratulate the Leader of the Opposition on the address he has just delivered. I am positive, however, that those who understand the position, not only of the Government, but of the people outside who are affected by this legislation, will fail to appreciate the honorable member's action in submitting this amendment. What does the amendment mean? Who proposes to give the control of all our industrial matters to one person?

Mr. DEAKIN.—What, then, does the Bill mean?

Mr. FISHER.—At present there is the right of appeal from the Arbitration Court to the High Court, as the Government and people outside know, to their cost.

Mr. GROOM.—It is now proposed to limit that power of appeal by the prohibition clause.

Mr. FISHER.—Undoubtedly the proposal is to vest the Arbitration Court with all the powers given to this Parliament under sub-section 35 of section 51 of the Constitution. That section gives the Commonwealth Parliament power to make laws for the prevention and settlement of industrial disputes extending beyond the limits of any one State. Do honorable members of the Opposition object to this Parliament vesting in the Arbitration Court the power thus conveyed to the Commonwealth Parliament? If the proposed amendments are within the Constitution, surely it is a good thing to prevent and settle industrial disputes by means of the Arbitration Court. If that end is possible of achievement, surely it is the duty of the representatives of this Parliament to give the necessary powers to the Court. If it is held that the proposed amendments are beyond the Constitution, that is a matter for attack in another place and in another way.

Mr. W. H. IRVINE.—Still the fact ought to be pointed out here.

Mr. FISHER.—Quite so; and the Opposition would be quite right in attacking the proposals if these were regarded as an unworthy attempt to go beyond the constitutional powers given to this Parliament. That, however, is a matter not touched by the amendment; it is not alleged that the powers asked for are unconstitutional, as the amendment itself shows. The complaint is that we propose to give to one person the power that we have the right to vest in him. If we do not possess that right, then this legislation can do no harm. To use a word we have heard from the Leader of the Opposition on previous important occasions, the "pivotal" point of the amendment is that one person is to interpret the Constitution for the whole of the Commonwealth.

Mr. DEAKIN.—The difficulty is not in interpreting the Constitution, but in giving findings on intricate industrial questions.

Mr. FISHER.—The Leader of the Opposition, with much eloquence and ability, has, in previous discussions, described this as experimental legislation. It is experimental, and, under the restricted powers conferred by the Constitution, the task will be difficult at best. Hitherto the law has been mainly concerned with the protection of the person and of property in its various forms. Now a new branch of jurisprudence has been set up in this and other Dominions, in an endeavour to provide a Court where disputes between parties who have voluntarily entered into contracts may be settled for the good of the community, and the parties themselves. That being so, we must give larger powers to some person or tribunal which is not strictly bound by legal procedure, as at present understood. The strength and power of the Arbitration Court lies in the fact that it may put aside legal technicalities. If its power were merely that of an ordinary law Court, we should have no right or need to set up a special tribunal—no right to give a Judge power to declare what is fair and reasonable remuneration, or to hear evidence unrestricted by the usual legal rules. This Parliament, with its eyes open—and no one was more eloquent on the subject than the honorable member for Ballarat—has given large powers to the Arbitration Court with the object of preventing industrial disputes,

and doing justice to both employers and employed.

Mr. JOSEPH COOK.—That is the common purpose of all the Arbitration Courts, both State and Federal.

Mr. FISHER.—That only proves my case. Why, then, should the honorable member for Ballarat take exception to the Commonwealth so legislating, and not to the States?

Mr. JOSEPH COOK.—He has not taken exception at all.

Mr. FISHER.—The amendment takes exception to our legislating.

Mr. JOSEPH COOK.—Certainly not.

Mr. FISHER.—I am surprised, seeing that the amendment takes exception to the large powers being given to the Arbitration Court. The amendment does nothing if it does not seek to limit the power the Bill proposes to give. It is true, as the honorable member for Ballarat has said, that the action of the Opposition might be misunderstood if honorable members opposite voted against the second reading of the Bill. Obviously, a great injustice has been done to a section of the community, owing to the technical difficulties arising in the industrial legislation of this Parliament. The case of the engine-drivers is an exceedingly hard one. They obtained a verdict to which they were entitled, and they accepted it, but the High Court held that the legal authority conveyed by the Act was not sufficient to allow them to have the benefit of that verdict. The Bill is an attempt to remedy the defect in the law, and give those men the justice to which they are entitled; and it also seeks to anticipate difficulties that may arise in future applications. Whilst the Leader of the Opposition was speaking, I asked whether he was not surprised and gratified, as we all are, by the way in which decisions of the Commonwealth Conciliation and Arbitration Court are accepted by both parties. It has been exceedingly gratifying to me to find a dispute between two parties who were, so to speak, at white heat before entering the Court, and bitterly contending that they could not come to any understanding amongst themselves, settled in this way by a judicial authority, of whose competency the Leader of the Opposition, as well as every one else, speaks most highly. The gravest industrial disputes have been prevented by the decision of a single Judge in the Conciliation and Arbitration Court. The Government are not going to accept an amendment of this kind. They do not fear such a statement as that now put forward, that this measure represents an attempt to unify the industrial legislation of the States. It does nothing of the sort. When the Labour party seeks to do that, it will take a very different course. It will appeal to the people of the Commonwealth to give this Parliament powers no less than those possessed by the States themselves to establish Courts to prevent and settle industrial disputes.

Mr. JOSEPH COOK.—Would it not be better for the right honorable member to tell us what the Bill contains instead of speaking in this large and general way?

Mr. FISHER.—Far from using large and general terms, I am trying to get down to the concrete case presented by the Opposition. It is not for me to make any reference to State Wages Boards or Arbitration Courts, but the State Parliaments are in the happy position of being able to pass what legislation they please in this regard. They can clothe their Courts with any authority they consider necessary. There is no restriction upon their power as parliamentary institutions to establish Conciliation and Arbitration Courts. We, however, are in a different position.

Mr. SAMPSON.—They must act within the limits of their Constitutions.

Mr. FISHER.—I said that the State Parliaments had unrestricted powers regarding the establishment of Conciliation and Arbitration Courts.

Mr. SAMPSON.—Within their own boundaries.

Mr. FISHER.—The States have Constitutions of their own, setting forth their powers, and the State Parliaments can pass any law they please providing for the establishment of Conciliation and Arbitration Courts to prevent and settle industrial disputes within their own boundaries. On the other hand, the National Parliament which has control over the industrial welfare of the whole of the people, has only a restricted constitutional power; although the Court established under that restricted power has done such good work. Its bitterest enemies must make that admission. Every man who has the welfare of his country at heart will freely admit that but for that Court we should have had recently in Australia appalling industrial struggles. Yet when the Government are seeking to exercise to the full the powers we possess under the Constitution they are met by an amendment from the Opposition declaring

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not that the principle is wrong, not that an injustice will be done to any, but in a vague and indeterminate way, that if the Bill be passed it will vest in one person the determination of all industrial disputes in Australia, and really unify the industrial laws of the community. No one knows better than does the Leader of the Opposition himself that this Parliament can neither add to nor take away from the powers it possesses under the Constitution. That being so, I think the amendment is untimely and unfortunate, and that it is decidedly weak, coming as it does from such a learned and able body of gentlemen as the Opposition claim to be.

Mr. W. H. IRVINE (Flinders) [5.1].—I intend at this stage to address myself to only two or three points affecting the Bill now before us. In doing so, I hope to be able to show that the amendment moved by the Leader of the Opposition is not only directly relevant to the principle embodied in the Bill, but that it very fairly gives expression to the views of those who are opposed to the adoption, at this stage, of that principle, and states the reasons for their opposition. I have sometimes wished that in dealing with a subject of this kind we could for a few hours throw aside our party clothes, and endeavour in a reasonable spirit to deal with what is undoubtedly one of the most difficult problems that could come before any body of men. I know, however, that that is impossible. I know that these questions have to be threshed out in the heat of party conflict, although I feel that I cannot contribute much in the way of what is called "a fighting speech" to a debate of this kind. One might just as well try to make a fighting speech about the equator or the rings of Saturn as upon this question. Our duty is to endeavour to arrive at some principle on which we may ultimately hope to come to some solution—a perfect solution is impossible—of a problem which is now facing the people, not only of Australia, but of many other countries, and is daily assuming proportions of greater and greater magnitude. I sometimes almost shudder when I think of what may happen when that period of prosperity which has already been mentioned either comes to an end or is greatly diminished. We shall then have to face a time of stress and strain under conditions different altogether from those which we have had to meet on former occasions. That is a point to which both employers and employés should give attention, for it will be disastrous if we cannot devise machinery as perfect as possible to prevent things being brought to something near the breaking point when that time comes.

I approach this particular question of arbitration law with a great deal of diffidence, and that feeling of diffidence is not decreased by the fact that I have been brought into contact with a good many of the difficulties surrounding the question. I should like, in the first place, to put before honorable members one or two general principles affecting this legislation which have been forcibly brought to my mind. All sections of the community are desirous, in their own way, of securing what they term industrial peace. The only difficulty is that the employers want it on their own terms, whilst the employés want it on their own terms. The trouble is to devise machinery that will reconcile them.

Mr. ARCHIBALD.—Does not that apply to every dispute in a Court?

Mr. W. H. IRVINE.—Yes; but we can go beyond that, and say that there are gradually coming into view certain principles which must govern any possible settlement of industrial disputes. One of these is that some more complete form of organization on both sides than that which now exists is absolutely necessary. The question is, "What form of organization, and organization for what?" If this Parliament were at liberty, as I could wish we were, to deal with the whole matter without any constitutional restrictions, I should put before honorable members what seem to me to be two directions in which we might approach the subject of the settlement of industrial conditions. To my mind, by far the more hopeful way of approaching this difficult problem is not by the establishment of a Court for the settlement of industrial disputes, but by the creation of something in the nature of representative bodies varying in their conditions and constitutions, according to the varying conditions of the industries, the areas over which the connected industries extend, and a host of other circumstances, but all representing more or less the two parties—employers and employés. Honorable members may say that I have in mind Wages Boards. Wages Boards in some cases these tribunals would be, but they would have far wider powers than any State Wages Boards could possess. In this way, we should approach the settlement of these questions on the

lines of what we may describe as subordinate representative legislative bodies. If this House had power to vest with the necessary powers bodies constituted to meet the occasions of the particular kind of businesses affected, then we should have subordinate legislative bodies—bodies possessing actual legislative control—in which the various claims of capital and labour, and all questions arising with regard to industrial disputes, would receive full and fair consideration.

Mr. CANN.—By whom would these bodies be appointed?

Mr. W. H. IRVINE.—They would be representative of the various interests involved.

Mr. CANN.—Would they be elected?

Mr. W. H. IRVINE.—By both sides. The shearers' dispute, which was recently before the Court, was one with which no State Wages Board could deal. There must, in such a case, be some authority vested with much wider power than any Wages Board could possess. There you have one body of men, the pastoralists, and another, much larger, body, the shearers, whose interests extend over a great part of the continent. It would be infinitely more satisfactory if there were some subordinate legislative authority, a representative Board, with members elected from time to time from both sides, which could deal with difficulties as they arose. If we could create such bodies, and invest them with the power, not to settle disputes, but to regulate conditions, which involves the determining of questions of wages, hours, holidays, and the like, the organization by means of guilds or crafts would be very sensible. But the organization proposed in the Bill, although suitable for providing elective representatives on Boards, is unsuitable for giving effect to any Act based on judicial determination. The five Justices of the High Court have given their views as to the general scope and purpose of our arbitration legislation, the majority having come to the conclusion which I, for one, think the only conclusion at which they could have arrived, namely, that the basis of our legislation is purely judicial; that the Arbitration Court is, and was intended to be, a Court, and as such must deal with disputes. The power given to us by the Constitution is a power to make laws for the settlement of industrial disputes. The Justices supported their opinions by reference to various parts of our legislation. They held that the foundation of our scheme for the settlement of industrial disputes was the establishment of Courts to determine them, and that to every dispute there must be two parties. The provision for organization they held to be necessary, not to enable a number of persons to join together to create a dispute where none existed, not to enable those who had no interest in common but the desire for higher wages to form themselves into an organization to create a dispute, but for the proper representation of both parties interested in any existing dispute. For the jurisdiction of the Court there must be a dispute to which there are two parties, who must be effectively represented. It is proposed now that organizations may be registered whose members will have no other bond of union than that they follow the same handicraft; they may all be engineers, for instance.

Mr. HOWE.—That is the basis of unionism.

Mr. W. H. IRVINE.—Unionism is not the basis of our arbitration law.

Mr. HOWE.—It will have to be the basis finally.

Mr. W. H. IRVINE.—It has been pointed out by a majority of the Justices of the High Court that the basis of our arbitration law is the existence of disputes extending beyond the limits of a State, to which there must be two parties, both effectively represented. The Court held that organization is necessary to enable both parties to be represented. Suppose an organization were formed by the engine-drivers employed throughout Australia. These men are employed in the saw-mills, on the railways, in the coal mines, and in all sorts of businesses which are as various as possible. They could not serve with a summons or a demand for better conditions all the persons who employ them. That would be a practical, if not a physical, impossibility. What they would do would be to make their demand on a certain proportion of those who employ them. But the employers could not be similarly organized.

Mr. HOWE.—Are there not Employers Federations?

Mr. W. H. IRVINE.—I do not know that such bodies are registered, or capable of being registered, under the Arbitration Act.

Mr. HOWE.—The Employers Federation is registered in New South Wales.

Mr. W. H. IRVINE.—An organization composed of all the employers of engine-drivers in Australia would be an utterly unwieldly and improper one to represent a

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case before the Arbitration Court. One of the inherent difficulties of the position is that if you have widespread disputes created by organizations brought into existence for the purpose of creating them, you can have no effective representation of the other side. There have been instances of the kind before the Court again and again, as those who have followed its proceedings know. In many cases, the representation of the employers has been effective, but in others it has not been so. You have carpenters engaged in every conceivable business throughout Australia. Their employers are interested in a vast number ot industries, and form a heterogeneous body having no connecting link, so that they cannot effectively organize.

Mr. SCULLIN.—Are not the employers represented on the Wages Boards?

Mr. W. H. IRVINE.—The Wages Boards of Victoria are based on the principle of representation, which I think the proper one. If we could institute bodies of the same nature, but possessing wider powers—representative and elective bodies—crafts registration would be necessary.

Mr. SCULLIN.—Would there not be the same difficulty about the representation of employers?

Mr. W. H. IRVINE.—No. They would elect their representatives, who would be present to express their opinions.

Mr. ROBERTS.—In the majority of cases the decisions of Wages Boards are arrived at by the chairmen.

Mr. W. H. IRVINE.—I am not sure that that criticism holds except in a minority of cases; but, on the whole, the Wages Boards of Victoria have brought about industrial peace. Instead of witnesses being brow-beaten in examination and cross-examination, and a Judge giving a judicial determination about something which should not be the subject of judicial determination, the elected representatives of both sides come together, and discuss matters, in the attempt to arrive at a peaceable conclusion, and in most cases they are successful.

Mr. FENTON.—There is plenty of brow-beating all the same.

Mr. W. H. IRVINE.—No doubt, a certain amount of heat is generated in the process of settlement. That happens with all deliberative bodies. The amendment of the honorable member for Ballarat seems to me very much in point. Until now, we have endeavoured to preserve the judicial character of the tribunal which we have erected. Now, if this Bill is carried, you will be tearing away the last shred of its judicial character, and making it a purely legislative Court.

Mr. HUGHES.—What new principle has been introduced in this Bill?

Mr. W. H. IRVINE.—I am endeavouring to show. As the President himself said in the very first judgment of the Court, its function has not been altogether judicial. He complained that Parliament had remitted to him, as a Judge, questions which are not judicial, but which are more or less political matters. Speaking from recollection that is the substance of what he said in the Harvester case. But, although the matters were not judicial and were more or less political, we have always endeavoured to preserve, in relation to the determination or settlement of disputes, which really was the only power we possessed, the inherent character of all judicial proceedings—namely, that there should be a full and fair hearing of both sides of the dispute.

Mr. HUGHES. — Is the amendment directed against the whole Bill, or against some particular clause?

Mr. W. H. IRVINE.—It is obviously directed against the clause for crafts representation, because that is the part of the Bill which takes it completely out of the region in which all arbitration legislation has hitherto been kept. Hitherto organization has been for the purpose of enabling both sides to be represented in the determination of a judicial or quasi-judicial dispute. Now we are going to say, "Let the whole of the carpenters throughout Australia, let the whole of the plumbers throughout Australia, let the whole of any particular handicraft throughout Australia, organize themselves into so many vast unions." I am not saying a word against their organization, but I am saying a great deal against the recognition of such unions in an Arbitration Bill. They have only then to go through some formality, and it is a mere formality, of appearing to make a common demand against all their various employers, to bring themselves before the Court. The various employers, however, with whom they have to deal are men who have no nexus—nothing whatever in common. They cannot join together and associate for the purpose of meeting that particular demand. and the Court then is faced with a matter which is not a judicial determination at all.

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Let me tell honorable members opposite that they may press this legislation too far. They may press it to a point at which it will become apparent to everybody that what they call a Court is not a Court, and that what Mr. Justice Higgins said at the beginning was true, and was even less than the truth, namely, that he was called upon to exercise, not a Judge's functions, but the functions of a Legislature. If they do this thing, they will be practically taking away all judicial character from the Court and making its function purely legislative. A good deal has been said by the Prime Minister about the great benefits derived from the Court. I am inclined to question whether the fruits of its establishment have been so great as has been said, but it would not be at all wise at this stage to say very much upon the matter. Any new institution must be given considerable time before it is properly tried, and this is a new institution. I have no doubt it has done good in some cases, but it has done that good at the cost of such an enormous expenditure by both parties that it is questionable whether it is the best machinery that can be devised.

Mr. SCULLIN.—Has not the cost been chiefly incurred in determining constitutional points, rather than on the facts?

Mr. W. H. IRVINE.—Yes, but I am very much afraid that you have a seedbed of constitutional points in this Bill. I propose, in Committee, to show honorable members one or two of them. I do not know that it is necessary for us to fight out all the constitutional points, but I can see a vista of constitutional questions arising under this legislation. I do not think honorable members opposite are going to achieve what they aim at by their proposed amendment of the definition of "industry." At least, it is open to very grave doubt.

Mr. SCULLIN.—It will not be the first time we have been disappointed.

Mr. W. H. IRVINE.—At any rate, I conceive it to be my duty to throw upon the question any little light that I can. I propose to show that the object which the Government conceive they are carrying out by this Bill is not very likely to be carried out, even in the form in which they have put it. They have altered the definition of the word "industry" in two ways. Previously it included "business, trade, manufacture, undertaking, calling, service, or employment." To that they add "handicraft, or industrial occupation or avocation of employés on land or water." The other way in which the definition is amended is by striking out certain words which the Court in the Engine-drivers' case thought might be taken as a limitation upon the earlier words. But the Government have left in the Act all those other provisions which were essential to the whole scheme of arbitration as originally instituted, and from which the Court primarily drew the inference that "industry" had the narrower meaning which they gave to it.

Mr. HALL.—With one exception do they not harmonize with the new definition?

Mr. W. H. IRVINE.—They harmonize with the new definition, inasmuch as the new definition would cover either view you take. But I refer honorable members in passing to two or three sections of the old Act—which, I think, is yet unamended—on which the Court relied very strongly in coming to its decision. Section 7 says—

> Where persons, with a view to being associated as employers and employés respectively in any industry, or representatives of such persons, have entered into an industrial agreement with respect to employment in that industry. . . .

There clearly the meaning of the word "industry," both in regard to employers and employés, is a narrow one. That was admitted. The honorable member for Werriwa will probably bear me out that these were the arguments used and adopted by the majority of the Court. If now honorable members turn to section 38 they will find the provision as to the common rule which was declared to be invalid, although, of course, it is still operative to show the intention of Parliament and the meaning of "industry" in the Act. In that section the provision was that the Court should have power to declare, by any award or order, that "any practice, regulation, rule, custom, term of agreement, condition of employment, or dealing whatsoever determined by an award in relation to any industrial matter shall be a common rule of any industry in connexion with which the dispute arises." Obviously the word "industry" there means something which includes both employers and employés.

Mr. HALL.—Having been declared invalid, would not that section be ignored in interpreting this Bill?

Mr. W. H. IRVINE.—The mere fact that a provision has been declared unconstitutional does not prevent it being used

to enable the Court to ascertain what certain terms in the Act mean. In the same way if a man writes a letter, part of which he has no authority to write, you are at perfect liberty to use that part to find the meaning of a doubtful word in another part of the letter. We are now asked to pass a new Bill, having the decision of the High Court that industry means something very different from what the Government say it is going to mean, staring us in the face.

Mr. HOWE.—We want to alter the meaning of that word.

Mr. W. H. IRVINE.—I am endeavouring to show that the Government are not doing so. To do it they must not only alter the definition in the way now proposed, but they must recast the Act from beginning to end. All those sections will have to be altered, because there are a number of others in which the word "industry" is shown merely to mean an aggregate of employers and employés having the relation of employment to one another. It may be a large aggregate, and it may cover a number of different aggregates of the same kind, such, for instance, as mine-owners and their employés, but it must be an aggregate. An industry, in short, is that in which there are employers and employés, both of whom belong to the industry. That cannot be said of engineers, of carpenters, or of plumbers. The Court has held that to be the meaning of the word "industry," because of a number of operative sections which the Government still leave in the Act. In the face of that decision, what conclusion do the Government expect the Court to arrive at, when the Court has said that, from the way in which the word industry is used in those sections, they believe the narrower meaning to have been intended. The attitude of the Government may be right or wrong. I am merely pointing out that this Bill does not successfully give effect to it. To do so the Government must change the whole machinery.

Mr. HALL.—If the definition of "industry" is made clear and unambiguous will the Court look further on in the Act to find its meaning?

Mr. W. H. IRVINE.—Certainly. I have the judgment of the Court, and can cite a number of particular passages which I have marked. Mr. Justice Isaacs says—

> In the Jumbunna case, I expressed an opinion—though not a final one—that the parliamentary use of "industry" in the Commonwealth Act was narrower than the Constitution required, and I there stated that it had reference to the business in which the employer was engaged, as well as the employé.

That is the point he starts with. I should be glad if honorable members would bear it in mind. It shows that in all the legislation we have hitherto passed, an "industry" means something in which there is an employer or employers as well as an employé or employés. It does not mean a caste or class, or aggregate of either one or the other. It assumes an aggregate relation between the two. Mr. Justice Isaacs goes on to say—

> Fuller consideration, now that the point has become essential, has confirmed me in my former opinion, and I shall more explicitly state the reasons for my conclusions. The keynote of the Act is the prevention or the quelling of industrial strife which threatens or produces an interruption of industrial operations by which the wants of the community are satisfied. The public welfare is always the end in view. If the industrial operations necessary, for instance, to produce or distribute the means of satisfying the requirements of the people of Australia, are in fact, or are likely to be, interrupted by a dispute between those who are co-operators in those industrial operations—that is, both employers and employés—then that dispute—with a certain qualification which is material—is in obedience to the Statute to be prevented or settled. These industrial operations are in common parlance called "industries," and each of them is an "industry."

So much for industrial operations. Some of the other Justices called them "undertakings," but what was meant was operations within which there are both employers and employés. Then Mr. Justice Isaacs went on to state why he came to that conclusion. He did not refer to the interpretation clause until the very end of the judgment, regarding it, apparently, as a secondary matter; he took the general scheme of the Act, and first referred to section 7, to show that where there was an agreement it was to be between employers and employés in an industry, implying necessarily that there are employers and employés in that industry. If "industry" had the wider meaning of craft, occupation, or vocation, it would be quite meaningless to speak of employers and employés coming together and agreeing. Mr. Justice Isaacs went on to refer to section 40, which deals with preference to unionists, and he said—

> Section 40, dealing with "preference," again requires the President to specify the industry; and this is an illuminative section, because the industry in which an employer is required to give preference must be that in which he as well as the employés is engaged—

and so on. He pointed out, as the other Justices did afterwards, that this view was fortified by the interpretation clause —that the interpretation clause is not only not inconsistent with, but absolutely fortifies, that view. That fortification or assistance which the interpretation clause gives is to be wiped out by this Bill, but all the others are left with full force and effect. I shall not take up the time of the House by quoting many passages, but there is one other touching on the point, in the judgment of Mr. Justice Barton; and he based his opinion on sections 7, 38, and 55, the latter of which is the organization section. This is a matter of plain English, and not of technical law. Section 55 of the principal Act provides—

> Any of the following associations may, on compliance with the prescribed conditions, be registered in a manner prescribed as an organization :—
>
> (*a*) Any association of employers in or in connexion with any industry.
>
> . . . . . .
>
> (*b*) Any association of not less than one hundred employés in or in connexion with any industry.

The Justices asked themselves how, if "industry" means a vocation or calling, like that of a carpenter, there could be employers in connexion with it? There might be employés, but if an organization of employers is contemplated, the word "industry" must mean a common undertaking, in which employers are engaged in connexion with the employés. That is the argument used; and all the other sections fortify it. The conclusions at which the majority of the Court arrived were based on the structure of the Act, and not on particular words —based on the structure of the Act, and drawn from all the different provisions.

Mr. HUGHES.—Was not the reference to section 55 made to support the contention that "industry" means an industry in which there is an employer?

Mr. W. H. IRVINE.—Yes.

Mr. HUGHES.—If we alter the definition, will not the dual interpretation be capable of being placed on every one of the other sections?

Mr. W. H. IRVINE.—I am afraid not. The Justices were not dealing with a matter of purely verbal criticism, but, as all Courts have to do when deciding what certain expressions mean, they asked themselves what was the whole scheme and intention of the legislation. Here they found a piece of machinery dealing with agreements, preference, common rule, and registration; and the whole pointed to the fact that what was dealt with was what are called industries in a narrower sense. There was no verbal quibble; and the Justices arrived at a conclusion which I am inclined to think most men would have arrived at, looking at the whole scheme. The basis of the legislation was registration, association, and organization of persons related to one another in the position of employers and employed; and if the desire of the Attorney-General is to alter that basis he is not doing so. I approach the subject from every point of view with a certain diffidence. I do not desire to make too bold an assertion about a question of legal interpretation, but merely point out what I conceive to be a serious danger in the Attorney-General's way.

Mr. HUGHES.—There may be something in the honorable member's contention in regard to section 7, but I cannot see that there is in regard to the other sections.

Mr. W. H. IRVINE.—I may be entirely wrong; but I conceive it my duty to state my difficulties, and leave the matter there. Mr. Justice Barton referred to a number of sections besides the leading ones, in order to show the general scheme, and then said—

> Such expressions as those quoted from sections 7, 38, and 41 could scarcely be used in relation to a number of sections of persons performing work of only one sub-division or class in scores of hundreds of concerns, not merely widely separated, but widely differing in nature as well as in name, carried on by many employers between whose business no identity, nor any resemblance, nor indeed the slenderest tie of common interest, exist. How can a number of employers thus diverse and unlike in their aims combine to any purpose for mutual protection in the absence of the common interest which is the very motive of defence? How could conciliation or arbitration operate in the full measure contemplated by the Act under such conditions?

Mr. HUGHES.—What is the object of the principal Act; is it not the maintenance of industrial peace?

Mr. W. H. IRVINE.—I should think so.

Mr. HUGHES.—The whole thing has to be looked at in that light.

Mr. W. H. IRVINE.—Quite so; but I do not know what that has to do with my argument. I am endeavouring to show that the Bill may be cast in two ways; the Attorney-General may say he is going to have a measure whereby a Judge, or some other person as a tribunal, is going to legislate, and that a dispute in an industry is not a dispute between employers and

employés, but simply an artificial creation by means of registration and a mere formal demand in the nature of an advertisement announcing that the carpenters throughout Australia desire their wages raised. To call that a judicial determination is a mere farce. It is using a side wind, or kind of trick, for the purpose of reading into the words of the Constitution, "settlement of industrial disputes," something which is not there, and intrusting legislation to one single man. If we had the power, instead of appointing one person called a Judge or President, to create a body really representative of both sides, I should not have the slightest objection; in fact, I should welcome the wider guild or craft organization, because the wider the better. With organization comes control, security, and responsibility. But if the desire is not to change the whole scheme of the Act from the foundation upwards, we ought not to pass this Bill, because the only effect of the new kind of registration of crafts will be to enable a great number of people, with no other connecting tie beyond that of being of one craft, to create a nominal, artificial, paper dispute. And for what purpose? Not because an engine-driver at Kalgoorlie has any connexion with an engine-driver at Brisbane, or Cairns, in different employment—not because of any common interest, but simply to create a paper basis for a jurisdiction that the Constitution never intended.

Mr. SCULLIN.—Would that not apply whatever the form of tribunal?

Mr. W. H. IRVINE.—I think so. The amendment might at first sight, before the connexion is fully shown, lead to the idea that the charge is directed against the singleness of the individual. This is not as I understand the amendment, which really means that, by an indirect method, we are giving control of all the industrial conditions that the Constitution endows us with no right to give.

Mr. HUGHES.—If so, how does the honorable member account for the fact that in every State arbitration law, and under the present Federal law until the recent decision, it was always assumed that "industry" meant what we intend in the Bill?

Mr. W. H. IRVINE.—In the first place, I do not admit the fact; and, in the second place, I have no explanation to offer about a fact which I do not admit. It is a common form of argument, by way of interjection, to ask if one is aware of something that may or may not exist, and to ask an explanation.

Mr. HUGHES.—Something is still more common, and that is what the honorable member is doing now when he cannot answer a question.

Mr. W. H. IRVINE.—I admit I cannot answer the question, because I do not admit the fact, or the conclusion drawn from it. I am not on the rack at present, where answers can be extorted that are not within me.

Mr. FISHER.—I understand the honorable member to say that he would like a Court constituted of all the parties interested.

Mr. W. H. IRVINE.—Certainly, if we had the power.

Mr. FISHER.—Sitting in the Court as judges?

Mr. W. H. IRVINE.—Not as judges, for it would not be a Court. The Prime Minister was not in the chamber when I was dealing with that point.

Mr. FISHER.—I was not absent willingly.

Mr. W. H. IRVINE.—It is impossible to repeat any considerable portion of my argument; but I said that if we had the power to proceed on broader lines, I should have strongly recommended, instead of a Court, machinery of a different character, namely, the creation of subordinate legislative bodies of various kinds, having regard to the circumstances of the trades with which they have to deal, and the area over which they are to operate. There would be representatives of employers and employés on these bodies, and they would be vested with all the necessary powers for the purpose of legislating to regulate the conditions of trade.

Mr. SCULLIN.—That would have been possible if the referenda had been carried.

Mr. W. H. IRVINE.—We need not discuss that matter now; on more than one occasion in this House I have made my position clear with regard to it. The whole of the judgments in these cases are particularly interesting, from the point of view not only of lawyers, but of any one who is really concerned with the solution of this extremely difficult problem. I have endeavoured to show that by this vital amendment of the principal Act, the Government are seeking to introduce something that is totally alien to the scheme of the present legislation. I have endeavoured also to show that the Government are not succeeding in doing what

they want to do. I may be totally wrong; but if the view that I have put before the Attorney-General is right, the result of the passing of this Bill will be that hundreds, and, it may be, thousands of artisans engaged in various vocations throughout Australia will be invited to go to all the expense, trouble and worry of uniting in associations and initiating disputes, only to find, after, it may be, months and months of delay and expenditure, that all their efforts have been thrown away. That is why, for the sake of ordinary common justice, the Attorney-General should consider the representations that are made to him at this stage as to the effect of the Bill. I ask the Government to consider whether they will achieve what they wish to achieve, even if it be desirable, by merely altering the definitions, instead of recasting the whole machinery of the Conciliation and Arbitration Act. That, to my mind, would be the only way to give effect to what honorable members opposite desire. I do not think, however, that there is power to sufficiently recast it, or, under the Constitution as it stands, to substitute for it what would be a more effective and infinitely more beneficial kind of machinery. There is very grave doubt as to whether there is power in this Parliament to do that which the Government are attempting to do.

There is only one other matter to which I desire to call attention, and that is the very remarkable provision in clause 13, purporting to amend section 31 of the principal Act, so as to do away with the power of the Court to issue writs of prohibition and mandamus. Here, again, we are dealing with a technical subject, although in one sense it is not. A prohibition is merely one means, as a mandamus is another, by which the Court exercises its jurisdiction. The question in this case is as to what its jurisdiction is. The Attorney-General is aware—and I need not refer him to the cases—that there have been many Statutes purporting to do away with writs of prohibition, but in connexion with which it has been held that the Court cannot be deprived of its power to direct the issue of such a writ. The reason may be briefly explained. The High Court, under the Constitution of Australia is merely a Court to determine the law; and that law is not only the law as passed by this Parliament, but the law of the Constitution itself. If we attempted to do something which was not within our limited powers, then that something would not be a law. That is the position. Any one would have a right to disobey such an enactment. It is a mistake to suppose that the High Court of the Commonwealth, or the Supreme Court of the United States of America, is vested with some special power to override Acts of Parliament. Neither Court has such a power. The High Court has no more power to override an Act of Parliament than I have.

Mr. WEST.—It could make one unconstitutional.

Mr. W. H. IRVINE.—No. I could say, if I chose, that an Act or portion of an Act, of Parliament was not really an Act of Parliament; I could disobey it, and so decide the matter for myself. I might be wrong in doing so, and I should have to take the risk. Every citizen has to decide whether a law which purports to have been passed by a Legislature of limited jurisdiction, is or is not a law. The convenient method which the Constitution itself provides for determining such a question is not to allow every man to decide it at his own risk, but the appointment of the High Court to which he may go.

Mr. HOWE.—The power of interpretation is vested in the High Court, and sometimes the learned Justices differ, two being on one side and three being on the other.

Mr. W. H. IRVINE.—Quite true; but that is a peculiarity, I am afraid, common to all tribunals, including Parliament itself. I understand also that it is a strong democratic principle that the rule of the majority shall prevail. I should like the Attorney-General to explain what justification there is for the attempt to introduce words nominally limiting the power of the Court to issue prohibition orders. I did not hear the whole of his speech in moving the second reading of this Bill, but I do not think that he touched upon that phase of the subject.

Mr. HUGHES.—Section 31 of the principal Act, as it now stands, says that no award of the Court shall be challenged, appealed against, reviewed, quashed, or called in question in any other Court.

Mr. W. H. IRVINE.—That is fairly wide.

Mr. HUGHES.—We are endeavouring, as far as we are able, to make the decision of this Court final.

Mr. W. H. IRVINE.—Quite so.

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Mr. HUGHES.—To what extent are we——

Mr. SPEAKER.—Order!

Mr. W. H. IRVINE.—The matter has already been the subject of very considerable debate in the High Court. In the bootmakers' case, it was argued at great length that section 31 of the principal Act prevented the issue of a writ of prohibition. The wording of that section is quite wide enough, but I should like to know what effect the Attorney-General thinks these additional words will have.

Mr. HUGHES.—We say in the original Act that no award of the Court shall be appealed against. We simply propose now to provide that no award of the Court shall be subject to a mandamus or a prohibition order.

Mr. W. H. IRVINE.—In the principal Act, there is a general provision that no award of the Court shall be quashed in any other Court. That provision is wide enough to include in its terms the High Court itself, and the point was raised that the issue of a prohibition order by the High Court was obviously an attempt to quash a decision of this Court, and that that could not be done. The High Court replied in effect, "Of course, it is an attempt to quash, but no section of any Act of Parliament can take away from us the inherent right by prohibition to decide that something that purports to be a law of the Federal Parliament is not a law of the Federal Parliament."

Mr. FISHER.—Is that what the High Court said? It is common sense.

Mr. W. H. IRVINE.—Yes. We could not have a limited jurisdiction unless there was some Court to determine when the State, on the one hand, or the Commonwealth, on the other, exceeded its jurisdiction. Apart from that, we should have confusion and anarchy. I venture to submit to the Attorney-General that, although these words may be ornamental, and of considerable use on the platform, they will be found of no use whatever in the High Court.

Mr. HALL (Werriwa) [6.6].—I should like to express the sense of obligation that I personally feel towards the honorable member for Flinders, and which, I am sure, is shared by honorable members on all sides, for the address to which we have just listened. There is a disposition sometimes to look doubtfully upon the gifts of the Greeks, but we feel that the honorable member has not played the part of the Greeks on this occasion, and I have no doubt that I voice the opinion of the House when I say that we are indebted to him for his criticism of this measure. We cannot speak in the same way of the far more lengthy and wordy effort of the Leader of the Opposition, to whom I listened with a degree of amazement. My recollection of his speech is that during the greater part of the time that he was addressing the House he was either saying nothing, and saying that nothing very well, or else he was uttering inaccuracies. The honorable gentleman concluded by moving an amendment which fitly summarizes his speech. It either means nothing at all, or it is a direct and deliberate mis-statement of fact. His amendment reads—

> That all the words after "That" be left out, with a view of inserting "no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community."

Either the Leader of the Opposition means that this measure is designed to do that of which he speaks in his amendment, or he means nothing at all. Turning to the Bill itself, I find in it no proposal to concentrate in any one person the control of all the conditions under which the industries of this continent shall be carried on. If this Bill is passed our Arbitration law will not only not concentrate all control in one individual, but will continuously recognise more than one individual. It will have the exactly opposite effect to that which the Leader of the Opposition suggests.

Mr. BRUCE SMITH.—Under this Bill the Government are attempting to remove all restrictions.

Mr. HALL.—We are accused in the amendment, not of attempting to remove all restrictions, but of seeking to concentrate in one person the right to control all the conditions of industry. We are no more attempting to do that than was the Leader of the Opposition himself when he introduced the original Conciliation and Arbitration Bill. In referring to sub-clause 5 of clause 2 of that measure, the honorable member for Ballarat pointed out that the chief objects of that measure were, among others, to enable the States to refer industrial disputes to the Court, and to permit the Commonwealth Court and the State industrial authorities to work in aid of each other. That was one of the objects of the measure introduced by the honorable gentleman, and is one of the

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objects of the Bill now before us. We no more propose to put on one side the industrial authorities of the States than did the honorable member when introducing the Bill of 1904. We recognise first and foremost the State industrial authorities. Under section 14—

> the President may, by instrument under his hand, appoint any Justice of the High Court or Judge of a Supreme Court of a State, to be his deputy in any part of the Commonwealth, and in that capacity to exercise, during the pleasure of the President, such powers and functions of the President as he thinks fit to assign to such deputy.

Again, the power of the Court to appoint assessors under section 35 still exists, and section 36 enacts that—

> The Court may refer any industrial dispute of which it has cognisance, or any matter arising out of the dispute, to a Local Industrial Board for investigation and report, and may delegate to that Board such of its powers, including all powers of the Court in relation to conciliation and the settlement of the dispute by amicable agreement, as it deems desirable.

The Local Industrial Board may be any State industrial authority willing to act, or any local Board constituted as prescribed. The scheme of the amending Bill is exactly that of the existing legislation.

Mr. GROOM.—Will the powers referred to be exercised as much in the future as in the past?

Mr. HALL.—We cannot be responsible for what may happen in the future, but those who vote for the amendment of the Leader of the Opposition, believing his statement that we are trying to vest authority in one individual, will do so under a misapprehension of the facts.

Mr. DEAKIN.—The honorable member does not understand the amendment.

Mr. HALL.—If it does not mean what I say, I am incapable of understanding it. It is often difficult to know what the honorable member means.

Mr. DEAKIN.—That need not be my fault.

Mr. HALL.—It need not, but I am not alone in making the complaint. One of the honorable member's colleagues has expressed the same regret. A celebrated speech delivered at Ballarat was misunderstood by all Australia.

Mr. ROBERTS.—The amendment is, in effect, a second notice to quit.

Mr. HALL.—The Opposition seems disposed to imitate the Opposition in a State Parliament. This is the second censure motion we have had, with but a short interval between. The Bill extends the power of the President to create Boards of Reference, and enables more to be referred to these Boards. The principle of the measure is that of the existing legislation for which the Leader of the Opposition is largely responsible. No more than my honorable friends, can I imagine that the amendment will be carried, but, in effect, it condemns the scheme of arbitration for which its mover is largely responsible. He has told us that, despite the efforts made to secure industrial peace, there is to-day more trouble than ever before. I doubt the accuracy of that statement, and were the discussion relevant, would feel disposed to deal with it at some length. Every one of the disputes which occurred a few years back were more serious and bitter than all those which take place now. When the men at 10,000 shearing sheds were on strike, there was in existence a dispute as serious as ten thousand of the smaller troubles which we have to-day. If the troubles of modern times have been due largely to the failure of legislation, it has been the legislation which the honorable member and his party introduced. If he tried to fasten upon the Labour party responsibility for the disputes which have recently occurred, I would remind him that the last big outbreak, the coal strike, took place while the Fusion Government was in office.

Mr. JOSEPH COOK.—Did the Fusion Government cause it?

Mr. HALL.—I do not suggest that, but the Leader of the Opposition seemed disposed to suggest that this Government and its legislation are responsible for the existing industrial troubles. He spoke of the Bill as an entrance upon an unknown road, and a growth which he did not think the seed of arbitration was capable of producing. He told the House that this is the first time that the idea of craft organization has been introduced into Australian industrial legislation. That is absolutely incorrect. The honorable member laboured the point that the Arbitration Court was created to enable the States to refer disputes to it, and that we should recognise the scheme of organization adopted by the States. In providing for craft organization, we are doing exactly what the States have already done, and recognising a principle of unionism which has been followed from the earliest days.

Mr. JOSEPH COOK.—Another evidence that the party is going backwards instead of forwards.

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Mr. HALL.—Although the Leader of the Opposition says that this is a new proposal, a slight acquaintance with the Acts of the States, or a perusal of the judgment of Mr. Justice O'Connor, would show that it is not.

Mr. DEAKIN.—The honorable member entirely misrepresents me.

Mr. HALL.—I took down the honorable member's words, but I confess great difficulty in understanding him. In that I am not singular; I suffer in common with other honorable members. If the honorable member did not know the late Tom Bracken, poet, of New Zealand, he should have known him, for it must have been such a case as that of the honorable member which inspired the beautiful poem "Not Understood." The honorable member goes through life "not understood" in his addresses. I am prepared to leave it to *Hansard* to decide whether the honorable member did say it. I took the honorable member's exact words in shorthand as he uttered them. I wrote them out afterwards into the notes I have here.

Mr. SPENCE.—The honorable member did not, perhaps, take down his qualification later on.

Mr, HALL.—No, the language which I took was that the Minister proposed not to deal with industry as all other Conciliation Acts had done. If the honorable member says he did not say that I am bound to accept his statement. If he will admit that the Minister now proposes to deal with industry as all other Conciliation and Arbitration Acts have done, we shall be agreed. If the honorable member did not mean that this was a new departure, what becomes of all his statements regarding our treading in foreign paths, and entering upon trackless seas? To make it clear to honorable members that it is no new idea to enable unions of this kind to organize, I shall quote one or two existing Industrial Acts. The New South Wales Industrial Disputes Amendment Act of 1908 contains in the schedule the following—

Schedule one to the Principal Act is amended by adding the following:—

BOARD.

. . . . . .

Engine-driving and firing.

. . . . . .

INDUSTRIES AND EMPLOYEES IN INDUSTRIES.

. . . . . .

Engine-drivers, firemen, greasers, trimmers, cleaners, and pumpers employed on land.

. . . . . .

That is the basis of organization recognised in the New South Wales Act now for practically all unions. I could refer to a number of other industries where the craft idea has been recognised. To say that this is a new departure is to misrepresent the position of the law in New South Wales and other States. In Victoria the legal position is that Wages Boards connected with the employer's industry fixed the wages of an individual like an engine-driver, until the engine-drivers got their own Board. In 1910 the engine-drivers obtained their own Board to fix the rates as far as its jurisdiction went in Victoria. I obtained this information from a little work printed at the Victorian Government Printing Office, revised for purposes of reference by Mr. Murphy, Chief Inspector of Factories, and entitled, "The Law relating to Factories, Workrooms, and Shops in Victoria." The marginal note on page 58 relating to the provision made for a Board to govern the conditions of engine-drivers and men associated with them is as follows: "Rates fixed by Boards for engine-drivers, &c., engineering, blacksmithing, and general ironwork to supersede rates fixed by other Boards for the same classes of employés.

Sitting suspended from 6.29 to 7.45 p.m.

Mr. HALL.—So far from going off the beaten track, or embarking on what the Leader of the Opposition described as a trackless ocean, we are really following the well-known track on which the organization of workers has proceeded in the past. The Wages Board appointed in Victoria to fix the conditions for engine-drivers completed its work as late as Friday last; and I understand that on the 13th November next its determination will come into force for all engine-drivers in the State, so far as the Board has jurisdiction, no matter in what factories they may happen to be working. The same system is recognised by the Queensland Parliament. In that State, the workers do not organize according to the industry of their employer, but according to the calling in which they happen to be engaged. Despite the expressions of surprise uttered by honorable members in this House, I venture to say that the statement of Mr. Justice O'Connor on the matter is a simple statement of well-known facts. He points out that the system of allowing men to organize according to their craft, and not according to the

industry of their employers, has been recognised in every State in the Commonwealth. That was long before there were any arbitration laws at all. I quote from his judgment at page 299 the following:—

> The reports of the various State Arbitration Courts will show, indeed it is common knowledge, that in practically all State industrial disputes the employés were combined in trade unions or other forms of organization allowed by the law. Associations of workmen combined as trade unions have long been established in Australia, and for many years their existence and operation has been recognised and legalized in all the States by Statutes. Under these Statutes, of which the New South Wales Trades Union Act 1881 and the Victorian Trades Union Act 1890 are examples, the system of association of workmen then existing is adopted and recognised. Trades unions were then, as they still are, associations of workmen following the same vocation or vocations, associated on the ground of common industrial interests. There was not in force in 1904, nor is there now, any State law which would refuse registration to a trade union merely because its basis of association was the common interest of persons following the same vocation, without regard to the several branches of industrial enterprise to which their labour was applied. Carpenters and engineers, for instance, are, it is well known, employed in a vast variety of industrial operations, yet in all the States they were free under State laws to combine in such trade union.

If it be true that in every State which has laws on the matter a union such as the engine-drivers, or the carpenters, or that of any other craft, will be recognised as a proper subject for registration, we have no right to deny them that registration when we are legislating for them as a Commonwealth Parliament. The honorable member for Maribyrnong has put into my hands the determination of the Queensland Wages Board pursuant to the Wages Board Act 1908 and published in the *Gazette*. This shows that the same principle applied there, and bears out the statement of facts as set forth by Mr. Justice O'Connor. When the Leader of the Opposition pleads that we should work in conjunction with the State industrial authorities, I reply that that is exactly what we are doing. It is to achieve that object that the Bill is brought down. From the earliest days of trade unionism the idea that has brought men together into one organization has generally been the idea of interchangeability. An engine-driver in a soap works or a jam factory seeks to associate, not with the jam boiler or soap boiler who happens to work in the same business, but with the man who is driving an engine anywhere else, and where he may hope to be employed if he leaves the particular factory in which he is engaged. The interest of the employé is necessarily with those whose places he would hope to fill if he happened to leave one particular line of employment. The engine-driver in a jam factory has nothing in common with other men in that factory. He has interests in common with all the men who are driving engines. The mere fact that the ultimate product of his labour turns out to be one particular article instead of another does not alter the nature of his labour. Whatever may be the output of the factory in which he is employed, his business of engine-driving remains the same. No doubt what leads men of similar callings or crafts to unite is the fact that any other means of organization would cause them to be overlooked in the general scheme for the betterment of conditions. Assuming that this measure were not introduced, and the law were allowed to continue as declared to exist by the High Court, what would be the position of the engine-drivers of Australia? One man driving an engine would be called upon to organize with, say, 500 men employed in the same factory. Those 500 would perhaps have interests in common, but he would have no interest in common with them. They could not state the value of his work. He would be apart from them, and would be overlooked in the general rush. He, therefore, likes to combine with those whose avocation is the same as his own.

Mr. FENTON.—He may be in a jam factory to-day, and a soap factory to-morrow.

Mr. HALL.—Exactly, but he does not change his industry with his factory, nor with the product which the factory happens to be turning out. A man who is carting bread to-day may be carting beef to-morrow, and his calling, which is that of looking after carts and horses, does not change. Every man's calling takes its character from the particular thing he does, and not from the business with which he happens to be associated. That is the way in which organizations have gone in the past; and to-day the unions of Australia are unions of men who are doing the same kind of work. The Constitution provides that Parliament shall have power to deal with disputes extending beyond the limits of a State; and what kind of disputes are likely to arise? They are disputes

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between organizations that have existed since the inception of trade unions, and not between organizations which are created under an altogether different scheme. Either we are going to make an alteration to enable the State Court to deal with the kind of disputes likely to arise, or allow the Act to be still more a dead letter than before, and it is dead enough now. Unless Parliament is prepared to recognise the state of affairs as disclosed by the State laws and the trade organizations as they exist, we shall take away from the Arbitration Court the power to deal with the average dispute likely to arise. I do not contend that the idea of craft unionism is the best in the world; it may not be. Perhaps it would be better if the employés adopted industrial unionism entirely. I do not deny that the ultimate outcome of a defeat of a measure of this kind, and the forcing of the workers into large aggregations, might in the end work for their welfare. It has been asserted by the honorable member for Ballarat that the object of the Attorney-General is to get larger and larger aggregations of labour; and that may be so, but I do not know. If it is so, the Attorney-General has not set out to attain that object by this measure, which recognises disintegration rather than increased aggregation. I am prepared to admit that there may be some advantages in the new form of unionism; as no doubt there are. Probably, if we had industrial unionism, we should have fewer industrial troubles, but greater troubles when they did arise. If all were organized into one great union on each side, it might make for industrial peace, as organization for war is said to make to that end. When war becomes so expensive that no nation can afford to fight, there may possibly be peace; and the same applies industrially. All the Bill proposes to do, however, is to leave the organizations to evolve in their own way; and I submit that that is the very least we ought to do in a measure of this kind. Having provided for that, we should allow the organizations to go on in that way. I leave that question, and turn to that raised in a very forcible way by the honorable member for Flinders, as to whether we have attained the end we have in view. Assuming that the majority of honorable members believe that we should recognise craft unionism as well as industrial unionism, a close examination of the measure is necessary to decide whether we have done so or not. We have the opinion of the honorable member for Flinders that this measure does not accomplish that which we set out to accomplish. Some doubts, I believe, have been thrown on the constitutionality of the measure; and I can only regret that the honorable member for Flinders did not develop his argument further. He gave us no reason, as far as I could see, to doubt the constitutionality of the measure; but he certainly did give some very cogent reasons for doubting whether we are accomplishing that which the Attorney-General seeks to accomplish. I would hesitate to put my opinion against that of the honorable and learned member; but, having been privileged to conduct the argument in this case in another place, I can say that the one difficulty that seemed insuperable to us from beginning to end was the definition of "industry" as "business, trade, manufacture, undertaking, calling, service or employment." If it had stopped there it might have been all right. When it was submitted that "calling" was the term appropriate to engine-driving or carpentering, the Court seemed very disposed to accept the view that it would be very proper to ask a man, "What is your calling?" and for him to reply, for instance, "Engine-driving." But the Court pointed out continuously that it was not "calling" alone, but "calling in which persons were employed for pay." It was the qualifying words that altered the meaning of "calling" and gave the term "industry" that narrower and more limited meaning that the Arbitration Court set on it. I believe that when we have added the other words in the definition clause, and have struck out the qualifying words, we shall have made the definition plain and unambiguous. The business of the Courts has always been recognised to be to seek the intention of Parliament from the Act. When we have made our definition clear and unambiguous, the Court will give it a clear and unambiguous meaning, without reference to any other part of the Act. The Court only looks to other sections when there is ambiguity, in order to see how the word is used in other connexions. When the meaning is plain, that meaning is given without reference to any other section. While holding that view, I submit that we would be foolish if we did not make assurance doubly sure by modifying any other sections of the Act in which "industry" appears, so that the word

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may have the double meaning; otherwise we should be failing to take the ordinary precautions that reasonable, prudent business men would take. The position put forward by the honorable member for Flinders was that we have altered the definition, but have not altered the scheme of the Act to bring it into conformity with the definition. Without stopping to quote at length, I say there is no doubt that the Chief Justice, in his learned judgment, went a good deal, not merely on the words of the definition clause, but on the whole scheme. At page 289 he said—

> In the second place, that is not the scheme of the Act. The unit of aggregation for the purpose of industrial agreements and proceedings in the Court is not the handicraft but the collective enterprise in which employers and employés are associated.

He re-stated that—

> It seems to me as impossible to deny that the employers and employés concerned in an industrial dispute must be engaged in the same industry, as to affirm that every person who employs a carpenter or engine-driver is, in any relevant sense, engaged in the industry of carpentry or engine-driving, or to say that there is a community of industrial interest between a farmer who employs an engine-driver to drive a stationary engine in Queensland, and a company which employs drivers of locomotive engines in Tasmania.

So the Chief Justice goes on continuously throughout the judgment. No doubt he, Mr. Justice Barton, and Mr. Justice Isaacs referred to the various meanings given to the term "industry" in the sections of the Act apart from the definition of "industry" in the definition clause; and apparently the Bill leaves that untouched. I hope that the Attorney-General thinks sufficiently of the arguments of the honorable member for Flinders to see what modifications are necessary. I do not suggest that this means undoing the whole scheme of the Act, because it seems to me that it does not. The honorable member for Flinders has given some good ideas as to what ought to be done if we had the power. If the referendum had been carried we should not have had this Bill, but a better scheme. However, that is not the matter before us at present. Having our limited powers, how are we going to exercise them in order to give greater security to those who apply to the Court? In no clause of the Bill do we in any way amend the term "industry." For example, in clause 4 in the definition of "industrial dispute" we alter that considerably, but we leave the same meaning attached to "industry," and the same applies to the other sections referred to by the honorable member for Flinders—section 7, which refers to industrial agreements; section 38, where the term "industry" is used in connexion with the common rule application. Of course the latter is to-day null and void, or declared unconstitutional, and is practically no part of the Act; and for that reason would not, I think, be given much weight by the Court. The same observation may be made as to sections 41 and 55; the latter of which provides who may be registered. In regard to this, Mr. Justice Barton pointed out that there is no context which suggests as necessary any change from the meaning clearly conveyed in paragraph *a* of the section. The meaning of "industry" is clearly conveyed in that paragraph, and the second paragraph, which refers to employés, does not alter the context. I believe it would not be beyond the skill of the draftsman to slightly amend this section and the few others referred to, without upsetting the scheme of organization and of the Act, so as to make it absolutely clear to the High Court that when we say "industry" has two meanings—the business or enterprise of the employer, and the calling or occupation of the employé—we mean exactly what we say. It would be folly on our part not to make sure of carrying out our intention now that we have the opportunity. Any effort to provide industrial legislation presents sufficient pitfalls to those who are going to take advantage of it in the Federal Court, without adding to the difficulties of the situation. I have grave doubts as to whether any of this legislation is of very much value to the workers of Australia. The President of the Court himself has said that that tribunal has to be approached through a Serbonian bog of legal technicalities, and those who would approach it have not only to wade through a bog of technicalities, but to be armed with a very long purse. I believe that in connexion with the pastoralists and shearers' case recently before the Court, the workmen alone had to provide some £7,000 to cover law costs and the expense of bringing witnesses before the Court. Such a system is not calculated to do very much for the average body of workers. We have to recognise, however, that we have certain powers, whatever they are worth, and if we are going to exercise them, we should exercise them to the full. We should be very careful, however, to make clear our meaning as to what constitutes an industry I wish now very briefly to refer

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to one or two other clauses of the Bill, and to indicate to the Attorney-General some other amendments that I think will be necessary before this measure will be likely to accomplish the object which we have in view. In the first place, clause 4 purports to preserve the registration of all associations registered under the existing Act. It declares that—

> The registration, as an organization under the Principal Act, of any association registered before the commencement of this Act, shall be deemed to be as valid to all intents and purposes, and to have constituted the association an organization as effectually as if this Act had been in force at the date of registration.

It does not purport to go further than to validate registrations before the commencement of this measure, but it seems to me to be very doubtful whether it really does do so. The Justices of the High Court have frequently stated that "registration" means "valid registration," so that, if an association has been illegally registered, there is no registration whatever in regard to it. To merely say that those unions that were legally registered as associations under the existing law shall continue to be deemed to be registered as organizations does not push the matter much further. We should provide that any association "purporting" to be registered shall be deemed to be validly registered. We want to validate not only registrations properly made, but those purporting to have been made under the provisions of the Act. The clause as it stands will probably carry out our intention, but we cannot be too careful in declaring our intention, and we ought to err, if at all on the side of safety.

Mr. PAGE.—A good old strike would make it clear. We should not need any lawyers then.

Mr. HALL.—The organization with which the honorable member is associated has had a good many strikes from time to time and by means of those strikes has improved the lot of its members. It is not many years since men were shearing sheep in Victoria for 9s. per 100 and their keep; to-day they are receiving 24s. per 100. The whole of that rise, however, was not obtained by means of strikes.

Mr. PAGE.—The strikes helped.

Mr. HALL.—No doubt, but the last 4s. rise was secured by means of arbitration awards.

Mr. PAGE.—I think we should have got another shilling if they had kept the lawyers out of the case.

Mr. HALL.—The cost, compared with that of an ordinary suit, is very considerable, but I venture to say that the £7,000 spent by this organization in bringing its case before the Court would not have gone very far towards establishing a strike camp, and providing strike funds. I am told by the president of the union that, as the result of this litigation the members of it have received an increase of £100,000 a year. Those who have been engaged in strikes have the best idea of the value of industrial peace, and an additional £100,000 a year, as well as industrial peace, is worth paying something for. The clause to which I have referred may well receive the consideration of the Attorney-General and his advisers. I come now to clause 17, which empowers an organization to change its name. It appears to me that we require to provide not only that an organization may change its name, but to insert provisions to enable the register to be altered, and a new certificate to be issued. I do not know that that can be done by regulation. I believe it will be necessary to have in the Bill itself provision for the alteration of the register, and the issue of a fresh certificate. Then, again, clause 18 provides for application for cancellation of registration. Under section 60 of the principal Act, action can be taken by the registrar to secure cancellation of a registration; if it appears to the registrar that good reason exists, he can make an application to the Court for the cancellation of the registration. This Bill, however, proposes to omit the words "appears to the registrar," and to insert in their stead the words "appears to the Court on the application of any organization or person interested." That provision would seem to require further consideration. An association on the register might pass out of existence altogether, and no one would be interested in applying to have its registration cancelled. The registrar himself would have no power to make such an application under this Bill, so that eventually the register, instead of conveying full information as to the unions existing as registered organizations, would be quite out of date. I have no objection to the proposal to allow the Court, upon the application of one of the parties interested to de-register; but it would be a mistake, I think, to take away from the registrar the power to apply, in cases where there was no person interested. I hope that when the Bill goes into Committee the provision will be so

amended that a registration may be cancelled upon the application of one of the parties interested, or upon the application of the registrar where, in his opinion, a proper case can be made out for an application for cancellation. With these amendments, I think it should be possible for us, without running any unnecessary risk of constitutional difficulties, to so amend the existing law as to place it in the position which every one believed it actually occupied until the High Court, in the engine-drivers' case, declared otherwise.

Mr. BRUCE SMITH (Parkes) [8.21].—I am sure that the House will be much relieved to hear that, in the opinion of the honorable member who has just resumed his seat, it is possible to resuscitate the wreck that has been produced by the criticism of the honorable member for Flinders. I have heard the honorable member for Flinders make a good many speeches in this House, but never have I heard him make one of so completely destructive a character as that delivered by him this evening. It seems to me to have wholly destroyed the value of this Bill. I judged from the way in which the honorable member for Werriwa conducted himself during that speech that he drafted the Bill during the absence of the Attorney-General.

Mr. HALL.—The honorable member is quite mistaken.

Mr. BRUCE SMITH.—I am glad for the sake of the honorable member's reputation that he is able to repudiate the drafting of the Bill, because I am now able to say that it carries upon its face strong evidence of having been drawn by some one who is perfectly innocent of the Constitution and of its legal effects upon arbitration legislation. After the speech just delivered by the honorable member for Werriwa, and that made by the honorable member for Flinders, we can leave for a time the legal aspects of this measure. I take it that on this motion, and even on the amendment, it is open to us to deal with the whole question of arbitration. I stand in a peculiar position in this House, since, in 1903, when the first Conciliation and Arbitration Bill was brought forward by the honorable member for Ballarat, I was one of the very few who expressed grave doubts as to whether compulsory arbitration, as it had been attempted in New Zealand, New South Wales, and Western Australia, was going to do what many of its advocates expected of it. I can well remember members of the Labour party claiming that if we only had on the Australian statute-book a measure on the lines of that which had been in operation in New Zealand for some years, we should have something like the millennium in a small way. I also recall the fact that the honorable member for Ballarat ventured upon a prediction that that Bill would usher in "a new era in the history of civilization." When a number of honorable members of the Labour party congratulated him upon his eloquence, I said that I did not like to be entirely out of the chorus; I thought he had made a very beautiful speech—a speech so beautiful, indeed, that I considered it ought to be set to music as a cantata, because, in my opinion, it breathed the spirit of another world, in which life was a perpetual haymaking. I took occasion to point out that, although the honorable member for Ballarat was enthusiastic about this reform, and was supported by a chorus of praise in anticipation of its beneficent results, we had had numerous proofs of the fact that, whenever the judgment of the Arbitration Court of New Zealand was adverse to the trade unionists, they snapped their fingers at it, and treated the law as a dead-letter. I pointed out, too, that the findings of the Arbitration Court of Western Australia were treated in the same discourteous manner when they did not satisfy the aspirations of the workmen who appealed to it. I wish to say—because I am one of those unfortunate individuals who are often misunderstood, though not always unintentionally—that I favour any method for effectually settling the discord between Capital and Labour, and establishing friendly relations between them. I had, in 1903, and have now, the recollection of considerable experience in this State of efforts in that direction similar to those which the honorable member for Flinders advocated this afternoon. As I have already stated in this Chamber, I was, twenty-two years ago, one of the originators of the Employers Union. It became so powerful that the members of the Trades Hall were wise enough to approach it in the spirit of truce, and to ask if it was not possible for them, as the representatives of 26,000 workers, to meet us in friendly spirit, and create an intermediate body for averting labour troubles, and producing amicable relations. As President of the Employers Union, I met Mr. Bennett, then President of the Trades Hall, the secretary being Mr. Murphy, and Mr. Trenwith being one of the members of the Council.

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We resolved to hold a series of meetings to devise a means whereby constant bickerings, strikes, and locks-out might be prevented. After sitting for nearly three months, off and on, we framed the constitution of a Board of Conciliation, under which, when a dispute occurred between workmen and employers, the secretaries were to endeavour to effect a settlement. If they failed, a reference Committee was to be called together; and if it failed, eight representatives of the Trades Hall and eight representatives of the Employers Union were to meet, and thoroughly investigate the difference. I sat frequently in the Trades Hall, and during the two and a half years for which I remained in this State as a member of the Employers Union, there was not a dispute in the iron, boot, shipping, or any other industry with regard to which we did not effect an amicable settlement, the parties shaking hands and going away, not only satisfied with the decision come to, but agreeing that both sides were animated with a sincere desire to bring about peace.

Mr. Sampson.—That was in the days of the old unionism.

Mr. BRUCE SMITH.—Yes. There was no attempt at intimidation, because the men felt that they were fully represented: an advantage to which the honorable member for Flinders has directed attention. When, some years later, I heard of Sir Pember H. Reeves' experiment in New Zealand, I predicted—and the prediction has come true—that his arrangement for the compulsory settlement of industrial disputes would be followed by failure. On the introduction of the Bill of 1903, which is the basis of the present discussion, I knew that my expectation had been fulfilled, and that the experience of Western Australia and New South Wales was similar to that of New Zealand. It had become almost the practice of the workmen, in approaching the Courts, to ask for more than, and, in some cases, twice as much as, they were willing to accept, in the hope that, on the splitting of the difference, they would get exactly what they wanted.

Mr. Hall.—The honorable member must be referring to the employers.

Mr. BRUCE SMITH.—The employers have been by no means as frequent in their applications to the Court as the employés. From my general reading of the reports, extending over many years, I should say that the applications of the employés have been four or five times as numerous as those of the employers.

Mr. Roberts.—The man on top seldom asks to be put underneath.

Mr. BRUCE SMITH.—During the existence of the organization of which I have spoken, no one was on top; and in every case the decision arrived at was accepted, because both parties felt that they had had a fair opportunity to state their case.

Mr. Howe.—What has become of that ancient system?

Mr. BRUCE SMITH.—The compulsory system has destroyed it.

Mr. Howe.—Did it exist until the compulsory system was introduced?

Mr. BRUCE SMITH.—I believe so. I would ask what is the object of arbitration. We are at a stage where we must go back to first principles. It will be admitted by all thoughtful representatives of the working classes that it was never intended that the Arbitration Court should be a tribunal for giving decisions to suit them. It was established to provide a means for the amicable settlement of industrial disputes. When proposals for arbitration were first mooted in this Parliament, and in that of New South Wales, the representatives of the working classes declared that the adoption of this means for arriving at an amicable settlement would put an end to the "brutality of strikes." But within the last two or three weeks I have heard honorable members here say, "We are not going to give up our right to strike." I should like to know what they would say if the representatives of the employers were to retort, "We are not going to give up our right to lock-out."

Mr. Riley.—That is the position they take.

Mr. BRUCE SMITH.—If an employer locks out his men, that is, if he ceases to employ one set, and takes on another, he may be brought before the Court and dealt with. But if men strike, they can accept work in another factory with impunity. An employer who locks-out his men is punished.

Mr. Thomas.—He can go elsewhere and start business, just as the men can.

Mr. BRUCE SMITH.—It is an easy thing for a man to move his family and belongings; but an employer cannot move his factory. He must sell out, and start again.

When arbitration was first spoken of, we heard nothing of the claim to retain

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the right to strike. The cry then was, "Arbitration will effect the amicable settlement of disputes. All the working classes want is an impartial tribunal to deal with the merits of their case." It was stated repeatedly that the workers would accept and abide by the judgment, finding, or award of the Court.

Mr. ROBERTS.—The limitations of the Act prevent the deciding of cases on their merits.

Mr. BRUCE SMITH.—Our legislation was framed in a sympathetic spirit, and the representatives of Labour had an opportunity to put it into whatever shape they desired.

Let me draw attention to the way in which strikes are nowadays brought about. Industries have grown in size. The amount of capital involved, the ability required to administer, and the number of men employed, have vastly increased. Yet strikes are precipitated repeatedly, not because of widespread dissatisfaction on the part of workers, but because of trivial disputes, sometimes with individuals, whole industries being brought to a stand-still. Let me instance the case of the coal miners. There have been many occasions on which the wheelers, that is, the boys engaged in moving trucks through the mines, have stopped work, apparently without provocation, and the miners, numbering hundreds, have thrown down their tools, and determined to strike, too.

Mr. CHARLTON.—The honorable member is quite wrong.

Mr. BRUCE SMITH.—I know of some cases in which the miners have disapproved of the action of the wheelers, but they have not backed up that disapproval.

Mr. CHARLTON.—The real reason was that the lads were not drawing the trucks, and so the miners were unable to work because the coal could not be got away.

Mr. BRUCE SMITH.—That is a very plausible answer, but if the miners had been imbued with a desire to see the Act carried out, and to cause the public to respect it, they would at once have said, "If the boys won't wheel the trucks we shall do so until they come to their senses, seeing that we have no complaint to make." Take the case of the Mount Lyell strike, which is one of the latest. Many thousands of men were engaged there evidently on terms satisfactory to themselves. One man, without any authority, entered the mine in order to watch some of the workmen, to see if they were doing more than eight hours work. That man having committed a trespass, was dismissed by the company, with the result that the whole of the workmen came out. I should not mind so much if in such a case the men deliberately entered into an investigation of the merits of the case, and decided that the man was right, and that a great wrong was being done in excluding him from the mine. I am going to show, however, what was really done, and to prove that it is supported and even encouraged by the Labour representatives in this House. Directly those thousands of men strike, their families are plunged into a condition of want, because one man has trespassed upon a mine and has been dismissed, and immediately collections are made all over Australia for their support.

The SPEAKER.—The honorable member will not be in order in going into the details of the Mount Lyell strike.

Mr. BRUCE SMITH.—I merely wish to show how ineffectual arbitration has been, because of the attitude of the working classes themselves towards the principle.

Mr. SPEAKER.—The honorable member will be in order in doing that, but not in going into the details of an industrial dispute.

Mr. BRUCE SMITH.—I shall not attempt to do so. When a strike occurs, the employés in any industry do not come together and investigate the case for themselves to see whether they are justified in supporting the attitude that has been taken up. They immediately invite subscriptions from all parts of Australia, expecting all the other unions to say "Willy-nilly, right or wrong, we are going to support you in your strike." Take the case of Lithgow. Let me tell the members of the Labour party that the public are watching all these cases.

Mr. RILEY.—Who are the public?

Mr. BRUCE SMITH.—The people who sent honorable members here.

Mr. RILEY.—Are not the unions part of the public?

Mr. BRUCE SMITH.—I am talking of the whole of the public. The honorable member could not be sent here by the unionists only, because they are not a majority. We will take the case of Lithgow.

Mr. CANN.—What started the Lithgow dispute?

Mr. BRUCE SMITH.—The Lithgow dispute originated over the action of one man, and that one man was dismissed——

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Mr. SPEAKER.—The honorable member is now going beyond the scope of the amendment and of the Bill.

Mr. BRUCE SMITH.—The observations made on the other side, taking exception to my argument, necessarily draw me into an explanation.

Mr. SPEAKER.—I desire to point out to honorable members that if they interject across the chamber, it has a tendency to lead the honorable member who is speaking to make remarks which are out of order, and renders it more difficult for me to control the course of debate. I now ask honorable members not to interject, and the honorable member for Parkes not to go into details of particular industrial disputes.

Mr. BRUCE SMITH.—I think you will credit me with not attempting or desiring in any way to transgress the rules of the House. As a general principle, whilst most of the bigger strikes arise from some small dispute with one or two men, the whole of the industry takes the matter up without taking the trouble to investigate the question in order to see where the merit lies. I have never heard of a single case in which the great body of the workers involved in a strike have met together to decide whether or not the employer was justified in what he did. Nor have I heard of a case in which the members of this House have entered upon an investigation to ascertain whether or not they were justified in interfering with a view to stopping a strike or in remaining silent and impliedly encouraging it.

Mr. PAGE.—I will tell the honorable member this—I am with the striker every time.

Mr. BRUCE SMITH.—That is the spirit on which I am commenting, and the honorable member has supplied me with an excellent text. What he says in his outspoken, honest way really represents the feeling of most of his fellow members. I would ask honorable members to consider how it is possible for people in a community like this to continue a system of arbitration with a view to an amicable settlement of industrial disputes if that spirit pervades one side of the House.

Mr. RILEY.—Can the honorable member make a Bill to suit both parties?

Mr. BRUCE SMITH.—I am not on the Bill at the present time. We have had five hours of the Bill, and the honorable member for Werriwa has delivered a speech which, to my mind, was simply a series of Committee speeches. I am dealing with the general principle underlying the Bill. Sometimes when we get into a tangle over a particular institution like arbitration, it is as well to go back in a friendly way to first principles and see where we are. We must remember that we are legislating for a continent as big as Europe—a continent that bids fair to become one of the greatest countries in the world. We are trusted by the people to try to disentangle these difficulties, and to bring things back, as the honorable member for Flinders pointed out, to a condition of affairs in which these measures will fulfil their original purpose. Can we possibly arrive at an amicable method of settling labour disputes unless we approach the question in that spirit? If the other side of the House is going to take up the attitude expressed by the honorable member for Maranoa—"I am with the strikers every time"——

Mr. PAGE.—Hear, hear! I am not going to run away from it, either.

Mr. BRUCE SMITH.—I am not afraid of the honorable member doing so. Putting bias on one side for a moment, even the sort of bias the honorable member represents, are we, in those circumstances, likely to arrive at a measure calculated to settle these disputes? Very few of us are engaged in any great industry at the present time, as we have something else to do; but it is intensely interesting to me that we should do our best to arrive at some method by which the great conflicts which are going on all over the continent could be amicably settled. Can we possibly do it when one side takes up the attitude typified by the honorable member for Maranoa? Let the House ask itself that question. Of course, if honorable members close up their minds, and refuse to listen to reason, I cannot help it. Can we possibly be successful in doing what the public sent us here to do? They sent us here to amend this measure, if possible, and to prevent the constant conflict that is going on between employer and employé. We hear from time to time how many hundreds of thousands of pounds are being lost by the workers and the employers through those conflicts. If the workers precipitate a strike whenever some small dispute takes place over one worker, or a small number of workers, without investigating it for themselves and determining it upon the merits, so that they may have some guide as to what

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course they should take, it is hopeless to expect that we should ever come to a determination.

One honorable member on the other side made an observation recently which seemed to imply that I was biased. I have no interest whatever in any great industry in this country, and my sympathies are just as much with the working class as they are with the employers. Some honorable members may think it very difficult for that to be so, but it is quite possible for a man so to train his mind so that he can take up a judicial attitude with regard to a great question of this kind, and endeavour to hold the scales fairly between the classes. If I heard honorable members on this side taking up the converse attitude to that expressed by the honorable member for Maranoa on the other, I should denounce them in the same way as I denounce his attitude. If any honorable member on this side said, "I stand for the employers every time," I should say, "He is not a Liberal, and has no right to be in the Liberal party." No honorable member who would utter such a sentiment, and believe it, is fit to be in that party.

Mr. ROBERTS.—No honorable member on that side would say it, but every member on that side acts it.

Mr. BRUCE SMITH.—I did not limit my observation to men saying it. I said, "if they approved of the sentiment" as well. From what I have seen of the members on this side of the House, there is a widespread, genuine desire to see brought into existence some system of arbitration which can amicably and finally settle these disputes as they arise from time to time. How can it be to the interests of the employers that a state of things should continue to exist in which their capital, their investments and their activities as commercial men are from time to time practically stopped and destroyed? It is only common sense to suppose that the great shipping, mining or manufacturing companies are just as anxious to see things go smoothly as the employés. Over and over again I have heard employers say, "We should not mind this or that extra, if we could only be sure that we could go on. It is this constant irritation and niggling and aggravation on the part of men making claims time after time that is the burden of our life."

Mr. RILEY.—It is a sign of progress!

Mr. BRUCE SMITH.—That may be. When I read the utterances of the honorable member in his judicial position on the Arbitration Court of New South Wales, I had every reason to admire his judicial impartiality. The honorable member is quite capable of taking a fair view of these questions; and if he continues to do so he will continue to act in the interests of the people he represents. However biased he may feel now in favour of the side which he did not represent before, I am satisfied it is in the interests of both employers and employed, and the representatives of both, to try to perfect our Act. How is that to be done? Is this measure likely to do it?

I desire now to speak of another aspect to which honorable members would do well to give their attention, for, no doubt, it has occurred to them as to me. For the last eighteen months or two years I have been watching the effects of arbitration on export trade in the future. For a long time many of the labouring classes were under the impression that all they had to do to make themselves happier was to get their wages raised. They seemed to lose sight altogether of the fact that the constant raising of wages would have an effect on the value of the sovereign; and one industry after another has, through the Court, had wages raised. I watched the building trade in New Zealand with some interest, and I saw that first the plasterers, then the bricklayers, slaters, and stonemasons all got higher wages. But when the man who was building discovered the total cost he at once raised the rent, in many cases in a greater ratio than the wages had been raised. When Mr. Ramsay MacDonald, then secretary of the British Labour party, came here a few years ago he told the members of the Melbourne Trades Hall that he was on a general mission, one object of which was to visit New Zealand, and ascertain the effect of arbitration there. When he returned from New Zealand he told the same body in Melbourne that the effect in New Zealand had been to raise the wages all round to the extent of 8 per cent., but that the cost of living had also been raised by 18 or 20 per cent. He added that he could not, on what he had seen, recommend arbitration to the Labour party in the House of Commons; and we know that up to this day no attempt has been made in England to introduce arbitration, notwithstanding that

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Mr. MacDonald, one of the most intelligent Labour men at Home, has had an opportunity of observing its workings on the spot. The same thing is going on here as went on in New Zealand. Take any trade we like; in the brick trade, for instance, the carters, the harness makers, the people who carry the clay, and those who work the machines, have all had their wages raised. When the brickmakers put up the price, perhaps in a larger ratio than the wages, the public told them that they had no right to do so. The effect all over Australia of this general rise in wages has been not only to increase the cost of living, but generally to lower the value of the sovereign.

Mr. Anstey.—It is the same all over the world.

Mr. BRUCE SMITH.—Not to the same extent. Any one who has lived in Australia will admit that to-day the sovereign is not of more purchasing power than 13s. or 14s. was ten or fifteen years ago.

Mr. Roberts.—Some of the people have the sovereign now, but a few years ago they had not the 14s.

Mr. BRUCE SMITH.—The honorable member always has his joke, even in the most serious argument. When the cost of production is raised so materially all over the continent the effect must be very serious on the possibilities of the export trade. We are all the while competing with the outside world, where the purchasing power of the sovereign has not been lowered to anything like the extent operating here, and where wages have not been raised in the same ratio.

Mr. Anstey.—People are starving in the outside world!

Mr. BRUCE SMITH.—It is all very well to say that people are starving outside Australia, but it will not add to our power of export if we raise the price of all the commodities which are the subject of export. If we do that a time must come—and I am told that it is arriving in some of the manufacturing industries—when it will be quite impossible to export and compete with the outside world. If we turn to dairy produce, we find that there is a proposal before the country at present that, instead of a man being able to employ his family in the production of milk, butter, and cheese, the family is to be disqualified. I do not say that that is the law yet, but it is proposed that until a child is eighteen years of age——

Mr. West.—Not at all!

Mr. BRUCE SMITH.—I have read that such is the proposal of the Rural Workers Union, which is now being formed. If it is not true I shall be glad to know it, but if it is true, I desire to show the effect. If we disqualify the family in this way, and we raise the cost of all the labour used in farming, it may have a very material effect on the prices of the commodities produced in such industries. If we strike at the root of such as the dairying and lamb industries, the effects will come back like a boomerang on the working classes, as it will on the employers. Some time ago, when the simple economic law was discovered, it was said—"We will check all this because we will control prices." We have not heard much lately about controlling prices, though, I suppose, if the referenda had succeeded we should have heard a good deal more. I remember Mr. Watson, in his position as Leader of the Labour party, saying that if that party had the power they would fix the prices at which manufacturers should sell their goods. But I pointed out to him that whilst prices might be fixed, manufacturers could very easily drop their profits in the wholesale business and take a wide interest in the retail business, where it would be impossible to follow them in their profits. It will be seen that any attempt to regulate prices, as most readers and thinkers opposite will know, would be absolutely futile. That, however, is the effect that constant application to the Arbitration Court is having. I am sure that no man, either on this side or that side of the House, can review the state of things impartially without coming to the conclusion that we have not yet solved this difficulty. I do not say that we shall solve it by a broad adoption of the voluntary system, but I am satisfied that some solution will have to be found much better than the present one.

Now, take the effect of arbitration in some of its other aspects. I have pointed out that far-reaching disputes sometimes originate in trivialities, and that we have no power, preparatory to an appeal to the Court, to have the questions investigated. What would have been the effect if members of the mining union in Tasmania had recently met together and consulted, in view of the fact that the strike was going to have a very serious effect on themselves and on the industry on which they depended? If they had come together and determined for themselves,

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after investigation, whether or not the employers were right; if they had come to the conclusion that the employers were right, and had expressed their disapproval of what was done and backed up the employers—they would have created a feeling of confidence in their own cause throughout the length and breadth of Australia that would have redounded very much to the credit of trade unionism. Another aspect is the very small part which Labour representatives in this House are prepared to take when conflicts occur. I can readily understand that, if a Labour representative were to rush to the scene of a strike and tell the men they were wrong, it would probably not do him any good politically.

Mr. CARR.—And not settle the strike either.

Mr. BRUCE SMITH.—I do not know that.

Mr. CARR.—I do.

Mr. BRUCE SMITH.—I do not think the honorable member knows better than I do. I think I am just as capable of observing things as he is.

Mr. CARR.—But not of doing them.

Mr. BRUCE SMITH.—If the Labour party could only counsel strikers from time to time to abide by the decision of the Court, or to wait until the Court had time to settle questions, they would be contributing towards the success of arbitration that would redound to their own credit.

Mr. ROBERTS.—We never fail to admonish when we think the men are in the wrong.

Mr. BRUCE SMITH.—I have never heard the honorable member admonish anybody except honorable members on this side of the House. I cannot recall a single instance in which any honorable member opposite has had the courage to complain with regard to the precipitancy of men in entering on a strike without waiting for the Court to determine the question.

Mr. SCULLIN.—Did the honorable member ever condemn the employers?

Mr. BRUCE SMITH.—Frequently.

Mr. ROBERTS.—I never heard of an instance.

Mr. BRUCE SMITH.—When I was a member of the Employers Union I again and again condemned employers for having precipitated trouble with workmen. It was my duty to do so, although I stood in a partial position as a representative of the employer.

Mr. ROBERTS.—Did those condemnations appear in the press?

Mr. BRUCE SMITH.—I cannot tell the honorable member. I repeat I cannot recall a single instance—I wish some honorable member could recall one—in which any honorable member opposite has ever expressed a word of condemnation of the precipitate attitude of the trades unionists in ignoring the tribunal which this Parliament has appointed for effecting the settlement of their disputes. Would honorable members opposite approve of the attitude of any honorable member on this side if he were to refrain from condemning an employer when the latter was palpably wrong and ignored the Court? What is the use of the Court, if, when it has investigated and arrived at a conclusion, the parties on one side or the other snap their fingers at it? The Court, under such circumstances, entirely fails in its purpose, and it would be far better to abolish it and resort to the old method of settlement. If honorable members opposite are imbued with the sentiment of not giving up strikes, and the employers come to the conclusion that they are not prepared to give up the power of lock-out, what is the good of the Act? The whole purpose of the Act is to abolish both strikes and locks-out. If one side is to perpetuate the old-fashioned brutal method—the word "brutal" has been used by them—why should not the other side persist in the determination to lock out?

Mr. SCULLIN.—They do.

Mr. BRUCE SMITH.—Then what is the use of the Act? Will the honorable member explain, when he speaks to this motion, what is the good of an Act that binds only one side or neither? If it binds no side at all it must be perfectly useless. Is it worth while to give ourselves up to an attempt to put the principal Act into such a condition that it will effect its purpose? What is the effect when men break through the principles of such an Act and are punished for it? A few days ago, in connexion with the Lithgow strike men were convicted and sentenced to imprisonment. And what did the Attorney-General of New South Wales do? Within almost a few hours of the passing of the sentence on these men, he released them. What sort of a farce is that? If the officers of the Crown, in the

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exercise of their executive power, release men from the punishment that is inflicted upon them——

Mr. SPEAKER.—The honorable member must not discuss that matter.

Mr. BRUCE SMITH.—I desired only to point out that, unless we can prevent this sort of thing, such a measure as this must be a farce.

Mr. RILEY.—The trial to which the honorable member refers was under the Masters and Servants Act.

Mr. BRUCE SMITH.—I do not care under what Act it took place. I am speaking of the spirit in which such actions are taken. If men are condemned for a breach of the law, and officers of the Crown take it into their own partial hands to frustrate the effect of the judicial decision, it is impossible for a measure like this ever to work in the interests of the people generally. I have already said that I do not intend to enter into the legal details of this Bill; and I shall certainly not attempt to follow the honorable member for Werriwa in what I regard as a series of Committee speeches. Under this Bill an attempt is made to sweep away the restrictions placed upon the power of the President of the Arbitration Court by the existing law. The decision of the High Court in the engine-drivers' case has shown that, in the view of the Court, a registerable association cannot be formed in the way that that union was formed. This Bill is an attempt to overcome that difficulty. It practically seeks to give the President of the Court jurisdiction over the whole of Australia in regard to breaches of the law on the part of a union that is scattered all over the Commonwealth. It is, in fact, an attempt to extend the general rule over the whole of Australia against the law as laid down by the High Court. It goes even further. Honorable members will find that the Bill practically abolishes the necessity for organizations. It omits all the words which point to organization as a necessary qualification for registration under the Act. It also proceeds to give the Registrar power to register a body of men without any organization whatever. I agree with the honorable member for Flinders that the corner-stone of arbitration must be unionism on both sides. It is impossible to control any body of men unless you can deal with them in a corporate form. If we allow men, irrespective of organization, to be scattered over a great continent, and yet to have the benefit of the decision of the President of the Court, then I predict that we shall have such a labyrinth of appeals to the Court, quite apart from organizations, as to make it impossible to carry on industries in the interests of either employers or employés. I have never objected to unionism. If it were necessary, I could show honorable members writings of mine of twenty-two years ago in which I heartily approved of organization. I then pointed out that unless we had unions that could be dealt with through its officers, we should find it impossible to deal with large bodies of men. I fully agree with the honorable member for Flinders, who speaks of unionism as being practically the corner-stone of arbitration. I have here a very interesting extract from an address by ex-President Roosevelt, in which he dealt with unionism, and I should like honorable members to observe the point at which his approval of unionism stops, for I heartily indorse the views expressed. He stops short at the point at which a body of men forming a union are not satisfied to secure for their own benefit all the advantages of co-operation, but seek to restrict the liberties of others in a direction in which they refuse to be restricted themselves. He said—

> I believe in corporations; I believe in trades unions. Both have come to stay, and are necessities in our present industrial system. But where, in either the one or the other, there develops corruption, or mere brutal indifference to the rights of others, and shortsighted refusal to look beyond the moment's gain, then the offender, whether union or corporation, must be fought; and if the public sentiment is calloused to the iniquity of either, by just so much the whole public is damaged.

I need not remind honorable members of what has taken place from time to time in Australia in the way of intimidation. We know what took place at Lithgow only recently. We know of the destruction of property, and the injury to the health of people who were literally chased through the streets. One knows very well, also, of the indifference shown to the safety of mining properties. Not only were the miners withdrawn, but the men who were saving the mines from being flooded were also withdrawn. They were absolutely callous as to the effect of their action. Intimidation is practised in Australia, notwithstanding the existence of a Conciliation and Arbitration Court, and it has been practised to an extent which goes almost beyond the point of brutality. Those who come from New South Wales can recall cases in which

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many of the non union wharf labourers were injured and almost stoned to death by those who were engaging in the struggle on behalf of the unions. One knows the attitude that has been taken up from time to time. Even the honorable member for Darling, on one occasion, said that non-unionists were not entitled to a Christian burial.

Mr. WEST.—The honorable member has made that statement before.

Mr. BRUCE SMITH.—I saw the statement in a presidential address delivered by the honorable member for Darling, and he does not deny having used it. It is, I repeat, impossible to arbitrate if such an attitude is maintained on either side. What would the Labour party think if a bank manager were to put down rates contrary to the decision of a Banking Association, of which he was not a member; and a number of associated bank managers waited at the door of the bank concerned with a view of injuring the manager as he left the building merely because he would not adhere to the decision of the association? That is the attitude in this case. The only way in which honorable members opposite can estimate the fairness of the attitude of the men is by picturing the converse on the part of the employers. Let us suppose that an employer had undertaken to pay wages higher than the rates fixed by some body of employers. In that case, what would the members of the Labour party say if the other employers attempted to do an injury to the man who had raised those wages. They would be the first to speak of the brutality of such men. I invite them in their own case to picture the converse in their own minds. If they do they will recognise the heinousness of the attitude taken up.

Mr. LAIRD SMITH.—What has that to do with arbitration?

Mr. BRUCE SMITH.—One or two honorable members do not seem to appreciate the application of this statement. Let me ask them how we can hope to bring about an amicable method of settling disputes whilst this sort of attitude is tolerated on one side.

Mr. FENTON.—On both sides.

Mr. BRUCE SMITH.—I know of no intimidation on the part of a body of employers as against other employers. If such a thing existed would it be possible to bring about a method of settling disputes? It is tolerated, however, on the one side. If men are punished by a Court, ought not their punishment to be upheld in every case and thoroughly approved? In Newcastle a year or two ago a large body of men were punished for participating in a strike, and there was agitation on all sides to secure their release.

Mr. WEST.—Hear, hear!

Mr. BRUCE SMITH.—The honorable member admits that. We know that, in the case of the coal strike, a number of men who had been sentenced to a term of imprisonment were released long before the time for their release had expired. I wish to make one more quotation from President Roosevelt's address. He said—

> **There is no worse enemy of the wage worker than the man who condones mob violence in any shape or who preaches class hatred.**

I do not say that this observation on the part of Roosevelt was aimed at the Labour party in Australia, but it contains a moral for them. Roosevelt spoke of the condoning of mob violence. We have had that sort of thing at Lithgow, and also at Adelaide. What sort of arbitration existed in Adelaide when the Government of the State had practically to throw up the reins of government and recommend citizens to apply to the Trades Hall for a certificate to enable them to carry their goods along the streets?

Mr. ROBERTS.—That is a wilful libel on the Government of South Australia.

Mr. RICHARD FOSTER.—It is absolutely true.

Mr. RILEY.—The British Government had to do the same.

Mr. BRUCE SMITH.—The British Government had also to do so for the reason that the unionists, not satisfied with the position they had reached on the merits of their case, chose to adopt means that practically paralyzed the Government of the country.

Mr. RILEY.—There are no Arbitration Courts in Great Britain.

Mr. BRUCE SMITH.—That makes the position all the worse.

Mr. ROBERTS.—The honorable member is not seized of the facts in respect of South Australia.

Mr. BRUCE SMITH.—I know enough of them to satisfy me that the statement is true. I wish now to refer to the question of preference which I should have liked to discuss when it was before the House on a previous occasion. If the Minister were in business for himself he would have a perfect right to choose what men he pleased for his own employment.

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Mr. SPEAKER.—The honorable member will not be in order in dealing with that matter. The question has been settled by the House.

Mr. BRUCE SMITH.—I am speaking of Government employment as bearing on arbitration.

Mr. SPEAKER.—The honorable member said that he considered the time opportune to say a few words on the question of preference.

Mr. BRUCE SMITH.—If you rule that, in discussing this Bill, I shall not be in order in dealing with the subject of preference to unionists, I must bow to your decision.

Mr. SPEAKER.—On the motion for the second reading of a Bill, honorable members may move certain amendments, but they may not anticipate motions on the business-paper, or discuss questions already settled by the House.

Mr. JOSEPH COOK.—On a point of order. We are dealing with a Bill to amend the Commonwealth Conciliation and Arbitration Act 1904-1910. As that Act contains provisions relating to preference, I take it that they may be referred to in the discussion of any proposal to amend it, and that, so long as the honorable member confines his remarks to preference in general, he will be in order. The subject of preference has been dealt with by the House only as it relates to the Public Service, and so far only as it deals with temporary employment. The decision of the House was in regard to a restricted application of preference.

Mr. SPEAKER.—I rule that, as the question has been specifically dealt with, the honorable member will be out of order in referring to it.

Mr. JOSEPH COOK.—Do you rule that preference, as a whole, cannot be discussed, because it has been dealt with by the House?

Mr. SPEAKER.—I rule that the honorable member may not deal with preference to unionists.

Mr. JOSEPH COOK.—In any case?

Mr. SPEAKER.—The honorable member said distinctly—I do not profess to use his exact words—that he intended to take the opportunity to deal with the question of preference to unionists, as he had not dealt with it before; meaning that he had not spoken on the occasion when it was before the House. He will not be in order in doing that. If the honorable member for Parramatta desires to take any further action, he must move to dissent from my ruling.

Mr. GROOM.—May I ask you a question, sir?

Mr. SPEAKER.—No. The only course is to move to dissent from my ruling.

Mr. JOSEPH COOK.—I propose to give notice of a motion of dissent.

Mr. BRUCE SMITH.—I presume that there is nothing to prevent me from concluding my speech.

Mr. SPEAKER.—The notice of motion to dissent must be handed in and seconded, and will then be set down for discussion on another day. Under the circumstances, I allow the honorable member to proceed.

Mr. BRUCE SMITH.—I wish to say, in vindication of my position, that I am not seeking to make a party speech. This is a subject with which I have had to deal during nearly a quarter of a century. I know the position of employers and of employés, and am as much imbued as any man in this House with the desire to see adopted some method which will prevent the loss, misery, and inconvenience resulting from the constant conflict between Labour and Capital. Although honorable members opposite may think it politic to assume a partisan attitude—and I judge from their interjections that they will continue to do so—it will come back upon them. In the result of the recent referenda we had the condemnation of a large body of electors of the proposal of the Government to extend the Commonwealth interference with industries into the domain of the States.

Mr. PARKER MOLONEY.—The Western Australian elections give a contrary indication.

Mr. BRUCE SMITH.—Those elections merely confirm the vote of the State in regard to the referenda. Western Australia was the only State in which a majority of the electors voted "Yes."

Mr. PAGE.—How does the honorable member account for the result of the East Bendigo election?

Mr. BRUCE SMITH.—I ask the honorable member for Maranoa how he accounts for the fact that 250,000 electors negatived the proposal that the Commonwealth should be allowed to extend its powers in regard to arbitration.

Mr. PAGE.—They were bamboozled by the party to which the honorable member belongs, and a lying press.

Mr. BRUCE SMITH.—I am satisfied that the persistent action of the Labour party in allowing the law to be perverted,

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in condoning the resistance of the men to the decisions of the Court, and in declining to counsel them to avoid breaches of the Act, will reflect upon them. If they showed a desire that the law should do the good work for which it was originally intended, they would win the support of the people, not by lending support to one side or another, but by insisting on the observance of the decisions of the Court. The attempt to put unrestricted power into the hands of one man to regulate the industries of all the States, as is attempted to be done in this measure, will come back upon them like a boomerang.

Mr. ANSTEY (Bourke) [9.35].—I listened to the honorable member for Parkes with a large amount of interest and wonderment. What is it that he desires? Apparently he objects to the high rates of wages, and to the existence of Courts of Arbitration. His argument was to the effect that if wages are increased, prices rise still more rapidly. If that be so, apparently the new Jerusalem is to be brought about by creating a community which will live like Chows. If it be a bad thing for the workers to increase wages from 20s. to 30s. because prices will rise still more, it would be apparently a good thing to reduce them from 20s. to 10s., and so to 5s., until finally, when the men got nothing at all, provisions would cost nothing, and there would be a bonus thrown in. The honorable member asserted that the cost of living has risen more in Australia than in any other country. I do not intend to make any assertion on the subject, but the *Argus*, which supports him and his party, published an article last Saturday referring to two great conferences which have met in England, the Trades Union Conference of Newcastle-on-Tyne, and the Conference of the British Association. The London *Times*, on the 4th September, pointed out that there are fewer industrial contests in Australia than in countries where there are no arbitration laws. That is not a radical journal, but the literary support of the reactionary forces of the Old Land. It pointed out that where there have been contests in Australia, they have been caused mostly by the refusal of employers to be bound by the decisions of the Arbitration Courts, or by the action of the employers in taking advantage of the processes of law to prevent those decisions from having effect. That is the verdict of the leading Tory journal of the Old Land, after watching the progress of events in Australia from afar. Every one acquainted with what has occurred here knows that the great strikes of recent times have unquestionably been due to the refusal of employers to abide by the decisions of the Courts, or by their attempts to upset them. As to the cost of living, the *Argus* article to which I have referred quoted from English journals as to the manner in which rents have risen in the Old Land. Where there are no Arbitration Courts and no Wages Boards, rents and the prices of food and clothing have risen enormously. Where the people have no Arbitration Courts to defend them, and no Labour party to control the Government and tear the community to pieces, women maddened with hunger have been fighting in the streets for bread. The cost of provisions, rents, food, and clothing has risen enormously in the Old Land. They have risen far more than they have in Australia, but there has not been any corresponding increase in the purchasing power of the wages of the workmen of those countries. We have only to go back to the period prior to the maritime strike for a comparison with the conditions now prevailing. We saw then an enormous increase in prices in these States. Rents were as high as they are to-day, and food was as dear, but the purchasing power of the working classes was enormously lower. What, then, is the use of talking? These things are part of a world-wide movement, and the only thing that has been secured on this continent is that the working classes have been able, if not to realize a little of Paradise itself here, at least to suffer a little less of hell than they suffer in other countries. That is the position; but the honorable member in his lamentations, failing anything else, went back to the same old jingle that we hear night after night, and in debate after debate, that all the members of the Labour party have been absolutely silent upon the iniquities of Brown, or Jones, or Jenkins. One would necessarily think that if there were delinquents in our own party, we were surely not called upon to whip our own friends, considering that we have so many among the Opposition ripe for whipping. Since this subject was last mentioned, we have read that, in Stuart Town, New South Wales, there was a gathering of gentlemen belonging to the same party as honorable members opposite. They were members of the great Liberal party, and they said that Mr. Willis should be hanged, and that they would hang him if they had the opportunity. They

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counselled murder; but, although I have listened expectantly for it, I have not heard any of the gentlemen opposite condemning those would-be murderers. I have read the daily press attentively in vain for a denunciation of that callous resolution.

Mr. FAIRBAIRN.—That is a different thing about Willis.

Mr. ANSTEY.—Of course, it is different. It is always different when the other man does it. But, after all, what an absurdity it is, when we are discussing this or any other Bill, for any honorable member to ask why somebody does not rise and protest against this or that utterance by an individual. It is not so long ago that somebody up country said that the leaders of the party who were creating these disturbances ought to be drowned in a pool. If we ask honorable members opposite whether they have condemned a statement of that kind, they say, "No, we have never heard of it." It was the same with Mr. Wetherspoon, who talked about arming himself and his family in defiance of the laws of his country. When we asked them about it, they said, "Who is he?" When we told them who he was, they denied his existence. When we explained that he belonged to their party, they tried to repudiate him. When we proved that he occupied a prominent position in their party, they said, "We never heard of him." Honorable members on the other side do not run up and down the country saying their prayers over the delinquencies of men in their own ranks; and certainly, while I shall look eagerly for the faults of the Opposition, I must have a merciful eye for the delinquencies of my own friends. After all, what is the position of the honorable member for Parkes? He said, from his place in the House to-day, that he believed in unionism. He said he was in favour of it twenty-two years ago, and has been in favour of it ever since, and, God willing, if he lives another fifty years he will still be in favour of it then. Nevertheless, there will be no occasion upon which by his voice, if not by his vote, he will fail to use his influence, whether in or out of Parliament, to make unionism as weak as possible. That we know is his policy. So, while he and those like him profess to believe in the principles of arbitration, they use every subtle means to deprive it of its power; and in this case, being destitute of every other argument, they seek to destroy the Bill by an amendment which, if it were carried, would render null and void the whole Arbitration Act from beginning to end. They seek to do it by sly and subtle means. They affirm that the Bill places in the hands of one man supreme power over all the industries of Australia from one end of the Commonwealth to the other; but it does not give that one man one shred more power than he was assumed to possess from the very time the first Conciliation and Arbitration Act of the Commonwealth was passed. All it does is to make clear the powers which everybody thought that the President of the Court originally possessed, but which the decisions of various Courts, by whittling them away, has rendered it impossible for him to carry out. Moreover, that one man has not necessarily the whole power. He may depute his power and authority to another person in any State, or part of a State. He may appoint deputies to carry out his work; but the Court stands there established by Parliament for certain specific purposes. Parliament intended it to be the proper tribunal to settle disputes between employers on the one hand and the workmen on the other. There stands the Judge to give his decision upon the case, just as a Judge stands to give his decision upon any question in the criminal or other law. His judgment is operative from one end of the Commonwealth to the other, just as the decision of a Judge in another Court is operative as far as his jurisdiction extends. This law, with all its deficiencies, all its delinquencies, is infinitely better than the state of society that preceded it. Whatever may be said as to their drawbacks, the community in which arbitration laws exist is an infinitely better and more peaceful community than are those other communities where such laws are not in operation. We cannot possibly get a perfect law. We cannot deprive any section of the community of every opportunity to defy the law. We cannot prevent any section of the community from taking up an attitude hostile to an Arbitration Act any more than we can prevent certain people in a community from defying the marriage laws or the criminal laws. But we can make a law to which those who are willing to use it may appeal, and by which they can abide. The pastoral industry has gained immensely by the peaceful processes of the Arbitration Court where otherwise it would have been torn to pieces year after year by the old methods of strike and contest. I

can understand men who distinctly avow their hostility to the principle of arbitration, and explain why they are hostile to it. I can understand men who stand up boldly and say—"I object to the principle of unionism." But I cannot understand men who, while professing to speak in the national interests, oppose, by a subterfuge, the very principles of which they proclaim their ardent support. Why do they do it? Because the condition of public thought in Australia is such that they dare not oppose those principles by bold and open avowal as they did in years gone by, and so they seek to defeat them by underhand and subterranean methods. There is nothing whatever in the arguments of the honorable member for Parkes that could convince any one on his own side, or convince even himself, that he ought to oppose the Bill. He cannot defend his position, if he believes in the principle of arbitration and yet supports a motion calculated to defeat it. The truth is that he is to-day as clearly and definitely opposed to it as he ever was before, and will adopt any method calculated to defeat it and those associated with it.

Mr. FAIRBAIRN (Fawkner) [9.50].—I do not think I need apologize to the House for speaking on this most important matter, because it touches the root of all industrial legislation, and bears on the problem which this community and this House have been endeavouring in one way or another to solve for some twenty years. I have always been an advocate of industrial peace, and entirely agree with the statement of the honorable member for Bourke that any country which has industrial laws, even though they are crude, is in advance of countries which have no such laws on their statute-book. I often wonder, however, whether the worker is better off in Australia than in Canada. In Canada, which has no such laws, wages are higher than they are here to-day.

Mr. RILEY.—This is because they work only half the year in Canada.

Mr. FAIRBAIRN.—There may be something in that contention. Of course the population is fluctuating, but I think the enormous inflow of capital into the country has more effect. We are all agreed that we want to make our arbitration laws and Wages Boards as perfect as they can be. I wish to direct the attention of the House first of all to what was originally intended when the Commonwealth Constitution was formed. We had in Victoria at that time a Wages Board system of dealing with industrial troubles, which was working very well. A clause was put into the Constitution giving power to this House to deal with industrial disputes when they extended beyond one State. It was thought that troubles such as the great maritime strike and the shearers' strike could be far better dealt with by the National Parliament than by any local Parliament, and for that reason the people of Australia agreed to the provision in the Constitution which I have described. The outcome of that was our first Arbitration Act, which created a Court with a Judge who had to settle disputes extending outside the boundaries of one State. If we pass this measure, it seems to me that we shall go far beyond that intention. We shall apply the mandates of the Court not only to strikes extending beyond one State, but to almost every disturbance that takes place in any part of this great continent. We shall hand over to one man not only power to fix the wages and terms of work when a strike extends beyond one State, but also power to fix them in relation to the original dispute occurring in the State. In doing that we are going outside the Constitution, and the Attorney-General would save the time of this House if he withdrew the measure, especially after what we have heard from the honorable member for Flinders. It has been clearly demonstrated that the Bill is fairly sure to be held by the High Court to be *ultra vires*. Even the Attorney-General appears to be a little shaken up about it, as he looks rather depressed. His understudy, the honorable member for Werriwa, is also looking very white, because he realizes that all the work that has been put into this measure is not likely to have any result. The honorable member for Flinders clearly indicated that this measure did not achieve what is aimed at, namely, the rectification of what is regarded as the hard case of the engine-drivers. Honorable members will recollect that the engine-drivers obtained a decision, but, in consequence of what was considered to be a flaw in the Act, it was held to be *ultra vires*, and the old rates of wages and conditions were reverted to. I admit that this did seem to some extent a hard proposition; but, as the honorable member for Flinders pointed out, all matters of this kind must be dealt with absolutely fairly. On the one side, there was a combination of men engaged in a particular industry scattered all over the

Commonwealth, but, to all intents and purposes, doing the same work. Against them were arrayed persons engaged in every conceivable industry—those travelling with threshing machines, those employing engine-drivers in sugar-mills, flour-mills, and so forth. Taking a common-sense view, the Court did not deem it fair that a well-organized body like the engine-drivers should be arrayed against such a conglomerate body on the other side; and it was held that, in order to constitute a strike within the meaning of the Act, there had to be one registered organization against another registered organization. In every piece of legislation we pass, there must be perfect fairness on both sides; and, in the case under review, that fairness was absent. I cannot believe that we shall achieve industrial peace by leaving all the vast and intricate industrial machinery under the control of one man. The honorable member who last spoke told us that very good work in connexion with the pastoral industry had been done by the Court presided over by Mr. Justice Higgins; and I am in a great measure in accord with that sentiment. I think the case which came before Mr. Justice Higgins the other day was admirably conducted.

Mr. SPEAKER.—I must ask the honorable member not to refer to that case, which is now before the Court.

Mr. FAIRBAIRN.—I was under the impression that the hearing terminated on Monday. I regret if I have transgressed, but I remind you, sir, that the case was referred to by the honorable member for Bourke.

Mr. SPEAKER.—That honorable member just mentioned the case; and I was following him very closely to see that he did not go too far.

Mr. FAIRBAIRN.—It is often said that the Court has settled disputes between pastoralists and their employés in an equitable way, and that can be admitted. We must remember, however, that the pastoralists are a homogeneous body. A pastoralist in North Queensland carries on his work in much the same way as the pastoralist in Tasmania. The conditions are different, however, in the case of engine-drivers who are employed by people in totally different spheres of life. At the same time, flaws have crept into the decisions even in connexion with such an easy industry as that of the pastoralist. For instance, the other day the wool pressers, who are really the hardest worked people in the shed, had their wages reduced.

Mr. TUDOR.—There is nothing to prevent the pastoralists paying the wool-pressers more.

Mr. FAIRBAIRN.—But with high wages all round, the industry is not able to pay more, and the breaking point has been reached. Another anomaly is in connexion with the wages fixed for men over twenty-one years of age. Very often, the most active and useful young fellows are under twenty-one, and yet they have to accept lower wages than the older men who do much less work. These are matters, of course, in which any Judge is liable to make a mistake, but such things would not occur if these matters had been settled by Wages Boards. If we are to have industrial peace, these cases ought to be sifted by Wages Boards before being taken on to the Arbitration Court.

Mr. TUDOR.—Some Boards take over twelve months to give a decision.

Mr. FAIRBAIRN.—Wages Boards may take a long time, but they are a much less expensive method. In the case to which I am not allowed to refer the legal expenses on one side amount to £24,000. I do not know what the other side has to pay; but I submit that, in the matter of expense, a Wages Board would be a vast improvement. However, so long as justice is done, I suppose a few thousand pounds is not a great consideration. To make one man the arbiter in regard to the whole of the industries carried on by the community is, in my opinion, a step in the wrong direction. I have studied these matters for many years, and have always done my best to secure industrial peace; and I desire to impress on honorable members that the proper method is that of Wages Boards. The establishment of Federation, to some extent, dislocated the State machinery for dealing with these matters. That machinery was on its trial, and was doing remarkably well, but it was found that the establishment of the Arbitration Court caused great industrial unrest. The workers all appeared to desire to ignore the State Courts, and go at once to the Federal Court. As we sat rather late last night, I ask leave to continue my remarks to-morrow.

Leave granted; debate adjourned.

PAPER.

Mr. FISHER laid upon the table the following paper:—

Audit Act—Treasury Regulation Amended—Form 5 (clause 24)—Statutory Rules 1911, No. 148.

House adjourned at 10.6 p.m.

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Senate.

Thursday, 19 October, 1911.

The PRESIDENT took the chair at 2.30 p.m., and read prayers.

DRILL AT SCHOOL.

Senator MILLEN.—I desire to ask the Minister of Defence whether he has noted in to-day's newspaper the following telegram from Shepparton:—

> Statements were made at the meeting of the Shepparton State School Committee, on Tuesday evening, that a number of parents were complaining of their sons being subjected to too much military drill, which should at least be modified on sultry days. Several of the boys had fainted, and some had become ill through it.

In view of the statement which the Minister made some time since, that instructions had been given to moderate the drill in distressful weather conditions, I desire to know whether the instructions have reached the local authorities, and, if so, whether steps have been taken to as far as possible anticipate and prevent occurrences of this kind?

Senator PEARCE.—I have read the paragraph. If the honorable senator will read it again—and he only quoted a part of it—he will see that the drill was not given by the Defence Department, but by the Education Department, for which I am not responsible.

Senator MILLEN.—Is not this drill part of the compulsory training?

Senator PEARCE.—I do not think it is. I shall have inquiries made, but, according to my reading of the paragraph, it refers to drill given by the school teachers, and not to drill given by the area officers. Moreover, the paragraph cannot be correct in its reference to military drill. Our drill is given by the area officers or sergeant-major instructors, who do no drill at school or during school hours. Further, the training given to junior cadets is not drill, except of a very elementary character, which is given by school teachers, and, so far as I am aware, it has not yet been begun.

Senator MILLEN.—Do I understand the Minister to say that military drill is given outside the drill to which cadets are subjected?

Senator PEARCE.—This paragraph does not refer to cadets, but to children attending school.

Senator MILLEN.—Am I to understand that military drill is being imparted to lads other than that which they will receive under the compulsory defence scheme?

Senator PEARCE.—Not military drill.

Senator MILLEN.—This paragraph speaks of military drill.

Senator PEARCE.—But physical drill, such as marching, is given at the schools, in addition to the military drill.

PROSECUTION OF CADETS.

Senator CHATAWAY asked the Minister of Defence, *upon notice*—

1. In the case of the cadet named Clark, at Albury, was it under the instructions of the Defence Department that the prosecution was made under the Victorian Police Offences Act instead of under the Commonwealth Defence Act and Regulations?

2. If so, why?

3. If not, is it the intention of the Government to utilize Commonwealth laws to enforce its own laws rather than those of the States?

Senator PEARCE.—The answers to the honorable senator's questions are—

1 and 2. No information is to hand with reference to the prosecution of Cadet Clark at Albury, but inquiries have been made. No instructions have been issued from the Department to proceed otherwise than under the Defence Act.

3. Yes.

MARCONI WIRELESS STATIONS.

Senator KEATING asked the Minister representing the Postmaster-General, *upon notice*—

1. Has the Postmaster-General been advised by the owners of the Marconi Wireless Stations at Queenscliff and Devonport as to any intended disposition of same?

2. Have such stations been placed under offer to the Postmaster-General's Department?

3. If so, upon what terms, and how do such terms compare with original cost and present value?

4. Is it the intention of the Postmaster-General to acquire the stations? If not, why not?

Senator FINDLEY.—The answers to the honorable senator's questions are—

1. No.

2. Yes.

3. Alternative proposals were submitted for the supply to the Postmaster-General of (*a*) Queenscliff and Devonport stations for the sum of £2,150; (*b*) the removing of one of these stations to King Island and erecting it there for £2,400; and (*c*) for the supply of the Queenscliff and Devonport stations, plus a small portable installation on King Island, for the sum of £3,300. It is further stated in the proposals submitted that the price quoted is less than half the usual price for this type of station.

4. No, because of insufficient working range.

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COMPULSORY TRAINING: STUDENTS.

Senator McCOLL asked the Minister of Defence, *upon notice*—

1. If he has observed in the press statements that the work of students in technical and other schools is being interfered with very considerably by their attendance at military drill?

2. As examinations are coming on, and the necessity of regular attendance at these schools is urgent, will he, if application be made, grant relief from drills till the end of the year, and permit them to be taken up during the vacation of the school?

Senator PEARCE.—The answers to the honorable senator's questions are—

1. Yes.

2. (*a*) The following instructions were issued on the 18th July, 1911, to Military Commandants of all States:—

> "So that the universal training clauses of the Defence Act may not unnecessarily interfere with the education of those students in attendance at evening continuation schools and technical colleges, on application being made by such students to their area officers, arrangements are to be made whereby they may be attached to a company which holds its parades at times other than those on which they are required to attend their college."

(*b*) Further instructions will be issued to the effect that, as the time approaches when examinations will be conducted at technical colleges, and other schools, on application being made by senior cadets who are students thereat to their area officers, leave of absence is to be granted to them in accordance with the Universal Training Regulations.

IRON BOUNTY.

Senator MILLEN asked the Minister representing the Minister of Trade and Customs, *upon notice*—

Has any decision yet been arrived at regarding the requests made to him to withhold or modify the bonus now being paid upon iron produced at Lithgow?

Senator FINDLEY.—The answer to the honorable senator's question is—No.

Senator MILLEN.—Can the Minister say when we may anticipate an answer?

Senator FINDLEY.—I should like the honorable senator to repeat the question.

ADVERTISEMENTS IN *GAZETTE*.

Senator CHATAWAY asked the Vice-President of the Executive Council, *upon notice*—

1. Are private advertisements inserted in the *Commonwealth Government Gazette*? If so, on what terms?

2. How long has this practice been carried out?

3. What publicity has been given to the advertising public that this method of advertising is in force?

4. Will private advertisements be bound in with the permanent volumes of the *Gazette*?

Senator McGREGOR.—The answers to the honorable senator's questions are—

1. Private advertisements are sometimes, but rarely, inserted in the *Commonwealth Gazette*. The price charged is 3s. for eight lines and 3d. for every additional line.

2. Since 1904.

3. None.

4. Yes.

PAPER.

Senator PEARCE laid upon the table the following paper:—

Kalgoorlie to Port Augusta Railway: Copy of Correspondence between the Commonwealth and State Governments *re* gauge.

Ordered to be printed.

PRINTING COMMITTEE.

Motion (by Senator HENDERSON) agreed to—

That the report from the Printing Committee presented to the Senate on the 18th October, 1911, be adopted.

RECEIVING POST OFFICES.

Motion (by Senator McCOLL) agreed to—

That a return be laid before this House showing—

(*a*) The number of receiving Post Offices in each State.

(*b*) The regulations under which these offices are carried on.

(*c*) The postal work expected to be done by the persons in charge of these offices.

(*d*) The scale of remuneration paid to the persons in charge of these offices.

NAVAL AND MILITARY DECORATIONS BILL.

Report adopted.

ELECTORAL BILL.

SECOND READING.

Debate resumed from 6th October (*vide* page 1183), on motion by Senator PEARCE—

That this Bill be now read a second time.

Senator MILLEN (New South Wales) [2.42].—When Senator Pearce moved the second reading of this Bill, he made a statement which I believe I repeat with sufficient accuracy, when I say that it was to the effect that the object in view in framing this Bill was to give electors, as far as possible, every facility for recording their votes in such a way as would be fair to all political parties. Accepting that

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statement at its face value, as I do, I venture to say that the Government are entitled to the heartiest possible congratulations for the success with which they have disguised that effort. If ever there was a Bill in connexion with which we might defy any one to discover any intention to enlarge the facilities of electors, it is this Bill. If it is possible to shape a Bill which more effectually than this would confer distinct advantages on one political party, I should like to see the measure. As party men, honorable senators no doubt take strong views, but I do not think any one will venture to challenge the statement that in our work as legislators in the shaping of a Bill designed to give electors every reasonable and fair opportunity of getting their voices heard, and their views given expression to here, there ought to be no room for party action. Whilst these may be considered somewhat strong words, I shall endeavour to prove that I have not made any statement which the clauses of this Bill do not amply justify. Before dealing with these larger issues, it would, perhaps, be convenient if I were to refer to one or two minor defects of the Bill, to get them out of the way. The first thing that attracts my attention is the drafting of this measure. For some reason or another, there has been a departure from the form for which we are indebted to the late Right Honorable C. C. Kingston. To that gentleman, above all others, we owe a debt of gratitude, inasmuch as he introduced a system of simplicity in the drafting of our legislative enactments. To a great extent the model he established has been followed, but in this measure we have an extraordinary departure from that simplicity, and indeed from the usual method of drafting Bills. For instance, I find in clause 8, and the proposed new section 61C, this statement—

> It shall be the duty of every person who is entitled to be enrolled as an elector—

and so on. We are not setting out here any moral lectures. We ought to provide a simple direction to the electors as to what they are to do. If we turn to other portions of the Bill, we shall find that an officer is told to do so and so, and the measure tells him that he shall do it. That is the language hitherto invariably employed in our Acts of Parliament. It is easy to see where this phrase, "It shall be the duty of every person" comes from. It is taken almost wholly from the memorandum prepared by the Department for the guidance of the Minister. Whilst such a phrase may be appropriate in a departmental memorandum, it is altogether out of place in an Act of Parliament, and the proposed new sub-section to which I have referred should read, "Every person who is entitled to be enrolled as an elector," and so on. To use the phrase used in this Bill is to depart from that commendable simplicity in drafting for which we are indebted to the late Mr. Kingston.

I now direct attention to sub-clause 3 of the proposed new section 61C, which is so cumbersome in construction that it is necessary for me to read the whole of it—

> **The regulations may prescribe all matters, not inconsistent with this Act, necessary or convenient, to be prescribed for carrying a system of the compulsory enrolment of electors and the compulsory transfer or change of electors from one roll to another roll into effect, and may prescribe penalties not exceeding Two pounds for any contravention of any regulation made in pursuance of this power.**

If honorable senators will look into that sub-clause they will notice how cumbersome and unnecessarily involved it is. It will be seen that the words "into effect" should have followed the word "carrying." That would have made the paragraph simple, but as it stands I am entitled to refer to it as a very clumsy and schoolboy effort at draftsmanship.

Turning to matters of serious importance, the first thing to which I direct attention is the power sought to be conferred by this Bill on the Chief Electoral Officer to become a party in a case of a disputed election. I invite attention to the rather serious prospect held out here. At present, in the case of a disputed election, the matter goes before the Court, and the parties immediately concerned are left to fight it out without, at any rate, the open aid of the Government on behalf of either. What is now proposed is that the Chief Electoral Officer, which means the Government—there need be no mistake about that, because the Chief Electoral Officer will not himself interpose, with the possibility of having to foot his own bill of costs—shall become a party in the matter. Certainly the Chief Electoral Officer will have the sanction of the Government, and will, I should say, be moved by them. Therefore, the Government of the day, who, as the Government, should stand entirely clear of these matters of disputed returns, will, under this Bill, take action in connexion with them.

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Parliament itself has recognised the desirability of keeping Parliament, an institution composed of men holding strong party views, from dealing in any way with these matters. We have deliberately put from ourselves the right to interfere in disputed elections, knowing that, being human, our political sympathies are liable to sway us to some extent. But here is an attempt made to have the Government of the day brought in as a party to a disputed election. Although honorable senators opposite may for a few months console themselves with the idea that it is their Government that will be concerned, I may remind them that all things are fleeting, even Labour Governments. I ask honorable senators to consider whether it is desirable to authorize the Administration to become an active party to a dispute of this character. I might anticipate an argument which will probably be used in favour of the proposal. It may be said that not infrequently the administration of the Electoral Department itself may be involved in a case before the Court of Disputed Returns. It is possible that in a case of that kind it might be desirable to allow the Department to be represented.

Senator ST. LEDGER.—But in such a case the Department could easily ask leave to intervene.

Senator MILLEN.—Senator St. Ledger anticipates me. I was about to say that, unless the Government desire by this to achieve a purely party object, I would urge them—for I am sure that honorable senators generally have no sympathy with such a desire—to keep the approaches to the Court, as far as possible, free from the active participation of any Administration. I should be quite willing to agree to the insertion of a provision giving a right to the Electoral Officer to ask the Court for leave to appear. That leave would be asked for only when the administration of the Department was to some extent challenged. But then, and then only, should the Administration have a right to be represented. So far as the case under consideration was merely one between two candidates for election, I say that the Government and the Department ought to stand quite out of the way, and leave the two interested parties to fight out their issue before the Court. There is another aspect of this clause which must be borne in mind. The Bill before us proposes to remove the £100 limit in respect of costs. Under the existing Act, no costs can be given against the defeated party to a case before the Court of Disputed Returns in excess of £100. That limit, as I say, is struck out. Why, I do not know. So that, if any one brings a case before the Court of Disputed Returns, and the decision goes against him, he may not only have to pay his own bill of costs, and the costs of the other side, but may also be faced with a demand for the payment of the costs of the Department. Under this Bill, if it is passed into law in its present shape, with the £100 limit struck out, the unsuccessful candidate may possibly be overwhelmed with the amount of costs that he will have to pay. This is a complete reversal of all that we have hitherto provided for in our electoral law. We have sought to insure that the mere possession or absence of wealth should not, in itself, be a barrier to anybody in respect of electoral matters. But if this Bill passes into law, it means that the only man who will be able to launch an appeal before the Court of Disputed Returns will be he who is in a position to pay, not only his own costs, but possibly the costs both of his successful opponent and of the Department.

One other little matter in the Bill to which I would call attention must, I think, be a misprint. It is stated in clause 41—

Section 206 of the Principal Act is repealed.

I cannot think that that is intended. It must, I think, mean that section 206D of the principal Act is repealed.

Senator FINDLEY.—The letter D is to be inserted.

Senator MILLEN.—I thought it must be so. Otherwise there would be serious ground for discussion. In view of the Minister's statement, I pass from that point.

Senator WALKER.—The Bill says "206D" in my copy.

Senator MILLEN.—Possibly in consequence of the friendly relations between Senator Walker and the Government, he has received a revised copy.

Senator FINDLEY.—An amendment has been circulated.

Senator MILLEN.—Apparently an error has been made in some copies. Nothing more need be said upon the point. Another provision to which I call attention is that which lays it down that offences against the Act or regulations can be kept alive for three years. That is to say, at

any time within three years after an election, any one who feels disposed can launch proceedings against a successful candidate. I ask honorable senators to bear in mind what these electoral offences are, concerning which proceedings may be taken. I am not speaking of bribery, corruption, or other indictable offences. It is reasonable that there should be no time limit with regard to proceedings of that kind. But when we are dealing with electoral offences, I do say that it is going too far to enable any man to hold over for three years the right to commence proceedings against a political competitor. To do that would be monstrously unfair. It would be possible for some one to hold over a charge until the eve of the next election.

Senator NEEDHAM.—During the whole life of a Parliament.

Senator MILLEN.—Yes; and when the next election was about due, it would be possible for the person to commence proceedings, with a view of damaging his political opponent.

Senator ST. LEDGER.—And shutting his mouth.

Senator MILLEN.—And shutting his mouth, because the case would then be before the Court. Further than that, if honorable senators look through the list of offences—most of which are very minor—it is obvious that in three years' time the possibility of obtaining evidence to rebut a charge would be considerably weakened. I am at a loss to know why the Government have been careful so to shape the clause as to enable any one, three years after an alleged offence has been committed, to institute proceedings. I repeat that I am not now dealing with indictable offences, but merely with offences known technically in this legislation as offences against the Act or regulations. I think it will take very strong arguments indeed to show the wisdom of the provision to which I am calling attention.

Senator ST. LEDGER.—The usual term is six months; after that, no prosecution.

Senator MILLEN.—Six months would appear to me to be a very reasonable period. I put it to honorable senators in this way: Half of the members of this Senate were returned at an election which took place eighteen months ago. Suppose any person came along and made a charge against any member of the Senate of having been guilty of certain irregularities committed prior to the 13th April of last year. Is it not obvious that the man against whom the charge was made would be very seriously handicapped indeed owing to the lapse of time between the alleged offence and the making of the charge? Would it not be difficult for him to obtain evidence to rebut the allegations? How much greater, then, will the difficulty be if we allow a person to hold over a charge for three years. I trust that in this matter honorable senators will take a common-sense view and insist on providing that the term shall be very much shorter.

I now come to a matter of considerably greater magnitude. Whether this be intended or not, I do not know; but the Bill as it stands practically abolishes the right of a candidate to ask for a recount. That is not specifically provided in the Bill, but what I have described arises from the method that is being adopted, with a view, I think, of enlarging the right and simplifying it. The effect, however, is practically to abolish it. That comes about in this way: If honorable senators look at the Act itself, they will find that section 161A provides as follows—

> At any time before the declaration of the poll—

I draw breath to emphasize the fact that we are dealing with the period before the declaration of the poll. It will frequently happen that it is not until after the declaration of the poll that a candidate will know whether he wishes to apply for a recount or not. Before the declaration of the poll, he can only have figures which are not official. He may not, until the poll is declared, have an opportunity of gathering up the information necessary to enable him to determine, in his own mind, whether he will be justified in asking for a recount. Before the declaration of the poll, then—

> the Commonwealth Electoral Officer for the State may, if he thinks fit, on the request of any candidates or on his own motion, direct a recount of the ballot-papers from any division or portion of a division, or of the ballot-papers contained in any parcel.

That gives power to the Electoral Officer of the State, either of his own volition or at the instance of a candidate, to recount the papers. The Bill, however, in addition to that, gives the candidate the right to appeal from the Electoral Officer of the State to the Chief Electoral Officer for Australia. To that extent, the Bill appears to enlarge the opportunities for securing a recount.

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Clause 25 provides for the addition to section 161A of the following new subclause—

(3) If the Commonwealth Electoral Officer for the State refuses, on the request of a candidate, to direct a recount of any ballot-papers, the candidate may, in writing, appeal to the Chief Electoral Officer to direct a recount of those ballot-papers, and the Chief Electoral Officer may, as he thinks fit, either direct a recount of the ballot-papers or refuse the appeal.

If it merely stopped at that, I should say that the Bill was to be commended in allowing a candidate in the State to appeal from the local officer to the Chief Electoral Officer for the Commonwealth. But the Bill does not stop there. It makes provision, in clause 26, for the insertion of a new section 161B, sub-clause 3 of which I shall read, in order that there may be no misunderstanding—

"(3.) In the event of the validity of the election being disputed the Court of Disputed Returns may consider any ballot-papers which were reserved for the decision of the Commonwealth Electoral Officer for the State, but shall not order any further recount of the whole or any part of the ballot-papers in connexion with the election unless it is satisfied that some mistake or error in connexion with the counting has been made which renders a recount necessary."

How can a Court possibly be certain that a mistake has been made, unless it has a recount to ascertain the fact? If I bring a parcel of ballot-papers, and lay them on the table of the Senate, how can any honorable senator determine, before he recounts them, that a mistake has been made? Yet it is provided, in clause 26, that the Court shall not order a recount unless it is satisfied beforehand that some mistake or error in connexion with the counting has been made which renders a recount necessary. I defy any honorable senator to show that the Court can, in any way, have the evidence that a mistake has been made except by the recount which it has not the right to order unless it has evidence beforehand. Having read the provision, let me direct attention to what might happen. A candidate, dissatisfied with the count, or regarding the figures as sufficiently close between himself and his opponent, appeals to the State officer for a recount. The State officer, probably satisfied with the accuracy of his staff and his own count, refuses the application. The candidate then appeals to the Chief Electoral Officer, who, if he likes, can also refuse a recount. If the application is refused in that way, it is proposed to prevent the Court from ordering a recount at all. I hold that any candidate is entitled to a recount if he feels justified in incurring the risk of an appeal to the Court. He ought, at least, to have one recount. If it is contended that all that is desired here is to prevent a double recount, I see much to commend the provision. But as it stands, it leaves the candidate in this position: If the Chief Electoral Officer declines a recount, there is no possibility of getting it before the Court. I hope that, in Committee, the Government will recognise the unreasonableness of a provision of that kind, and will at least assist in securing an amendment to the effect that the Court shall only turn down an application for a recount where that has previously been carried through by either the Chief Electoral Officer or the officer for the State. As the Bill stands, the only time that a candidate can apply for a recount is before the declaration of the poll. Take the case of a Senate election. Can any honorable senator say before the declaration of the poll whether he will be entitled to ask for a recount or not? I ask honorable senators to recall their experience of disputed elections. I cannot recall a single case, in which a recount has been authorized, where there was not a disturbance of the totals of the respective candidates. That has generally happened in regard to elections for the House of Representatives, where only a small parcel of votes had to be dealt with, and where, generally speaking, there were only two candidates. How much greater is the liability to error when you are dealing with an election for the Senate, which involves thousands of votes for the tens and units which are involved in the case of an election for the other House? How much greater, too, is the liability to error when you are dealing with a much larger field of candidates?

Senator WALKER.—At the first Senate election in New South Wales we had fifty candidates.

Senator MILLEN.—Yes.

Senator McGREGOR.—Oh!

Senator MILLEN.—The Minister may attempt to push that statement on one side; but it is a fact. Even he cannot brush facts aside.

Senator McGREGOR.—There might have been fifty candidates for an election for the House of Representatives.

Senator MILLEN.—In the case of one Senate election in New South Wales we had fifty candidates.

Senator O'KEEFE.—And a tremendous number of informal votes owing to that.

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Senator MILLEN.—Exactly. On that occasion the lead between the two parties was so substantial that the matter dropped at that. But let us assume that the voting had been fairly even. Does any honorable senator say that a candidate should not have the right to apply for a recount?

Senator NEEDHAM.—There is no danger of such a crop of candidates occurring again.

Senator MILLEN.—At the last Senate election in New South Wales, we had ten candidates for three seats. The votes polled were 450,000, spread over ten candidates. Let us apply to these figures the experience where a recount has been ordered in a disputed election. In the case of the Riverina election, which went before the Court, an application for a recount was made to the Electoral Officer, and it was refused. It was stated by the Court that, had a recount been granted, it would have saved the whole cost of that disputed election. There was a case where they were dealing with only two candidates, and quite a small parcel of votes. Do honorable senators regard one or two per cent. as a big error in the counting of a large parcel of votes? I think that they will agree with me that one per cent. would not be a big error. Applying that rule to the Senate election in New South Wales, you will have between 4,000 and 5,000 votes to represent one per cent. I can quite conceive that an officer would say to a candidate, who was from 4,000 to 10,000 votes behind, "I shall not order a recount, because, in my opinion, the margin is sufficiently big. It is not possible for my officers to make such a mistake as you suggest. I refuse to believe that the Department over which I have control could make such a great error." But the error is not big, when it is spread over a large parcel of the votes involved.

Senator W. RUSSELL.—And with the mistakes all on one side?

Senator MILLEN.—I do not know that they were, nor is it relevant to the point I am arguing, namely, that a candidate ought to have a recount if he so desires. There was another election which will perhaps come more prominently before the minds of honorable senators, and that is a Senate election in which Senator Vardon was involved. Need I remind the Senate of the grotesque discoveries which were made?

Senator W. RUSSELL.—I was in it, too.

Senator MILLEN.—I thought so, because there was some very curious work involved in the election. I am much obliged to my honorable friend for the reminder.

Senator W. RUSSELL.—I got out of it at once. The Judge said I had no right to be in it.

Senator MILLEN.—The honorable senator can bear out the statement I am about to make. There was a case where a recount showed how liable to error are even the best officials; we all are. When you are dealing with big parcels of votes, there is nothing more natural than an assumption that somewhere or other a mistake will occur. In other Electoral Bills we provided that a recount should be allowed to an applicant if he desired it, and was prepared to take the necessary steps to make an application for an appeal.

Senator W. RUSSELL.—In one of the subdivisions in South Australia the Deputy Returning Officer said that he had burned the ballot-papers, but they were discovered afterwards.

Senator MILLEN.—Exactly. That is a very interesting fact, but it does not bear on the point. Ought a candidate to have a right to a recount irrespective of what an Electoral Officer thinks? As the Bill stands, if the Electoral Officer of the State and, on appeal, the Chief Electoral Officer say that there can be no recount, it cannot be obtained from the Court, because the Court will have no option in the matter. In an election for the House of Representatives, an Electoral Officer can, of his own volition, order a recount, but he cannot do so in the case of a Senate election. I should like to know, why not? It seems to me that if there is an occasion in connexion with which the officers should have every opportunity of exercising the greatest care and vigilance it is in connexion with the elections for the Senate. Because of the factors I have mentioned, the liability to error must be greater than in the case of elections for the other House. Yet, whilst an Electoral Officer can, of his own volition, if he think fit, order a recount in the case of the other House, he cannot do so in the case of an election for the Senate. That is so curious that I am rather inclined to think that it is due to an oversight. I hope that the Government will admit that in this matter the Bill provides more than they desired, and that the clause placing a disability on the Court has been drafted on the assumption that a recount has previously been held. In my reference to the

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Riverina election, I overlooked the fact that I had in my hand an extract from the report of the case—

In the Riverina election it was proved that mistakes occurred in the count of the votes by an Assistant Returning Officer. One of the candidates requested a recount by the Divisional Returning Officer before the declaration of the poll. Acting on the advice of the Commonwealth Electoral Officer for the State of New South Wales it was refused.

There was a statement made by the Committee appointed to inquire into the matter, that had a recount been granted, as it clearly ought to have been, the error would at once have been discovered, and a serious wrong prevented. When that is the position in regard to a simple matter of counting 2,000 or 3,000 votes for an election for the House of Representatives, how much greater, I repeat, is the necessity for some other provision than that in the Bill when you are dealing with an election for a whole State?

I come now to a matter equally serious, but of a different type. As I read the Bill, power is given to add names to the electoral roll right up to the close of the poll, or, in fact, at any time. Is that intended? I should like to ask the Minister—although he is not in charge of the Bill, he is, I assume, watching its progress—whether the Government intend that it shall be open to add names to the roll even while the poll is in progress?

Senator Findley.—To which clause are you referring?

Senator MILLEN.—I am not asking the Minister for an interpretation of clause 10. Surely he knows his own Bill? Surely he ought to know what the Government desire to do with the Bill? And, if he does not, it is rather a lack of courtesy that the Minister in charge of the Bill is not here.

Senator Findley.—The honorable senator will get all the information that he desires.

Senator MILLEN.—It is not a matter of what I want; it is a lack of courtesy to the Senate when the Minister in charge of the Bill absents himself. We had a right to expect and receive the assistance of the one man who of all others should be familiar with what is in the Bill. That Senator Findley does not know its contents is, of course, only to be expected; and, in making that remark, I make no reflection upon him, because it is a common-sense practice for one Minister to master a Bill which he introduces, and for his colleagues to attend to other matters in which the Ministry as a whole are interested.

Senator McGregor.—Senator Findley has charge of this Bill.

Senator MILLEN.—How is it that Senator Pearce moved the second reading of the Bill?

Senator McGregor.—Because Senator Findley was laid up.

Senator MILLEN.—If Senator Findley is in charge of the Bill, I withdraw the remark I made as to the absence of the Minister of Defence. If Senator Findley is immersed in the Bill, he can at once tell me whether the intention is to allow names to be added to the roll even whilst the polling is in progress?

Senator Findley.—I am unable to follow the honorable senator. I cannot read into the Bill any provision for a voter to enroll right up to the eve of an election.

Senator MILLEN.—Then I take it that it is not the desire or intention that names shall be added to the roll while the poll is in progress?

Senator Findley.—Certainly not.

Senator MILLEN.—If that is so, I have to show that a serious error has been made in drafting the Bill, and to invite the co-operation of the Ministry in correcting the error. Clause 10 reads—

Section sixty-four of the Principal Act is amended by adding at the end of sub-section (1.) thereof the words "except under the provision of sub-section (2.) of section sixty-two."

Let us go to the Act, and see what it provides at present, and what effect the insertion of that clause would have. Now let us see what the Act provides at present, that we may know what effect the addition of these words will have. I find that section 62 of the existing Act provides that—

In addition to other powers of alteration conferred by this Act, rolls may be altered by the Electoral Registrar as follows—

I direct attention to the fact that no limit as to the time when these alterations may be made is provided for—

(*a*) By correcting any obvious mistake or omission;

(*b*) By changing on the written application of an elector the original name or address of the elector to an altered name or address;

(*c*) By striking out the names of dead persons;

(*d*) By reinstating any name struck out by mistake as the name of a dead person.

The section then goes on to say—

(2.) Rolls may be altered by the Divisional Returning Officer by adding the names of any persons who he is satisfied are entitled to be enrolled.

It will be seen that if that section stood alone, the Electoral Registrar could add to the rolls the names of any one he was satisfied was entitled to be enrolled, and at any time.

Senator BLAKEY.—I think it is a misprint. In the Bill I have, the reference in clause 10 is to sub-section 3 of section 62.

Senator MILLEN.—I am very grateful for this effort to save me from a pitfall; but if I do fall into one, I prefer to get out of it in my own way. I think I shall be able to show that there is no misprint. This Bill gives the Electoral Registrar power to add names to the electoral roll.

Senator FINDLEY.—No.

Senator MILLEN.—The honorable senator says it does not, but what does section 62 of the existing Act mean if it does not mean that the Divisional Returning Officer may add names to the roll? I refer the Minister to that section again.

Senator FINDLEY.—Not up to the polling day.

Senator MILLEN.—As I have said, if that section stood alone, the Electoral Registrar could add names up to the time of the close of the poll; but section 64, which it is now proposed to alter, provides that no alteration shall be made after the issue of the writ until the close of the poll. Now it is proposed to nullify that provision by adding, at the end of sub-section 1, the words—

"except under the provision of sub-section (2) of section sixty-two."

Senator BLAKEY.—That should be sub-section 3.

Senator MILLEN.—There is no sub-section 3 of section 62. If there is, all I can say is that it is extraordinary that I should have been furnished with an incorrect Bill. I am referring to the measure which was distributed to me by the officials of the House.

Senator BLAKEY.—Clause 9 of this Bill will add a sub-section 3 to section 62 of the existing Act.

Senator FINDLEY.—If the honorable senator will look at the Bill which has been circulated, containing the principal Act and the amendments proposed to be made by this Bill, he will better understand what he is talking about.

Senator MILLEN.—When the Minister tells me that I will better understand what I am talking about, I should like to ask him whether, for the second time, on one page we have a misprint placed in our hands?

Senator HENDERSON.—The honorable senator has the wrong Bill.

Senator MILLEN.—I have the Bill which was introduced in the Senate and read a first time, and the clause to which I am referring reads—

Section sixty-four of the Principal Act is amended by adding at the end of sub-section 1 thereof the words "except under the provisions of sub-section (2) of section sixty-two."

Senator BLAKEY.—My Bill reads "sub-section (3) of section sixty-two."

Senator MILLEN.—The Bill to which the honorable senator refers me was not introduced in the Senate. If honorable senators choose to bring here a library of light literature it has nothing whatever to do with me. I am dealing with the Bill introduced by the Minister, and if I am now to be told for the second time, and almost before the ink used in the printing of the Bill has become dry, that there is another misprint, and that after eighteen months of office the Government cannot introduce a Bill without mistakes of this kind, all I can say is that it is a very serious reflection upon the Ministry and the Departmental officials that they could not exercise greater care in the preparation of measures to be submitted to Parliament.

Senator CHATAWAY.—There are ten other misprints yet.

Senator MILLEN.—Then I should like to know what they are. How is it possible for any honorable senator to discuss a Bill distributed by the officials, when after reading it and coming to the only conclusion to which he could come from its contents, he is met with the statement, "Oh, it is a misprint"? It is carelessness glorified when honorable senators attempt to defend that kind of thing. I do not know whether the same answer will not be given to other criticisms I have to offer on the measure.

Senator FINDLEY.—The honorable senator might in justice admit that what he refers to are not printers' errors, or due to the fault of the Government, but are proposed amendments of the existing Act.

Senator MILLEN.—If the Government had justice done them, I am afraid there would be great mourning in the honorable senator's family. I am told that this mistake has arisen from the fact that after this Bill was brought in it was proposed to make another addition to section 62 by a further amendment, which evidently was not thought of when the original Bill was drafted. There was no sub-section 3 of section 62 at that time, and there is not now.

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Senator READY.—There will be.

Senator MILLEN.—If honorable senators are satisfied to cover up a scandalous piece of carelessness by an interjection of that kind, I cannot help them. The attempt to escape from the dilemma in that way is not worthy of the Government, and it would have been far better if they had admitted that they had made a mistake.

Senator O'KEEFE.—But, admitting that the mistake has been made, the honorable senator's argument is destroyed.

Senator MILLEN.—Exactly; but I am not satisfied on the point, and I cannot expect the Senate to wait until I have an opportunity to consider the effect of the proposals made in a document other than that which is officially before the Senate. These are no doubt useful forms for the assistance of honorable senators, but all I can be expected to deal with is the Bill which was read here a first time, and the only Bill of which you, sir, can have any knowledge.

I should like to say a word as to the proposal to have all the voting on Saturday. I have not yet made up my mind whether that is or is not desirable, but I think it is right at this stage to say that we should not make the innovation unless it is quite clear that it will be an advantage to the great body of electors.

Senator W. RUSSELL.—There is no doubt of that in South Australia.

Senator MILLEN.—We should, before we make the proposed alteration, see whether it will advantage the interests of the whole of the community. I know that in certain States Saturday is the great half-holiday, but that in the country districts, in many places, Wednesday is the weekly half-holiday. I know, also, that members of the Hebrew faith do not approve of the proposed alteration. Senator Pearce, in referring to that point, said that the Hebrew Sunday closed at 6 o'clock p.m.; but I have since ascertained that the statement was not accurate. The hour is a movable one, dependent upon the period of the year, sunset being the determining factor. In addition, there are other members of the community, who, because of religious scruples, will not vote on that day. Further, I point out that the great bulk of our military training under the Defence Act is going to be done on the Saturday afternoon. In view of all these factors, it is a matter of balancing the advantages which will be conferred by the alteration on one section of the community with the disadvantages which would be imposed upon another. I have said that I have not definitely made up my mind on the matter, and I shall be glad to listen to arguments which would go to show that the proposed change is desirable. People belonging to some of the smaller sects in the community will not vote on the Saturday, and the mere fact that they are small will not justify us in brushing their representations on one side. The conscience of a man who is a member of a small section should be just as tenderly regarded by us as that of a man who might belong to a dominant majority.

I now come to what I think will, in the judgment of every one, be admitted to be the two major points in this Bill. The first is the proposal to curtail very seriously the voting facilities enjoyed by electors at present. I refer to the proposal for the abolition of postal voting.

Senator HENDERSON.—It is a good job; we will wipe it out.

Senator CHATAWAY.—It is not wiped out yet.

Senator HENDERSON.—It will be.

Senator MILLEN.—I should like, when Senator Henderson becomes calm, to make an admission that, so far as the members of the Government party are concerned, they are entirely consistent in their opposition to postal voting. That will probably induce them to listen to the arguments I have to advance as to why I think that, in their regard for party interests, they are altogether overlooking the interests of the electors. Since I have been a member of the Senate, the Labour party have opposed postal voting. If we turn to the debates which, from time to time, have taken place on the subject, we shall find ample evidence, I think, to justify the statement that the system is being opposed by honorable senators opposite because they believe that the bulk of the postal votes are given against them.

Senator READY.—Because the system has been abused.

Senator MILLEN.—With his long knowledge of parliamentary procedure, Senator Ready affirms that the system has been abused. It is somewhat curious that some time ago, I think after the first Federal election, a Parliamentary Committee was appointed to inquire into this very matter. Certain allegations of abuse were made, principally in my own State. Of course, the mere fact that the abuse was alleged to have occurred in that State should have at once answered the charge.

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However, Parliament decided to constitute a Committee to inquire into the matter. Since the Committee were unanimous, we need not inquire in what proportion it embraced representatives of the different political parties. The Committee were unanimous in their finding, and did not recommend the abolition of postal voting, though they pointed out that safeguards, which have since been adopted, were necessary. I repeat that there is enough in our past debates on the subject to show that honorable senators opposite are opposed to postal voting simply because they think it tells against their party.

Senator BARKER.—I do not think so from an experience of twenty-five years.

Senator MILLEN.—I am now going to ask: Who are the electors whom my honorable friends opposite are in this instance seeking to disfranchise? I refer honorable senators to section 109 of the existing Act—

> An elector who—
>
> (*a*) has reason to believe that he will not during the hours of polling on polling day be within five miles of any polling-place for the Division for which he is enrolled.

Senator STORY.—Is there not another provision made to allow him to vote?

Senator MILLEN.—No.

Senator HENDERSON.—Yes.

Senator MILLEN.—Where is there a provision in this Bill to enable a man who is not within 5 miles of a polling place on the polling day, to record his vote? Senators Story and Henderson have emphatically asserted that there is such a provision. I challenge them to show me where it is. Senator Story is silent, and Senator Henderson is mute. Ample provision is made as to a man who may be leaving Australia for the last time, a man who is shaking the dust from his feet; but as to the man who is a permanent resident, a pioneer in the back-blocks of Australia, honorable senators opposite say, practically, "We will strike you off the roll." That is the first class of electors who are to be disfranchised by this Bill.

Senator HENDERSON.—The back-blocks man never voted by post in his life. It is the city man who has used the postal vote.

Senator MILLEN.—If the back-blocks' man does not vote by post, there is no reason, so far as he is concerned, why we should abolish postal voting. But the fact is that the system was introduced especially to provide for those who, for some reason or another, might on polling day be 5 miles away from a polling-place. The next class of persons to be disfranchised is indicated by the next paragraph of the section from which I am quoting, and includes any elector who—

> (*b*) being a woman will, on account of ill-health be unable to attend the polling-place on polling day to vote.

The Government propose to deprive such women of the right to exercise a vote.

Senator O'KEEFE.—They can vote under another provision.

Senator MILLEN.—Which provision? Senators Story and Henderson are now quiet, and I put the question to Senator O'Keefe. Under which provision of this Bill could a woman, suffering from ill-health, exercise her vote?

Senator O'KEEFE.—She could vote beforehand.

Senator MILLEN.—I ask Senator O'Keefe to name the clause.

Senator O'KEEFE.—I may be wrong, but I am under that impression.

Senator MILLEN.—If Senator O'Keefe finds that he is wrong will he vote with me to prevent the abolition of postal voting?

Senator O'KEEFE.—I shall have to be satisfied that the honorable senator is right.

Senator MILLEN.—Senator O'Keefe tells me that a woman, under the circumstances referred to, can still vote, and I ask him to tell me how, and to show me the clause in this Bill under which, she can vote.

Senator O'KEEFE.—I cannot do so at the moment, but I am under that impression.

Senator MILLEN.—The honorable senator could for the moment deny my statement, but for the moment he cannot find any justification for his denial. I have dealt with two classes of electors whom this great Democratic party are seeking to disfranchise. There is still a third class, the electors who—

> (*c*) will be prevented by serious illness or infirmity from attending the polling-place on polling day to vote.

The Government are proposing to shut them out also. I want to know if honorable senators who are supporting this Bill, because of their party allegiance, realise what they are doing in this matter? If they want safeguards in regard to postal voting, we will give them all the safeguards they may desire. We will help them to get anything that is requisite. I, in no sense, advocate postal voting, or any other electoral facility with the view of enabling a corrupt verdict to be obtained at the polls. But this Senate will be taking a retrograde

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step, and doing something in direct opposition to all that we profess to desire, if it does anything to deprive any considerable number of the electors of the facilities which enable them to record their votes at the ballot-box. It cannot be repeated too often that this matter is not going to be settled by any predominant party in this Chamber. I venture to say that the electors themselves will strongly resent this effort to take away from those who are sick, those who are aged and infirm, those who are at inconvenient distances from polling booths, and from women who are ill, the right they have hitherto enjoyed of expressing their political convictions at the ballot-box, in common with the more fortunate members of the community. It cannot be said that there has been a public outcry against this provision for postal voting. And why? The only outcry has been on the part of politicians in this Chamber, and elsewhere, against the postal voting system, and it will be found, on looking at the complaints made, that the whole charge has been that the bulk of the postal votes have been cast against the party opposite. That is why they are opposed to postal voting. I have no doubt that Senator Story, Senator Henderson, and probably even Senator O'Keefe, were misled when they interjected that the provisions made in this Bill, by which electors may vote at any polling place in Australia, are in substitution for the postal voting provisions. What satisfaction is it to a man who is five miles from a polling place to tell him that he can vote at another polling place in another part of Australia? If he cannot go five miles, what satisfaction is it to tell him that he can vote 50 or a 100 miles away? What satisfaction is it to an old and infirm elector to be told that, inasmuch as, because of his infirmity, he cannot go to one polling booth, which is comparatively near to him, the law will permit him to go to a polling booth 50 miles away? What satisfaction is it to a woman—who is equally a citizen with ourselves, equally compelled to obey the law, and equally entitled to exercise a vote in regard to the making of the law—to be told that, because she is in ill-health, and is unable to go to the nearest polling booth, she can go to a polling booth more remote, and vote there? And that is what honorable senators opposite call a "substitute." It is an impudent pretence to call this a "substitute." There is no substitute. All that the Government propose to do is to take away the only means of voting which a large number of people possess, and they give to them nothing in return. It is true that additional facilities are being given to another class of electors, but that is no "substitute" to those from whom you are taking away a right which they have hitherto enjoyed. I say again, that if the party opposite adhere to that attitude, they must not for a moment regard the matter as having been finally disposed of by a vote in this Chamber. I venture to say that when the position is explained to the electors they will resent the effort to deprive them of the opportunities which they enjoy only once in three years of taking an active part in the political affairs of the Commonwealth.

Senator W. RUSSELL.—I have often travelled 50 miles to vote.

Senator MILLEN.—And because Senator W. Russell has travelled 50 miles to vote, is that a reason why a woman, who is unable, through ill-health, to go out of her home, should not be allowed to vote at all?

Senator W. RUSSELL.—People in the country have facilities for travelling which many people in towns have not.

Senator MILLEN.—I should like to know what facilities the honorable senator offers, or thinks can be enjoyed, by a man who, for instance, is struggling with a drought.

Senator W. RUSSELL.—He generally has a horse.

Senator MILLEN.—But any one who has ever lived in a part of the country afflicted will know—no one knows better than my friend—that when a man is compelled to buy feed for a horse at expensive prices, he does not want to drive that horse a mile more than is absolutely necessary. I have actually known men to walk for miles during a drought so as to save their horses. But what does the possession of even twenty horses do to help a woman who is in ill-health to vote on polling day? What would the possession of a hundred horses do to assist an infirm person who was unable to travel to the polling booth? If they had all the horses in Australia, it would not help them.

Senator STORY.—Does not the Bill interfere with the "poor widow" as well?

Senator MILLEN.—I can quite understand that Senator Story—who interjected just now with no very great satisfaction to himself—should be anxious to draw attention away from the point at issue, which I am trying to hammer home.

Senator STORY.—The provision the honorable senator is defending is doing harm.

Senator MILLEN.—What answer will the honorable senator have to make to the electors when they learn that Senator Story, of South Australia, has deliberately voted to take from the sick, the aged, and the infirm, and those remote from polling places, the right which they have hitherto enjoyed of voting at Commonwealth elections? The only defence the honorable senator and his party can make for their attitude is, "You who exercised the postal vote voted against me and my party, and this is our means of getting even with you."

Senator STORY.—We can also show that the postal vote was corruptly used.

Senator MILLEN.—Then what have this Government been doing that they have not put into operation the provisions of the law against corruption? Are we to suppose that we have in office a Government which, knowing that the law has been broken, and that corruption has been rampant, have still remained silent? Why did not Senator Story, knowing of this corruption—and we may be sure that he would never have made the charge unless he had ample means of proving it—go to the Government, furnish them with his proof, and induce them to put the law in motion?

Senator STORY.—The honorable senator knows that postal voting has been corruptly used.

Senator MILLEN.—I know nothing of the kind. If the honorable senator knows, why did he not put his proof in the hands of the Attorney-General's Department and let a prosecution follow? The fact is that these rumours of corruption spring, not from knowledge of actual facts, but from the recognition that the postal vote, as a rule, is adverse to the interests of the honorable senator's party. Therefore, accepting these rumours greedily, as they do, they send them forth without making any effort to prove them.

Senator STORY.—The postal vote was corruptly used by the other party.

Senator MILLEN.—I should like to show honorable senators to what extent the absent vote has been used. At the last election, in 1910, 1,400,000 votes were polled. I am disregarding the odd numbers. At that same election 29,000 postal votes were recorded. That represents 3 per cent. of the total number of votes polled—1 in 31. That is to say, that there were 29,000 electors in the Commonwealth who were either more than five miles from a polling-booth, or who were old and infirm, or who, being women, were too ill to record their votes personally.

Senator STORY.—Or too lazy.

Senator MILLEN.—I do not see anything in the Electoral Act to show that a lazy person would be entitled to a postal vote. If the honorable senator means that these 29,000 persons were lazy voters——

Senator STORY.—I say that some were probably lazy.

Senator MILLEN.—Now it is "some of them." Supposing there were some who were lazy. Is that a justification for depriving those who were not lazy of the opportunities for voting that they now enjoy?

Senator STORY.—If it is the only way to prevent corruption, yes.

Senator MILLEN.—This talk of corruption is nothing better than child's play. It is used to cover up the real purpose for which this provision is introduced. I say again, that 29,000 electors, or 3 per cent. of those who voted, used this privilege. It is obvious, therefore, that it is one that ought not to be lightly taken away from them; and whilst it may be—I have no knowledge of it myself—that things occurred which make it desirable to provide other safeguards, still no evidence has yet been brought forward to justify this attempt to take the privilege away altogether—except, as I say, the belief firmly held by my honorable friends opposite that the bulk of these postal votes are cast against them and their party. But is that a reason? Is that a justification for taking from electors facilities for voting which they at present enjoy?

Senator FINDLEY.—We can quite understand the honorable senator's vigour. He knows what postal voting means to his party.

Senator MILLEN.—I have no knowledge as to how the postal votes are cast; but it is a curious thing to me that honorable senators opposite appear to know.

Senator DE LARGIE.—Do not the figures show how the votes go?

Senator MILLEN.—I do not know how they can.

Senator RAE.—Suppose that two candidates are equal on the votes cast at the ballot-box, and that postal votes come in and disturb the balance. That is how we know.

Senator MILLEN.—That may be so. But if you take the figures as to the bulk of

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the postal votes cast in the Commonwealth, there is no indication as to the party which they incline to favour.

Senator DE LARGIE.—The figures published at elections generally show how many postal votes are recorded.

Senator MILLEN.—I am glad of these interjections, because they demonstrate the truth of what I am stating—that my honorable friends opposite recognise, or believe, that the bulk of the postal votes are cast against their party.

Senator DE LARGIE.—We do not recognise anything of the kind. I was simply answering the honorable senator's statement that we did not know how they go. Every one knows who takes an interest in the matter.

Senator MILLEN.—Well, I take a great interest in the matter, and I have never seen figures showing in detail how the postal votes go. It is, however, evident that Senator de Largie has looked into the facts concerning these 29,000 electors whom my honorable friends opposite are proposing to disfranchise.

Senator GARDINER.—Because of the corrupt way in which the honorable senator's canvassers used the postal voting papers.

Senator MILLEN.—Here is another statement about corruption.

Senator GARDINER.—I can prove what I say.

Senator MILLEN.—Why, then, did not the honorable senator bring his evidence before the Law Courts?

Senator GARDINER.—Because it was not worth while, as the corruption did not win the seat in which I was interested.

Senator MILLEN.—These statements as to corruption are made with regard to everything that does not suit the political fortunes of my honorable friends opposite. They are very effective statements to make from hotel verandahs and political platforms, but they do not carry much weight elsewhere. They certainly do not carry much weight with people who do not want to make up their minds unless they have definite evidence before them.

Senator GARDINER.—Was it not corruption when a hospital patient asked to have a postal voting paper supplied to him, and when he wanted to vote Labour, it was taken away? Would the honorable senator call that corruption?

Senator MILLEN.—Of course I should.

Senator GARDINER.—Well, that occurred.

Senator MILLEN.—There is a provision of the Electoral Act that would cover such a case. I could remind my honorable friends opposite of a case which came before the Law Courts in New South Wales where members of their party tampered with the electoral machinery and were fined for doing it.

Senator GARDINER.—To what case is the honorable senator referring?

Senator MILLEN.—I am referring to facts that are well within the knowledge of the honorable senator.

Senator GARDINER.—The honorable senator should state them. I do not know.

Senator MILLEN.—My honorable friend knows all about them.

Senator GARDINER.—I know that the honorable senator is misrepresenting the position.

Senator MILLEN.—The honorable senator recollects a case in which charges were made against members of Labour Leagues of tampering with the electoral machinery, though the fines, of course, were remitted by the Government.

Senator RAE.—Does the honorable senator know——

The PRESIDENT.—I must ask honorable senators to refrain from interjecting.

Senator MILLEN.—My honorable friends have my full sympathy under the circumstances. But the mere possibility of isolated cases such as that mentioned by Senator Gardiner occurring surely in no sense affords a justification for destroying facilities which are exercised by electors in numerous instances, especially when the desire to destroy those facilities is manifested by political opponents. We all know that other offences are committed against the Electoral Act, but because of that I am not prepared to lay violent hands upon the Act itself. Whoever thought of abolishing a law because the law was broken in one or two instances? It is a strange thing to say that, because there are a few evil-doers, we are to penalize the whole body of our citizens.

Senator DE LARGIE.—We are going to substitute a better method.

Senator MILLEN.—Where is it? There is no provision for a better method in this Bill.

Senator DE LARGIE.—The absent voters' provision.

Senator MILLEN.—There is no provision for absent voters at all. A man who, because of age and infirmity, cannot go to a polling booth to vote, a woman who is unable to do so because of ill-health, and a person who resides too far from a polling

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booth to vote, is not assisted by any provision in this Bill. I have already invited Senator O'Keefe to show me the provisions which will enable those three classes to vote.

Senator DE LARGIE.—There are very few women who really need to vote by post.

Senator MILLEN.—The only thing that can be called a "substitute" in this Bill is that enabling an elector to vote at any polling booth he likes. But how can a man who cannot vote at the polling booth which is near to him go and vote at a polling booth at the other end of Australia? If he cannot go next door, how can he go 100 miles? What satisfaction is it to him to be told, if he cannot vote in Victoria, that he may go to Queensland or to Western Australia? There is no "substitute" at all. Honorable senators opposite, it is true, are multiplying facilities for one section—the nomadic section—the shearers, the bushworkers, and others whose occupation compels them to travel. They are to have additional facilities for voting provided for them, but those facilities are to be denied to the three classes that I have previously enumerated. It is surely a strange form of "substitution" which gives more to one particular class, and takes away from others. Yet that is what this Bill does. I want to say a word about the provision concerning the right to vote anywhere in Australia. Here I should like to direct the attention of honorable senators to the consideration that, if corruption is really wanted, they are leaving the door open for it here. If a provision of this kind is to be passed into law we might just as well tear up the electoral rolls altogether. It is here provided that any person over twenty-one years of age, male or female, shall be able to vote anywhere. There is no safeguard. Under the postal voting provisions there are safeguards.

Senator READY.—Safeguards which are largely evaded.

Senator MILLEN.—So that the honorable senator thinks that, if certain safeguards in a law are evaded, the proper thing is to tear up all safeguards and allow every one to do as he pleases—which, no doubt, would be very much to the satisfaction of the honorable senator's party. There is no provision in this Bill safeguarding the absent voting provisions except such as the Government like to provide by regulation. When we were dealing with the postal voting we did not leave such matters to regulation. We put the safeguards in the Bill. If it was necessary in connexion with postal voting to insert in our legislation the actual provisions under which that form of voting should be carried out, it is equally important that we should put in the safeguards when it is proposed to allow voting from one end of Australia to the other to take place without regard to particular polling booths. Under the law as it stands, when an elector wishes to vote at other than the polling place within his own electoral division, he has to sign a form known as Form Q, making the declaration. That is done in every case where a man might prefer to vote at one place rather than another. But under this Bill there is absolutely no safeguard at all. It is all to be left to regulation. I have no doubt that honorable senators opposite feel that that is an excellent provision under existing circumstances. But I remind them again that Governments, like individuals, are mortal. I should like to know whether they are now committing their party definitely to the principle that a party in power has the right to bend and twist the electoral law as it sees fit to suit its own party interests.

Senator MCGREGOR.—That is what has been done in the past.

Senator MILLEN.—It is what is apparently being unblushingly done in this attempt to twist the electoral machinery for the advantage of one particular political party.

Senator O'KEEFE.—You are very innocent.

Senator MILLEN.—I am not saying that each political party did not use the law as it stood as far as it could to its own advantage.

Senator O'KEEFE.—And altered the law.

Senator MILLEN.—There never has been a case in which a deliberate attempt has been made to shape the electoral law merely to suit the purpose of the party in power. If the party opposite is definitely committed to this principle, it is inevitable that, when they pass away, they will have introduced a system which their successors will follow in some way or other.

Senator BARKER.—They ought to.

Senator MILLEN.—Is it sought to introduce what we understand as American politics in all their nakedness?

Senator MCGREGOR.—To abolish it.

Senator MILLEN.—The method of abolishing it, as illustrated by the Government in this measure, is to enable a man to vote anywhere in Australia without providing any safeguard, and to merely leave the matter to be dealt with by regulations shaped by the Government of the day. If

this proposal had been brought forward by the previous Government, I can well imagine the howls of indignation which would have gone up from the ranks of the Labour party, that a Government would seek to retain in its hands the right to say how, when, and where the electors should vote throughout Australia. That is asking for a power which has never before been asked for or granted. If, in dealing with an elector voting in his own narrow division, it was thought advisable to provide that he should make a declaration before doing so—although he intended to vote only half-a-mile away from his proper polling place—surely it is more necessary to put in a safeguard when you are allowing an elector to vote wherever he likes, for instance, a Sydney elector voting at Cooktown.

Senator BARKER.—If he votes only once, what is the trouble?

Senator MILLEN.—Does the honorable senator mean to suggest that any person shall vote whether he is on the electoral roll or not, and for any electorate he likes?

Senator BARKER.—I have held that idea for years. It is not a new thing. What does it matter where a man votes since his vote has only one value?

Senator MILLEN.—I am glad to have the interjection, because it shows what my honorable friends are aiming at. They are aiming at the abolition of the electoral roll, and want to allow any person to vote, not only where he likes, but for any electorate he likes. The gentleman whose name has come down to us in connexion with the term "gerrymandering" is a babe compared with my honorable friends opposite. Let us see where this principle, if adopted, will lead us. Take the Newcastle electorate, where there is a preponderance of voters of one way of thinking. Under the marvellous system advocated by Senator Barker, all that will be necessary will be for 3,000 or 4,000 of these persons, who ought to vote for Newcastle, to say "We prefer to vote for North Sydney." That is going to be the effect of the Bill.

Senator MCGREGOR.—No.

Senator MILLEN.—It is. And I believe that is the reason why this provision is submitted. If that is not the intention, let the Government show their *bonu fides* by putting the safeguards in the Bill, as was done in connexion with postal voting, and the "Q." form. And then, before an election approaches, we shall know whether the Government are honest in seeking to give a fair opportunity to the electors, or desire to obtain a dishonest vote for their party.

Senator RAE.—If the provisions are bad, it does not necesarily follow that they will help our party.

Senator MILLEN.—I do not think that the Labour Government will pass any regulations to help any other party. If it is not intended that they shall be framed in the interests of one party, is there any reason why they should not be set out in the Bill? In the case of postal voting, and also of absent voting, the matter was not left to be settled by regulation. We did not leave a temptation open to a hardly pressed Government to manipulate the law.

Turning now to compulsory voting, Senator Pearce, in introducing the Bill, gave us a very eloquent discourse on the always interesting question as to whether voting was a duty or a privilege. What had that to do with the issue? The honorable senator argued that it was a duty. But this Bill does not provide for a man doing his duty. Had it provided for compulsory voting, then the Minister's lecture might have been of some use. What is the use of talking about voting being a duty, when all that the Bill does is to provide for compulsory enrolment? The honorable senator went on to draw some comfort from the fact that we have compulsion in regard to education and defence. Let us continue the parallel. What will be the position if we merely provide for compulsory enrolment for the Defence Force, and leave it optional whether a man who was compulsorily enrolled did his duty or not?

Senator W. RUSSELL.—It would save a lot of expense.

Senator MILLEN.—That is not the point. The Minister of Defence said that we adopted the compulsory principle in regard to education and defence. To make this Bill parallel to that would be to suppose a system under which scholars were compulsorily enrolled, and told that they need not attend school, and the same thing in regard to cadets. The Bill makes a great virtue of compulsory enrolment, but leaves the elector free to do what he likes afterwards. But even the enrolment is left entirely optional with the Government. Apparently they are afraid to launch a provision for compulsory voting. Why this timidity if there is any good in compulsory enrolment? Let the Ministry say at once if they intend to have compulsory enrolment or not. It certainly should

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not be left to one Government to order compulsory enrolment and for another Government to order the opposite. The proposal arises from a misconception as to the cause of the weakness in our electoral system. It is assumed that a very small percentage of the electors vote. Figures are given to show that only 62 or 63 per cent. of those on the rolls vote. But I unhesitatingly assert that the rolls are largely inflated. If you remove the names which ought not to be on the rolls, you will find that a very much larger percentage vote than appears from the figures which are usually quoted. The memorandum, which was laid upon the table by the Minister of Defence as coming from the Chief Electoral Officer, makes an admission, certainly not intentionally so, that the present rolls are inflated. It contains this paragraph—

> A scheme of compulsory enrolment associated with a card index system for the prevention of duplication of enrolment and fraud would not only be of enormous advantage from an electoral point of view.

One of the arguments used in advocacy of the new system is that it will prevent duplication. Surely that is an admission that it exists to-day. We have to remember that a large number of the electors, although their names are on the roll, are prevented by distance from attending the poll, and that a large number may even be prevented from obtaining postal votes for the same reason. These must aggregate a considerable number, and they clearly ought to be allowed for. Then we have those who are prevented by illness suddenly coming upon them to obtain postal votes, and of course they are prevented from going to the poll. We have also to bear in mind the deaths which occur after the last clearance of the rolls. Under the law the Registrar-General of each State is required to furnish the Electoral Officer with a quarterly return of the registered deaths; but it cannot be given effect to immediately. We are losing by death in New South Wales about 1,000 voters every month. At the end of each month the names of a large number of deceased persons remain on the roll, although it is known officially that they are dead. In the case of the last election, it is safe to assume that the names of those who had died during the previous six months were still on the rolls. Again, it is a common practice for persons, who move from one electorate to another, not to get a transfer, but to wait for the policeman to come round and take their names. When all these things are allowed for, it seems to me that there is no ground for the gibe, to which utterance is being constantly given, that there is a large amount of apathy among the electors. I believe that a bigger percentage of the electors vote than we have a conception of. Compulsory enrolment will in no sense increase the percentage of voters on the roll who will vote. Persons can get on the roll, but the provision will not make an additional man go to the poll. The Bill is silent on that point. Hitherto, out of 100 electors on the roll, only 62 have voted. Let us see what is the real weakness of our system. I venture to say that it arises, not from the fact that it is a voluntary system, but from the fact that the State practically undertakes to enrol men and women, and does not do so. At present nobody troubles to get enrolled. They say that there is no need, as a State official will come round and take their names. If he does so, it is all right, but if, as frequently happens, he does not, it is all wrong. If honorable senators look into the matter, they will see that the real evil is not that the system is voluntary, but the fact that the elector has been practically told not to bother about getting enrolled, as that will be done for him.

Senator BARKER.—That was due to his apathy.

Senator MILLEN.—It was due to a desire to help the elector; and, as he is quite prepared to be helped all he knows, my honorable friends may rest assured that the more they help him the less he will do for himself.

Senator FINDLEY.—Is that the reason why the honorable senator is arguing against men being compelled to enrol?

Senator MILLEN.—So far, I have not said a word for or against it. All that I have done has been to show the illogical nature of the arguments of Senator Pearce when he spoke of the duty of voting, and limited the Bill to compulsory enrolment.

Senator FINDLEY.—The honorable senator would support the Bill if it provided for compulsory voting?

Senator MILLEN.—I should not; nor am I attaching any importance to compulsory enrolment. I consider it merely a chip in porridge. If we desire a healthy roll, it is far better that we should say to electors, "The obligation is yours to become enrolled. We shall not bother about it at all." I venture to say that if we

took that course the elector, by himself or by his organization, would see that he was enrolled.

Senator Barker.—That would not be a sound argument.

Senator MILLEN.—I use it because I think it is a sound argument. I say that there are hundreds of men whose names are left off the roll because they believe that the police have taken their names. If we said that, in future, the police should not collect names of electors, and that each elector must himself see that he is enrolled, he would do so. They do not bother now because they have been led to believe that the State is bothering for them. It would not be throwing any heavy responsibility upon electors to leave it to themselves to see that they are enrolled. I would make it so easy and simple that any elector would have only himself to blame if he was not enrolled.

Senator W. Russell.—Electors have to make a declaration before a justice of the peace.

Senator MILLEN.—I am speaking of a system which I should be prepared to propose. It is possible to devise a law which would be simplicity itself. I should simply say to electors, "There is your duty; you will yourselves have to look after your enrolment. To enable you to do so, there will be available in every public office, Police Court, police station, post-office, and registrar's office, cards for which you can apply." I should arrange that such cards would be carried free through the post, as land and income tax returns are now carried. I should have at the bottom of the card a perforated piece which would be sent back by the Electoral Officer as an intimation to the applicant for enrolment that his application had been received. There is no person in the community who is not every few months in touch with some public office.

Senator W. Russell.—There would have to be a justice of the peace there.

Senator MILLEN.—A justice of the peace would not be required under the system I am suggesting. Why does the honorable senator desire to hamper our people by making provision for witnessing by justices of the peace?

Senator W. Russell.—I do not.

Senator MILLEN.—Then why talk about it? A man who desires to have his name on a Commonwealth roll is not required to go before a justice of the peace.

Senator W. Russell.—I was referring to South Australia.

Senator MILLEN.—But it is not necessary in South Australia.

Senator W. Russell.—For the Legislative Council, it is.

Senator MILLEN.—The honorable senator is speaking of a State law, and we are legislating here, though Senator W. Russell may not be aware of the fact, for the Commonwealth. There is, under the Federal law, no necessity for any witness to an application for enrolment. The chief difference between what I suggest and the present system would be the intimation to the elector that if he wishes to get his name on a roll, he must take the necessary steps himself. We have demoralized our electors by leading them to believe that they need not do anything, since the Government will do everything for them.

Senator Findley.—How is it that the Government to which the honorable senator belonged did not do all this when they were in power?

Senator MILLEN.—How long did my honorable friends leave us in power to do it? I venture to say that, during the time the Government of which I was a member was in power, a greater number of useful measures were passed than during any similar period in the history of the Federal Parliament; whilst I do not think it can be said of any Government, except the Labour Government, that, after being in office for eighteen months, and having had a long holiday, they were, at the opening of a session, without any business to present to the Senate. I should like to say, with regard to compulsory enrolment, that I have very little faith in it. By itself, it does not seem to me that it will add any value to our electoral machinery. I venture to say that the proposal was drafted, not with any idea that there was any virtue in it, but in order to enable a card system to be introduced. The card system may be an excellent system, but excellent systems may be run mad. It would be folly on our part, merely because of the adoption of a card system, to alter the whole basis of our electoral law.

Senator Findley.—It cannot be "run mad" until it is given a trial.

Senator MILLEN.—But is the Government going to try everything merely because it is new?

Senator Findley.—No; but if it is good, yes.

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Senator MILLEN.—If it is good, it cannot be mad. In this case, I do not believe we should ever have heard a word from the Minister of any virtue in compulsory enrolment, as the memorandum shows, if it had not been for the adoption of the card system. It is not compulsory enrolment, but the card system, that is desired. I regard compulsory enrolment as absolutely useless if the electors, when enrolled, will not vote. If they will vote only under compulsion, they will not add much to the collective wisdom by which the community is governed. To compel men to do something they do not want to do may swell the numbers on our rolls, but will not add one bit to the wisdom on which we rely to solve our national problems. Again, does any one believe that these provisions are going to be enforced? Are we to have an army of electoral policemen running about the country and arresting, with or without a warrant, every man or woman who has failed to become enrolled? Are they to follow the hundreds of people who are continually travelling from one electorate to another to see whether or not they have infringed any of the provisions of this great card system? Do honorable senators opposite expect this measure to be enforced? Not one of them can say how it will be possible to follow up the hundreds of thousands of electors in Australia who, in following their daily occupations, will be removing from one electorate to another, or from one place to another. If we are to have an army of policemen tracking each elector as he leaves his house, to see where he goes, and how long he stops there, in order to say whether it is necessary that he should be transferred from one roll to another, or from one cardbox to another, it would be very much easier for the Commonwealth to undertake the whole work of enrolment and have done with it. Then there is to be a penalty imposed on the man or woman who fails to be enrolled, and a similar penalty upon those who move from one electorate to another and fail to have their names transferred. Let me point out here that the transfer in the latter case must be pretty rapid, or the system will not work. A person removing from one electorate to another must immediately make his application to be transferred from one roll to another, or he will be violating the provisions of the law, and the fundamental principle of this great card system; and it will be the duty of the policeman to go after him and see that he is fined £2. I do not believe for a moment that the penal provisions of this Bill will be enforced. It would be impossible to enforce them. We should have one half of the electors running after the other half to levy fines upon them, and the whole thing would break down amidst public ridicule. Assuming that the framers of the Bill attach some importance to the principle of compulsory enrolment, it is fair that we should ask under what system they will proceed. The Bill tells us nothing about it, and the Minister said nothing on the subject. One would think that when it is proposed to introduce such a radical alteration in our system of enrolment, the Minister would have given at least a skeleton view of the new system as he proposed to work it. There is a new system proposed; honorable senators on the other side are warmly supporting it; and not one of them knows what it is going to be. Could there be a greater testimony of the unthinking loyalty of the party opposite?

Senator W. RUSSELL.—The honorable senator is not a prophet.

Senator MILLEN.—Then I have to make a more serious allegation. If I am to assume that honorable senators opposite do know what the new system is to be, I must ask whether it is to be understood that the Minister introducing a Bill, having privately informed his supporters of what is proposed, is under no obligation to tell Parliament, as a whole.

Senator W. RUSSELL.—We are blessed with common sense.

Senator MILLEN.—No; or my honorable friend would not interject so frequently. We have not yet been informed as to what the new system is to be. Is this because honorable senators opposite are conscious of the fact that all these matters are now approved of before they reach Parliament, and that they may, therefore, ignore the obligation which rests upon a Minister introducing a Bill to explain its provisions? All that we are told in this Bill is that the Government, at their option, may introduce a system of compulsory enrolment. It is optional with the Government to say what that system shall be. That is a very slipshod way of legislating. Ministers should certainly tell us what system they intend to propose. There are dozens of ways in which to establish a system of enrolment, and we should know which way the Government intend to select. Before we are asked to assent to a main principle, we should know something of the machinery by which that principle is to be established.

Senator ST. LEDGER.—There is something about the averment of the officer being sufficient.

Senator MILLEN.—I shall come to that directly. The only provision on the subject of enrolment in the Bill is this—

> It shall be the duty of every person who is entitled to be enrolled as an elector, and who is not so enrolled, to fill in and sign, in accordance with the Act and regulations, a form of claim for enrolment as an elector, and to forthwith send or deliver it to the proper officer.

There is a further provision with respect to transfers, and on default in either case the elector may be fined. But by what measures do the Government propose to carry out this system, if it is finally decided to adopt it? Whilst the Government may be satisfied that they have explained the matter elsewhere, and have received approval for what they propose, even an Opposition in Parliament are entitled to ask what is intended under the Bill. Further than that, the country has a right to know what is intended; though, apparently, the present Government are forming the habit of ignoring the great body of electors outside. As showing how necessary it is that we should have some information on this point, let me direct attention to the extremely arbitrary powers sought under another provision of this Bill in reference to this very matter. In the proposed new section 61E, it is provided that—

> In any prosecution in any Court of summary jurisdiction in respect of any contravention of any of the regulations relating to compulsory enrolment, instituted by any officer or by any person acting under the direction of an officer, the averments of the prosecutor contained in the information or complaint shall be deemed to be proved in the absence of evidence to the contrary.

That is an absolute reversal of all we have held to be the basis of British justice from time immemorial.

Senator RAE.—It is about time we had some Australian justice.

Senator MILLEN.—I hope that no one will so libel Australia as to suggest that it is a type of Australian justice to take the averments of an officer as proving what he avers until the contrary is proved by evidence. I know that it may be said that similar provisions may be found in our Customs Act and Commerce Act. On this point I should like to give honorable senators a quotation bearing upon the reasons which almost compel the adoption of that principle in those Acts. The quotation is from the *Law Reports*, volume XVII, page 104—

> In all Customs Acts such provisions, apparently subversive of the first principles of justice, are to be found, for experience has shown them to be necessary in consequence of the peculiar difficulty of proving offences against the Customs.

Mr. Justice Higgins, in the judgment from which this quotation is made, lays down two things. The first is, that this or similar proposals are subversive of the first principles of justice, and the next is that the reason why they are necessary in Customs Acts is the peculiar difficulty of proving offences against the Customs. It cannot be contended that experience has shown that provisions subversive of the first principles of justice are necessary in connexion with Electoral Acts. It has not been shown that we have any right to destroy the first principle of justice because of the introduction of a regulation which has not yet been framed. One can only assume that this arrogant attempt to take an arbitrary power has been suggested by a Department, which may or may not be conscious of its own integrity, but which considers that it is only fair and right that it should have in its hands all the power which an unthinking Parliament may be induced to grant it. A Bill is proposed to enable the Government to establish compulsory enrolment, and it is further proposed that, when an averment is made that an elector has infringed any of the regulations made under the measure, it is to be considered as proved, and the obligation is cast upon the elector of disproving it.

Senator ST. LEDGER.—It is treating the electors like smugglers.

Senator MILLEN.—With this difference, that the smuggler has sometimes a chance of making a profit out of his transactions, whilst the elector is to be given no chance at all under this Bill. It may be said that we must assume that these provisions will be administered with common sense, but that is a phrase frequently used to mean quite different things. As showing the danger of placing in the hands of a Department powers such as are here asked for, let me direct attention to a sentence in the departmental memorandum which the Minister read, and I venture to say that it will rather astonish honorable senators to discover the extent to which the officials of a Department will twist an Act of Parliament when it suits their purpose. If I

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asked honorable senators whether our electoral system to-day provides for compulsory enrolment, they would say, "Certainly not." Yet the Department, twisting the existing Act, declares that we have the right to enforce a system of compulsory enrolment under that Act. The reference is to section 32, and the paragraph in the memorandum is as follows—

> The Act at present admits of a proclamation being issued (section 32) requiring the preparation of a roll under a system of compulsory enrolment.

Let us see what section 32 says. It will illustrate the extent to which a Department will strain any law, human or divine, to suit its own ends. Here is the section which we are told authorizes compulsory enrolment—

> New rolls for any polling-places, subdivisions, divisions, or States, shall be prepared whenever directed by proclamation, and in the manner specified in the proclamation or prescribed by the regulations.

I ask: Was it supposed when that section was passed, that any one would ever dream of interpreting it as authorizing compulsory enrolment? The question was never raised when the section was before us; and had it been raised, such a proposition would have been turned down at once. Whatever decision we might have arrived at concerning it, however, such a thing as compulsory enrolment was never thought of at the time. Moreover, if, as contended, the Department already has power with respect to compulsory enrolment, why this amending Bill?

Senator FINDLEY.—The honorable senator will be told later on.

Senator MILLEN.—Well, I do not wish to be personally offensive; but I think that Senator Findley is absolutely insulting this Senate when he tells us that we shall later on have information which ought to have been given to us when the Bill was introduced.

Senator FINDLEY.—Does the honorable senator expect me to reply to every interjection?

Senator MILLEN.—I do not; but this information ought to have been given to us when the second reading of the Bill was moved. The Minister did not tell us anything about this point.

Senator FINDLEY.—The honorable senator raises points, and they will be replied to.

Senator MILLEN.—What is a second-reading speech for, if the Minister does not explain the purpose and intent of the Bill?

Senator FINDLEY.—The honorable senator himself has the explanation.

Senator MILLEN.—Where is it?

Senator FINDLEY.—The explanation that the principal Act confers that power.

Senator MILLEN.—Is that an explanation of what the Government propose in an amending Bill? The Minister has me beyond my depth. To say that a departmental memorandum on an existing law is tantamount to a Ministerial explanation of a proposed new law, is something too absurd, even for serious consideration.

Senator FINDLEY.—It is something more than a departmental explanation or memorandum.

Senator MILLEN.—Will the Minister show me where I can find any provision in the existing law which would permit of the compulsory enrolment of electors? There is not a word on the subject. When the Department deliberately set itself to affirm that, under the present Act, it could compel electors to enrol, it was violently stretching the meaning of the law, illustrating its desire to gather to itself as much arbitrary power as it could, and to use it, not in furtherance of the principle of the law, or of the public convenience, but—as is the case more frequently than not—in furtherance of some departmental fad or theory which, apparently, obsesses those who for the time being are responsible for the administration. What is more, if, under the existing law, as stated by the memorandum, the Department could put compulsory enrolment into force, there is no need for these new specific provisions. The mere fact that they have been introduced shows that the law as it stands to-day is—as we thought, and, indeed, know it to be—insufficient for that purpose.

Now, I come to another matter, and it is an interesting one. I allude to a novel provision of this Bill, shaped, unquestionably, in the belief that, in some way or other, the party in power are going to harass their political opponents. I refer to the provisions, humorous in themselves, requiring a return of expenses by political associations, and a return of receipts for political advertisements and similar matter published by the press. If there were some limit as to the amounts to be received or paid for this purpose, we could understand a return being asked for. But there is no

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limit as to the amount that may be paid to a newspaper, no limit as to the amount any newspaper may receive, and no limit as to the time which these returns are to cover. Presumably the return is to cover the three years of the life of a Parliament; it is to be an interminable return. No period is set during which a newspaper is to keep the accounts of what it receives for these purposes. Is it to be for six months, or for the whole period between elections, or are newspapers to be called upon to make returns as to the amounts they receive from the publication of political matter at all times? Moreover, are the public going to be advantaged by this provision? It seems to me to be a matter of idle curiosity; and if my honorable friends opposite think that, by these provisions, they are doing something which is going to be in the nature of a bomb thrown into the ranks of their opponents, all I can say is that they are more likely to occasion smiles instead. Speaking for the metropolitan newspapers of Australia—and there are some of them for which I have no reason to entertain kindly feelings—I venture to say that an election costs them more than they get out of it. In my own State—and I speak more particularly from the knowledge I have of the metropolitan journals of New South Wales, though I believe that the same considerations hold good in regard to other States—I feel satisfied that, so far from the big dailies profiting, as they are supposed to do, a general election is distinctly a cause of loss to them.

Senator Findley.—Nonsense!

Senator MILLEN.—Let Senator Findley—who thinks he has disposed of my argument by using the word "nonsense," a subject upon which he ought to be a good judge—turn up the files of the metropolitan newspapers in this regard. I venture to say that if he consults the columns of the metropolitan journals of Victoria, he will find that almost the only profit which they derive from an election consists of advertisements of political meetings. No one, nowadays, publishes in the metropolitan newspapers an address to the electors in the old-fashioned style. All that you find are a few announcements of meetings, stating that Mr. So-and-so will address the electors at such-and-such a place, and that Mr. Somebody-else will be in the chair. These advertisements are practically the only political announcements—apart from official notifications—from which the newspapers derive any revenue. I do not suppose that the amount paid for each of them exceeds 5s. or 6s.

Senator Rae.—Is that the only source of revenue the honorable senator knows of?

Senator MILLEN.—The amount received from this source must be insignificant. Not even the most extreme and bigoted Labour party man will go to the length of saying, I believe, that the amount received from these advertisements is such as to influence the course of conduct of our big daily journals. It is, however, assumed—as we may infer from Senator Rae's interjection, and from the remarks of others who support this proposal—that there is other political matter published in the metropolitan newspapers, not in the advertisement columns, which is paid for. That seems to be the charge underlying the innuendo. Now, I venture to say, without knowing anything of the internal management of the principal newspapers of this country, that if you were to offer them any sum for the advocacy of a particular line of policy, you would be unsuccessful. I shall, however, show, before I sit down, how the Labour journals compare with the metropolitan newspapers in this respect. Certainly I can say that, within my experience, I have never known either of the big newspapers of Sydney—and I believe that the same applies to the journals published in the other capital cities of Australia—to publish anything for money which otherwise they would not have been inclined to publish.

Senator Findley.—That is the wrong way to go about it.

Senator MILLEN.—Perhaps Senator Findley has a better knowledge of underground methods than I have.

Senator Findley.—I have in regard to this matter.

Senator MILLEN.—The conduct of our big metropolitan journals in this respect, however, offers a sharp contrast to what we know to obtain in regard to the principal Labour papers. If the term "hireling press" can be applied to any journals in Australia, it can be applied truthfully to the Labour papers.

Senator Rae.—Which one?

Senator MILLEN.—To the *Worker*—either the northern or the southern issue. Here let me point out the manner in which this Bill has been designed to penalize journals which are not friendly to the party opposite, whilst leaving their own journals

outside the scope of the measure. It is provided that newspapers which receive specific payment for specific articles or matter on political subjects shall publish returns of the payment received. That, of course, would cover non-Labour journals, which carry on business as newspapers ordinarily do. But what about the Labour newspapers? They may not receive payment for specific articles, but from their commencement to the present time they have not published a line on a political subject which in reality was not paid for. Every leading article in the *Worker* is a subsidized article. Yet the *Worker* would not come under the penalties of this Bill.

Senator RAE.—Why?

Senator MILLEN.—Because the advantage given by way of subsidy would not come within the scope of the Bill. So that, while the *Worker*, in the return which it furnished, might not appear to have received £10, *The Sydney Morning Herald* might appear to have received £200, and then my honorable friends would be able to go round saying, "See what money can do!" Yet, while the *Argus* or the *Age* had received sums small in amount, the *Worker* would have received thousands.

Senator RAE.—Absolute nonsense!

Senator MILLEN.—One only needs to turn to the official records of the Australian Workers Union for justification of every statement that I am making. The *Worker* is subsidized at the rate of 5s. per head by every member of the Australian Workers Union. How many members are there in that organization?

Senator RAE.—I shall reply to the honorable senator when I get an opportunity, but I am not going to feed him.

Senator MILLEN.—The honorable senator need not do so, because I happen to have the information. I turn to one of the last records of the Conference—in which my honorable friend, Senator Rae, took a prominent part. I must express my regret, as one who likes interesting reading, that I have so long overlooked copies of this document when they have been issued. I find that there are 47,073 members of the union, though there were some returns still to come in when this document was issued. We may say, therefore, that the membership is in the neighbourhood of 48,000.

Senator RAE.—Say 50,000, in round figures.

Senator MILLEN.—No, I prefer to be on the safe side, and will state the number at 48,000. Every one of these members is compelled to contribute towards one or other of the official organs of the union. I find that, under rule 11, shearers, cooks, and machine experts are required to contribute 15s. annually, and all other classes of labour, including pressers and station hands, 10s. annually, to the funds of the union. I may as well read the whole of this rule.

Senator RAE.—It is a very cheap union.

Senator MILLEN.—It may be cheap to those who belong to it, but I think it is certainly a very profitable union to some other people. The rule, after stipulating the amount of the contributions which I have mentioned, goes on—

> In case of pressers or station hands, their respective occupations shall be written across the butts and tickets issued. Provided that the members shall further be subject to such levies as may from time to time be determined upon by the Annual Conference or the Executive Council. The rate of contribution for honorary members shall be 10s. per annum.

Here is the point to which I direct special attention—

> Five shillings from each contribution received by the Southern branches shall be set apart exclusively for the Southern *Worker* newspaper; and such sum from each contribution received by the Northern branches as they shall agree upon shall be set apart exclusively for the Northern *Worker* newspaper. Members of the West Australian branch shall be entitled to obtain either the West Australian, Southern, or Northern *Worker* upon forwarding their *Worker* slip to the manager of whichever paper they prefer, and the West Australian branch shall pay the manager of such paper the sum of 5s. for each *Worker* slip so received.

I do not know what sum the Northern branches decided to contribute to their paid press. But let us assume—because the exact amount will not materially disturb my argument—that they have not been less generous in the support of their press than the members of the Southern branches.

Senator RAE.—They contribute less.

Senator MILLEN.—I do not know how much less, but at any rate we will say that 5s. per head is taken from the annual contribution of these members. We may, therefore, calculate that £12,000 a year is being paid to purchase, to subsidize, to bribe, or to hire, a press—whatever term honorable senators opposite like to choose.

Senator FINDLEY.—What is the use of talking in that way?

Senator MILLEN.—Because it is the only way of talking that my honorable friend would be able to understand.

Senator FINDLEY.—The members get value for value.

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Senator MILLEN.—I do not dispute that for a moment. But what would be said if it were discovered that any political organization, other than the Labour party, subsidized a newspaper—say, the Melbourne *Age*—to the extent of £12,000 a year? What would be said if a proposal were made to raise from a party a compulsory levy of £12,000 per annum to subsidize any journal, or number of journals, which would not dare to publish a single line of criticism of the policy favoured by their pay-masters?

Senator W. Russell.—I wish Senator Frazer were here to tell us what he knows about the influence brought to bear on the *Age* and the *Argus*.

Senator MILLEN.—I am not stating what any one imagines. I am stating facts.

Senator Rae.—The honorable senator has a delicious mouthful, and he is chewing it well.

Senator MILLEN.—It may be delicious, but the point to be understood by the people of this country is that the *Worker*—the Northern or the Southern issue—the organ of the Labour party in Australia, is the only party journal in this country, using the term as it is understood in other parts of the world. I mean that it is the only party journal so absolutely given over to the service of a party that under no circumstances will it venture to criticise that party, and under no circumstances will it ever say a word that is fair towards its party's political opponents. The reason is obvious. The *Worker* could not last a single day if it ventured to criticise anything that the Labour party did, because it is absolutely dependent upon the good will and the funds of that party.

Senator McDougall.—Has the *Worker* never criticised the Labour party? Has it never condemned the party? The honorable senator does not read the *Worker* regularly.

Senator MILLEN.—I read it as often as it comes out. After my work here during the week I feel that I am entitled to a little recreation, and I do not know any means of getting so much recreation for twopence as from the *Worker*. The only occasion when that journal has ever condemned any section of the Labour party was at the time when Mr. McGowen and Mr. Holman were showing an independent attitude. Then, of course, there were two Labour parties in the field, and the *Worker* stuck to that section of the party which had the biggest control over the purse strings—namely, the portion of the party controlled by the Australian Workers Union. This great, independent, Democratic press was cute enough to see, on that occasion, that it was necessary to support the section of the party which provided the funds. Therefore, it said—"Our duty is to follow the Australian Workers Union."

Senator McGregor.—It is the only newspaper that is not controlled by pink pills or bile beans.

Senator MILLEN.—It is the only newspaper in Australia that is absolutely bought and sold before it is issued. There is not a line published in it which cannot be said to have been paid for. Now what does this Bill propose to do? It proposes that if any journal receives payment for a political article, it shall make a return of the amount received. Is there ever a leading article published in the *Worker* that is not paid for? Each issue is subsidized.

Senator Rae.—The honorable senator does not expect the *Worker* to be run by an honorary editor, does he?

Senator MILLEN.—I am not now speaking of payments made to the staff for the work which they do, but I say that the whole character of every article published is determined before the paper is issued. The same cannot be said with regard to any other journal of importance published in this country.

Senator McDougall.—What influenced the *Age* when it turned round before the last election?

Senator MILLEN.—Before that change the *Age* had made the greatest mistake in its life—a mistake which I sincerely trust that it has by this time regretted. When it lent some measure of support to my honorable friends opposite, am I to assume that they bought the *Age*? If so, why do they not bring the fact forward in justification of what they are doing in this measure? Let them tell me what amount I shall have to raise when I want to buy the *Age*. Senator Findley knows that to talk of the *Age* having been purchased is to talk bunkum. And when he said that newspapers were purchased by political organizations, he stated that which he knows is not true.

Senator Findley.—I did not make that statement. Senator Fraser made it.

Senator Long.—It was made by Senator Fraser in Tasmania.

Senator MILLEN.—Whether Senator Fraser made the statement or not I do not know; but it is novel to hear Senator

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Findley and Senator Long base their hope of political salvation on a statement made by him. In Australia there is no instance of a newspaper being dependent upon a political organization for its very existence, except a Labour newspaper. I asked the name of any other newspaper which is dependent upon a political organization, and also the name of the organization.

Senator RAE.—They are dependent upon sordid considerations.

Senator MILLEN.—When the honorable senator talks of sordid considerations, let us see the position of my honorable friends opposite, as set out in rule 87, in this interesting book—

> All members' tickets, receipt-books, official reports, and rules shall be printed at offices owned and controlled, or partly owned and controlled, by the Union.

What about sorbid considerations now?

Senator FINDLEY.—That is a co-operative concern.

Senator MILLEN.—In these rules we have evidence of the fact that the only newspapers in Australia which can be said to be controlled by the finances of a political organization are Labour journals. If the latter were not absolutely dependent on enforced levies for their maintenance, they could not exist for twenty-four hours.

Senator LONG.—Not at all. There are thousands of persons outside trade unions who are contributors and subscribers to the *Worker*.

Senator MILLEN.—There is a little consolation in this Bill for the outside subscribers. I was dealing with compulsory contributions under the rules. I have nothing to do with what a man gives voluntarily.

Senator MCDOUGALL.—They can live without it all right.

Senator MILLEN.—If they can live without the support of a political organization, it is strange that recently they had to pass a resolution threatening legal proceedings against those who would not pay up—proceedings which would open the possibility of men going to gaol without a trial by a jury.

Senator RAE.—You are dealing with a thing which you do not understand.

Senator MILLEN.—I hope that we never shall understand this system of running a hireling press.

Senator MCGREGOR.—It is not a hired press.

Senator MILLEN.—My honorable friend is quite right. It is absolutely bought.

Senator MCGREGOR.—It is our own property.

Senator MILLEN.—When the *Worker* publishes a leading article in favour of the Labour party, and the article has not been paid for specifically, it is rank hypocrisy to say that the newspaper ought not to make a return under this measure, because it did not receive a specific payment for that article, whilst at the same time other journals are called upon to make such returns. The Bill does not require the *Worker*, I repeat, to show that it is paid for what it publishes.

Senator RAE.—It is not—only in that form.

Senator MILLEN.—I leave it to honorable senators to decide. I have no objection to my honorable friends having a party newspaper. My one regret is that the party I belong to is not sufficiently strong to have a newspaper. Honorable senators opposite may laugh. There may be journals which are supporting our party for business or other reasons. But on the Liberal side to-day we have no party journal in the sense in which the *Worker* answers to that description. The only journals in Australia which are party journals in the sense of being supported by party funds, and which dare not, even if they would, do anything to ruffle the feelings of those who provide the funds, are Labour newspapers. Under this measure, although they receive £10,000 or £12,000 a year, to enable them to keep going—as a subsidy, that is, a payment for what they do—they will make no return. But other journals receiving £5 or £10 at election time will have to do so. The whole thing becomes an absurdity, and none the less so because it is largely hypocrisy. The only newspapers which dare not show an independent political feeling are the Labour journals. Some years ago I was running a newspaper in Bourke. Of course, when an election came round, and I was a candidate, the newspaper had no difficulty in advising the electors which way they ought to vote. My newspaper did not receive a penny during the election for anything I published in it, while my contemporary got possibly a few pounds from my opponent. What is to be thought of the newspaper I was running? In all seriousness could it be regarded as a free and independent journal? Would the fact that not a penny

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was paid to it for what was published entitle it to be exempt from the impertinent curiosity of this provision? That is exactly the position of the *Worker* to-day. It is owned, not by an individual, but by a political party; and of course it is supported by that party. The only difference is that while my newspaper supported me in a sort of way my honorable friends have to support the *Worker*, not because it is their newspaper, but because they have secured the greatest of all guarantees, that it will not say anything adverse to them. It will not venture to laugh at their views and criticise them. To that extent, that newspaper should, in all fairness and common sense, be much more called upon to disclose the fact that its articles are paid for; that money controls and drives the pens of its writers.

Senator RAE.—Is it not disclosed in every issue of the *Worker* that it is the official organ of the Labour movement?

Senator MILLEN.—My honorable friend admits that the *Worker* is an absolutely party newspaper, and is supported by the enforced levies on members of the unions.

Senator RAE.—No.

Senator MILLEN.—Then what is the meaning of the circular sent out lately by Messrs. Spence and MacDonell and threatening proceedings against those who would not pay their levies?

Senator RAE.—I have not seen the circular referred to. Probably it is a forgery.

Senator MILLEN.—Undoubtedly the question was discussed as to what steps should be taken, and authority was given by resolution to the executive officers to determine, after legal advice, what action should be taken to enforce the levies. As a result of that, a circular was signed and issued by Messrs. Spence and MacDonell, threatening with the penalties of the law those who refused to pay.

Senator RAE.—That has nothing whatever to do with the maintenance of the *Worker*.

Senator MILLEN.—I was referring to levies made for starting a daily newspaper. The point is that there is a determination on the part of a political organization to have its own journals controlled by its own money.

Senator RAE.—Cannot any organization in the Commonwealth have the same right?

Senator MILLEN.—Here is where the hypocrisy would come in: When the election return was presented and published, it would appear as if the *Worker* was the only journal which did not receive any payment in connexion with the elections. The proposal is absurd, seeing that every issue of that newspaper is brought out with funds contributed for political purposes. Quite in keeping with the provision for this return is the provision with regard to canvassers. In this Bill canvassing is sought to be made illegal only when it is paid for. That opens up a very interesting prospect. An organizer for a trade union would not be worth his salt to the union unless he was also a canvasser for the political side of his party.

Senator RAE.—Some of our best canvassers know nothing of politics.

Senator MILLEN.—My honorable friend, notwithstanding a scarcely disguised smile, knows that 99 per cent. of the organizers of his union are all the while doing their duty to that union politically. In the rules there is a provision which enables the union to hypothecate a portion of its funds for political purposes. We know that the executive can appoint organizers for the union if it likes. It did so in connexion with the last election.

Senator RAE.—I was one of them.

Senator MILLEN.—The honorable senator was not the only person who was sent out as a political canvasser. I ask any one to imagine him keeping off politics for five minutes. You might as well condemn him to solitary confinement as ask him to leave politics alone for five seconds after he had found anybody to talk to. He could not do it. He knows perfectly well that he and others who were sent out by the Shearers Union in anticipation of the Federal election as organizers——

Senator READY.—Did such good work.

Senator MILLEN.—They did such good work as political canvassers that they are in the Senate to-day. These organizers will go untouched by this Bill, because, while they are paid organizers, they are gratuitous canvassers. But when a political organization comes along and says, "We have no industrial side; we can make no pretence at sending out organizers; we want to put on canvassers," the position changes. The appointment of canvassers becomes illegal. That justifies my statement that the Bill is shaped to help a political party, and without any regard to what is fair and just to the great body of electors or their political opponents. The unions to-day, as will be frankly admitted by any one who is candid, are largely political. It is recognised, both by those in

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their ranks and by those outside, that the line between mere industrialism and legislation is so thin that it is impossible to place it anywhere; that a union must be more or less political in its work.

Senator McDOUGALL.—Under the law of the land.

Senator MILLEN.—Even if there were no law, I recognise that the industrial unions have so largely served the purposes for which they were originally formed that it is absolutely impossible for them to consider any question affecting themselves without being immediately brought into touch with the legislative body. When a provision frees a paid organizer of a union, which is also a political body, from the penalties of the Act, and places a prohibition on a man called a canvasser for a party which has no industrial side, it becomes very patent that the Bill was designed to restrict those who have the audacity to differ from my honorable friends.

Senator RAE.—Nonsense!

Senator MILLEN.—Then why is canvassing right when it is carried on by a paid organizer for a trade union, and not right when it is carried on for a political party with no industrial side? Proposed new section 181c, which forms part of clause 35, reads—

"(1.) A candidate, or a person acting on behalf of, or in the interests of, a candidate, shall not employ, for reward, any person as canvasser or committeeman or in any capacity in connexion with an election, unless the expense incurred could be lawfully incurred by the candidate under Part XIV. of this Act.

Penalty: One hundred pounds.

"(2.) 'Reward' in this section includes any payment or promise of payment direct or indirect to the person employed or to the wife or husband or any relative of that person."

That is what is proposed as regards canvassing. The concluding portion of the proposed new section does not, as has been assumed by some public utterances, deal with canvassers, but provides that the amount spent is not in excess of what is provided for in Part XIV. of the Act. The prohibition against paid canvassers is absolute. The rest of the proposed new section merely deals with the employment of people in any capacity in connexion with an election. It becomes a piece of absolute hypocrisy to pretend that, in the public interest, it is right to allow unions to employ their organizers for political canvassing, and at the same time to prevent political organizations having no industrial side from employing paid canvassers. If the Government desire to stop all canvassing, they should make it an offence for an organizer for a political union to engage in canvassing.

Senator LONG.—What is to prevent the Employers Federation appointing canvassers?

Senator MILLEN.—Because canvassing is declared to be illegal.

Senator LONG.—By the candidate.

Senator MILLEN.—Or by any one acting on behalf of, or in the interests of, the candidate. If I were a candidate, any one who attempted to canvass for me would be acting illegally under this Bill. On the other hand, my honorable friends opposite can send out the organizers of their unions, and though they will be paid organizers, they will do their political canvassing gratuitously.

Senator RAE.—Will an organization be a "person" under the Bill?

Senator MILLEN.—Undoubtedly.

Senator RAE.—Then the organizations of honorable senators opposite will be "persons" in just the same way.

Senator MILLEN.—There is no prohibition against the employment of an organizer for a union. There cannot be, nor ought there to be, such a prohibition.

Senator McDOUGALL.—Why not form unions?

Senator MILLEN.—Honorable senators opposite have formed industrial unions; but the party to which I belong cannot form such unions. No trade union would accept me as a member, because I have no trade, and the bulk of the rank and file of the party to which I belong, as well as a great many persons who support honorable senators opposite, cannot belong to any union. My honorable friends, by their idle interjections, only show the difficulty they have in finding a logical argument to meet my objections to this Bill.

Senator McDOUGALL.—The party opposite should be able to pay the railway fares of their canvassers.

Senator MILLEN.—The honorable senator's interjection carries no conviction to my mind. It is an easy matter for big bodies of men, with the power to make enforced levies, to pay the expenses of their canvassers.

Senator McDOUGALL.—My honorable friends opposite should not let a poor fellow find £2 to pay his own railway fare.

Senator MILLEN.—This Bill says that we are not to be permitted to employ such a man.

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Senator LONG.—No; Senator Millen says that.

Senator MILLEN.—Does Senator Long mean to say that this Bill does permit of the employment of a paid canvasser?

Senator LONG.—I do not wish to set my knowledge against that of the honorable senator, but I think he is wrong.

Senator MILLEN.—If I am, the drafting of this Bill is such that a schoolboy would be flogged for being responsible for it. I refer honorable senators to the proposed new section 181c.

Senator LONG.—The candidate must not do certain things.

Senator MILLEN.—Or any person acting on behalf of, or in the interests of, the candidate. Does the honorable senator mean to say that the proposal is not to allow John Smith to act in this way on behalf of the candidate Jones, but that if William Brown and John Robinson join with him and they call themselves an association, they will be allowed to do so? Can an association do these things?

Senator FINDLEY.—Of course it can.

Senator MILLEN.—Employ a canvasser?

Senator FINDLEY.—Not in the interests of the candidate.

Senator MILLEN.—But that is the whole thing. Senator Long took me to task; now let him find fault with the Minister.

Senator LONG.—I do not find fault with the Minister. It is quite clear that under this provision a party may employ paid canvassers for enunciating their policy without reference to a particular candidate.

Senator MILLEN.—If that is what is meant, we shall be no further than when we started. Unions can send out as paid organizers men who will be at liberty to go on a platform and advocate the claims of individual candidates. They will be paid as organizers, but as canvassers they will be working gratuitously. Senator Rae has been candid enough to admit that he has been a paid organizer. Let me ask the honorable senator whether at any time when he was organizing and inducing men to join his union, he did not canvass for votes for the Labour party when an election was going on? I am sure that the honorable senator would do so, and so would any one else in a similar position.

Senator MCGREGOR.—What would be the use of canvassing members of the union? Would he not know that they were all right?

Senator MILLEN.—I did not suggest that Senator Rae, as a paid organizer, would stop at canvassing members of a union. Senator McGregor's interjection is simply buffoonery. Honorable senators opposite are seeking to place a disability upon their political opponents, whilst leaving themselves full freedom, because of the nature of the political bodies with which they work. They are unable to deny that statement, and hence the silly interjection of the Vice-President of the Executive Council.

Senator RAE.—I say there is an absolute answer to the statement.

Senator MILLEN.—There may be, but it was not conveyed by Senator McGregor's interjection. To-day, the great body of support which is responsible for the presence on the Ministerial benches of my honorable friends opposite is the organized labour of Australia. That organized labour, acting co-operately through its unions, is admittedly a political force. It can employ and pay men to act as organizers for the respective unions, and these organizers are to be free to canvass as much as they like. It needs no argument on my part to prove that. The organization Senator Rae goes out for is the Shearers Union, and I invite any honorable senator, or Senator Rae himself, to say whether, when an election is on, he would stop merely at organizing for his union.

Senator RAE.—Might I ask the honorable senator a question? The Employers Federation, or any similar body, sends out persons at the time of an election to advocate their claims, and will the honorable senator say that when they are asking a man to join their body they will not be likely to say, "While you are about it, seeing that you believe in our principles, you know whom you ought to vote for"?

Senator MILLEN.—Senator Rae knows perfectly well that an association of that kind does not cover the rank and file of the Liberal party.

Senator RAE.—I said the Employers Federation, or any similar body.

Senator MILLEN.—That is not an organization of which I am a member, and I do not know that I am eligible for membership of it. I say that the rank and file of those opposed to the Liberal party cannot make a pretence of using an organizer for a trade union as an excuse and cover for sending out a paid political canvasser. Senator Rae will not deny that an organizer

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for a union, when doing the work for which he is paid, would, if an election were on, canvass for a political candidate. He would be expected to do so, and he would not be worthy of his position as a paid organizer if he did not do so, seeing how closely industrial unionism and the political Labour party are associated.

Senator RAE.—Liberal organizations have canvassers.

Senator MILLEN.—But this Bill seeks to make their work illegal. If paid canvassers are to be permitted in the case of union organizers, why should we not be allowed to have our paid canvassers?

Senator NEEDHAM.—Have not the party opposite paid organizers?

Senator MILLEN.—I am not speaking of paid organizers. The honorable senator would be the first to laugh if a political party, pure and simple, not a trade union, which is a combination of the industrial and political, sending out a man on the eve of an election, claimed that he was merely organizing. His business would clearly be to secure support for a political candidate.

Senator NEEDHAM.—The party opposite have men and women canvassing for months before an election.

Senator MILLEN.—Exactly; and my honorable friends opposite are trying to stop that by this Bill.

Senator NEEDHAM.—No.

Senator MILLEN.—It renders all serious debate in this Chamber unprofitable when honorable senators deny statements which are clearly set out in the Bill. This is the third or fourth time to-day that we have had these absolute denials, and when honorable senators have been pressed to point out the clause which would enable what they have said might be done to be done, they have been unable to find it. I refer Senator Needham again to the proposed new section 181C—

> A candidate, or a person acting on behalf of, or in the interests of the candidate, shall not employ for reward any person as canvasser or committeeman.

The honorable senator shakes his head. It needs shaking, I think.

Senator LONG.—Call him an organizer, and that would get over the difficulty.

Senator MILLEN.—Would the honorable senator say that that was conforming with the law? He would call it a subterfuge, and any Bench would do the same. That would be absolutely trifling with the thing.

Senator LONG.—The honorable senator is not worried over the clause, but he feels bound to make a little noise about it.

Senator MILLEN.—I am worried about every attempt to twist our political machinery so as to make it aid one party and handicap another.

Senator MCDOUGALL.—It has always been used in that way.

Senator MILLEN.—Is it because the honorable senator says that wrong has been done in the past, that now he is behind the Government he will use his power for the purpose of hampering his political opponents?

Senator MCDOUGALL.—The honorable senator admits that there has been wrong.

Senator MILLEN.—I did not admit anything of the kind.

Senator MCDOUGALL.—If the honorable senator does not admit it, he should not assume it.

Senator MILLEN.—I was only taking Senator McDougall's statement. He said that wrong has been done in the past, and apparently he assumes that that justifies honorable members opposite, now that they are in a majority, in handicapping their political opponents.

Senator NEEDHAM.—He said nothing of the sort.

Senator MILLEN.—Perhaps he did not; I doubt if he could put it in that way. Still, that that is what the honorable senator meant is obvious. My honorable friends opposite mean to stop canvassing on behalf of their political opponents, or they do not? What is the use of the provision to which I have referred if it is not to stop canvassing? It says that canvassing is to be illegal, and that no person or association of persons is to be allowed to employ a paid canvasser.

Senator MCDOUGALL.—It affects both sides.

Senator MILLEN.—No; because my honorable friends opposite can employ canvassers under the guise of organizers for their unions.

Senator NEEDHAM.—Cannot honorable members opposite do the same?

Senator MILLEN.—We have no industrial unions which we can use as a cloak and a blind.

Senator NEEDHAM.—There is the People's party.

Senator MILLEN.—I say that if the party on this side had to rely for its representation in politics merely upon men who are eligible to join an employers' association under the definition of an Arbitration

Court's award, we should never get a seat in Parliament. The number of persons competent to form themselves into an employers' association would not be sufficient to secure a single seat in the whole of Australia. The fact is that the great bulk of those who do not support my honorable friends opposite, and a large number of those who do support them, could not assist one side or the other, so far as an organization is concerned.

Senator RAE.—But they find the funds to fight the battles.

Senator MILLEN.—That is only drawing another red herring across the trail. It is an attempt to appeal to some class prejudice. I am dealing with a proposal under which industrial unions will be allowed to employ paid convassers under the guise of organizers.

Senator McDOUGALL.—They will not be allowed to employ them as political organizers.

Senator MILLEN.—What nonsense! We have had an actual instance furnished by the candid admission of Senator Rae that he went out as a paid organizer for the Shearers Union. The honorable senator will understand that I do not use the term offensively.

Senator RAE.—I do not take it offensively. I think I was worth the money.

Senator MILLEN.—I say merely that the honorable senator was a paid organizer, and, under this Bill, there is no prohibition against a paid organizer. If, as a paid organizer, he chooses to put in twenty-three hours out of the twenty-four canvassing for a political candidate, he can escape all obligation under this Bill by saying that he put in the twenty-fourth hour as an organizer for his union.

Senator NEEDHAM.—The Liberal League of Western Australia sent out a lady organizer, and paid her.

Senator MILLEN.—But my honorable friends opposite wish to stop that by this Bill; that is my point.

Senator NEEDHAM.—No.

Senator MILLEN.—The moment a candidate's name is announced, it is the business of every canvasser or organizer to get votes for that candidate, and the honorable member knows it.

Senator NEEDHAM.—I do not.

Senator MILLEN.—Then the honorable senator has a lot to learn. I say that, even before candidates' names are announced, organizers and canvassers are at work on behalf of their parties. This Bill will enable the paid organizers of trade unions to canvass for political candidates as much as they like.

Senator RAE.—How many are there? There are very few.

Senator MILLEN.—The number is unlimited, so far as the powers conveyed by their rules are concerned. The executive council of the Shearers Union can appoint as many as they like. The honorable senator knows that every shed "Rep." can be used as a political organizer. They will all be paid as organizers, but will be available as political canvassers.

Senator RAE.—We do not pay shed "Reps." a penny

Senator MILLEN.—They get a commission on what they sell, and a better commission than is given in the commercial world for the sale of anything else.

Senator LONG.—The employer can do precisely the same thing at election time.

Senator MILLEN.—What about men who are not employers, and cannot form a union?

Senator LONG.—They can give their adherence to unions representing their political views.

Senator MILLEN.—Men who cannot be represented in unions on the industrial side could not pretend to employ an organizer as trade union organizations may do.

Senator NEEDHAM.—The Liberal League pay organizers all the year round.

Senator MILLEN.—I repeat that my honorable friends opposite want to stop that under this Bill. I claim that we should have the right to do that, and I do not quarrel with my honorable friends opposite for doing it. My quarrel with them is that, while they permit the right of unions to call their canvassers organizers, and pay them as such, they want to withhold that right from their political opponents.

Senator NEEDHAM.—It is a quibble.

Senator MILLEN.—It is too silly to call it a quibble. Senator Needham's overwhelming ability may enable him to read into the words of the clause to which I have referred more than I can read into them; but I say that they can have only one interpretation.

Senator NEEDHAM.—The honorable senator has given his own interpretation.

Senator MILLEN.—I have read the words of the Bill; and I need not interpret them at all.

Senator McDOUGALL.—They are all right.

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Senator MILLEN.—It is all right to permit the Labour party to have paid canvassers, but it is not right to permit the same privilege to their political opponents. It is a curious thing that this Bill, which comes to us after eighteen months of Labour administration, and which comes from a Department whose Ministerial head has not been out of the country, contains a proposal as to which the Minister who moved its second reading has intimated that an amendment will be moved to strike it out. I refer to the proposal with regard to the hiring of vehicles. Senator Pearce, in his introductory speech, said that it was proposed to drop that. Why? I am going to suggest a reason. The party opposite would like to adopt the clause to which I refer, but they find that it would affect too many of the votes of cabmen and others who derive a profit from the hiring of vehicles at election times.

Senator FINDLEY.—The insinuation is utterly unwarranted.

Senator MILLEN.—When you see a Bill shaped with the deliberate purpose of hamstringing political opponents, one is justified in suspecting every provision contained in it.

Senator FINDLEY.—Senator Pearce said that the Opposition had been finding the motor cars, and we had been riding in them.

Senator MILLEN.—Is that the reason why the provision to which I have alluded is to be struck out? I do say that it is a remarkable thing that, after all these months which the Government have had to mature this Bill, it should come before the Senate and be placed upon the table side by side with an amendment to strike out that remarkable proposal. If the Bill had been hastily prepared, this would have shown a great want of vigilance and care on the part of the Minister and the Department. But I say, again, that the Government are proposing to strike out this clause dealing with vehicles because they found that they were going to offend the very large vote of those interested in the provision of vehicles.

I should like, before sitting down, to ask the Minister whether it is intended in this Bill that the provisions with regard to the expenses of associations and the amounts received by newspapers shall apply with regard to referenda?

Senator FINDLEY.—Yes, they will apply to referenda.

Senator MILLEN.—It is interesting to know that, because we shall have this position: If, in the course of a referendum campaign, any public association, in the exercise of its undoubted rights, takes a hand, as every body of electors is entitled to do, the Government will come along and want to know what that association has spent; whereas honorable senators opposite, by means of their organizations, can do the same thing, and will be under no such obligation, because the industrial side of their unions is not compelled to make any return at all.

Senator RAE.—We are quite agreeable to make a return.

Senator MILLEN.—Of course, they are agreeable. The answer will be, "We have collected so many thousands of pounds, and have spent them through our unions." We know, however, that the bulk of the money goes for political purposes.

Senator RAE.—It does not.

Senator MILLEN.—I have shown that one-third of the money paid by members of the Shearers Union goes towards the support of political newspapers. But that is not everything. Other portions of the funds also go for political purposes. The organizers of these unions are political organizers, pure and simple. I do not mind that. I have no objection.

Senator McDOUGALL.—Then what is all the bother about?

Senator MILLEN.—Because honorable senators opposite will not allow us to do what they are doing themselves.

Senator McDOUGALL.—The Opposition party can do the same thing.

Senator W. RUSSELL.—The honorable senator should not forget that he has the Free Workers Union on his side.

Senator MILLEN.—I have yet to learn that there is any union on my side; but honorable senators opposite have a hireling press supported by their unions.

Senator W. RUSSELL.—A hireling press?

Senator MILLEN.—Yes, I repeat it. The only party papers, pure and simple, in this Commonwealth—the only papers which are bought and sold—are the Labour papers. We have no distinctively party papers in Australia apart from the Labour papers. There are party journals in America and in Europe; but I repeat there are none in Australia, except the Labour journals.

Senator LONG.—The honorable senator is not serious, surely?

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Senator MILLEN.—I do not wish to speak offensively; but if honorable senators know anything about party journals in other parts of the world, they will know what is meant by the term. There are not only party journals in America and in Europe, but there are even personal journals, which are conducted in the interest of particular individuals. We sometimes see references in the cables to the expressions of opinion made by the organ of so-and-so. In Australia, I say again, with the exception of the two *Workers*, we have no party journals. I am not cavilling at my honorable friends having those newspapers.

Senator McDOUGALL.—What are the other newspapers, if they are not party journals?

Senator MILLEN.—They are not party journals in the sense in which that term is understood in Europe and America. When the *Worker* in Sydney publishes a single complimentary reference to a political opponent I shall be prepared to modify what I have said to-day; but I have seen no references to a political opponent in that newspaper, which would not be a disgrace to the lowest gutter journal published anywhere. We never see the other journals of Australia adopt the methods of criticism which are adopted by the *Worker*.

Senator RAE.—Do they not?

Senator MILLEN.—No; my honorable friends opposite cannot find, in any of the leading journals of Australia, any such references to their opponents as can be found in any issue of the *Worker*.

Senator McDOUGALL.—What about the *Sydney Morning Herald's* reference to hanging Willis like a dog?

Senator MILLEN.—That was an item of news, and not an expression of opinion by the newspaper. But when I find the *Worker*, as it did at the last referenda, saying, concerning an utterance delivered at the Sydney Town Hall, by the leader of this party, that his remarks were "blithering," I say that this is a fair illustration of what party journalism can come to in the hands of my honorable friends opposite. The other newspapers of Australia do, at least, deal with their political opponents in a fair and reasonable spirit. They may combat the views of my honorable friends opposite; they may denounce them, but, at any rate, they do so respectfully, and frequently give them credit where credit is not their due.

Senator LONG.—Look at the way the *Worker* speaks of Mr. Willis.

Senator MILLEN.—What has Mr. Willis to do with this matter? It must not be assumed that I am cavilling at the attitude of the *Worker*. I am not. All that I am doing is to show that it is the only party organ that I know of in existence in Australia, and at the same time, I am showing that, under no circumstances, will that organ do anything seriously to criticise its political friends; nor will it, under any circumstances, see any virtue in its political opponents. That is party journalism as exemplified in the *Worker*.

Senator W. RUSSELL.—That is the position of the Adelaide *Critic*, the dirtiest rag we have in South Australia.

Senator MILLEN.—I suppose it does not give Senator W. Russell all the notice that he thinks he is deserving of. I have been induced, by interjections, to continue longer than I had intended, and perhaps to digress in a way that was not altogether material for the purposes of my argument. My position is, however, that this Bill has been introduced for the purpose of reducing public facilities by taking away from a very large number of electors opportunities for voting which they enjoy at present. At the same time, the party opposite are seeking to handicap and hamstring their political opponents, not by appeals to the intelligence of the electors, but by using the power which, as a majority, they possess, to place legislative shackles upon those who are opposed to them. These disabilities, too, are being imposed under the pretence of merely perfecting the electoral machinery of the country. I mentioned, earlier in the debate, the term "gerrymandering." We all know the object and purpose which the ingenious individual, from whose name that term is derived, had in view. This Bill seeks to do the same thing in another way. In that instance, there was an attempt, by means of the manipulation of electoral boundaries, to secure unfair results for the benefit of a particular political party. The Government have brought in this Bill for the purpose of attaining the same object by different means. This Bill has not been brought in to remedy any public evil. It has been brought in simply because honorable senators opposite think that they can, by imposing disabilities upon certain voters, so handicap and hamstring their opponents as to make their own position more secure. We are, therefore, impelled to the conclusion—unless we must give up all hope of fair play being extended by the great body

of the electors of this country—that, by legislation of this kind, the Government are simply erecting a gallows upon which they themselves will be hanged.

Senator McCOLL (Victoria) [5.54].—I am somewhat astonished that, after the scathing criticism of this Bill by the Leader of the Opposition, to which the Senate has just listened, there was not a rush of honorable senators opposite to answer him.

Senator McDOUGALL. — There was nothing in the attack.

Senator RAE.—Fireworks.

Senator McCOLL.—Nothing in it? I think that if honorable senators opposite have any honour left in their composition, they ought to be ashamed——

The PRESIDENT.—Order!

Senator McCOLL.—The Government ought to be ashamed of submitting such legislation as this. If there is one species of legislation that ought to be sacrosanct from party feeling, and as to which the interests of the whole community ought to be the first consideration, it is legislation with regard to voting; because the exercise of the choice of the electors is the foundation of all our legislation. It is the putting of little pieces of paper into the ballot-box that registers the views of the electors, and, in a country such as this, where universal suffrage prevails, every possible opportunity should be afforded to every man and woman to exercise the vote as freely as can be. One views the Bill before us with mixed feelings. One must have a certain amount of admiration for the audacity of the party which supports such a measure. But I am shocked at the injustice which the Bill seeks to perpetrate. I am sorry that Senator Pearce is not present, because it was he who moved the second reading. In so doing he delivered a somewhat attenuated speech in support of the Bill. He passed over the major portion of it very loosely indeed, and characterized it as in the main a machinery measure. He admitted, however, that there were three main principles in it—one to abolish plural voting, one to substitute what he called a better and more comprehensive system of absent voting, and, thirdly, a provision to establish compulsory enrolment. The main feature of the Bill, however, is its absolute want of principle. It seems to me, reading it very carefully, to have been dictated by a policy of revenge. The whole measure is designed to support the party that is now in office. In my opinion the Bill cuts across all the rules of political honesty, and is, as Senator Millen aptly said, the worst specimen of legislative gerrymandering ever submitted to any Parliament in this country. It is a brazen attempt so to shape legislation affecting the electoral machinery as to keep in power the political party that is now enjoying office.

Senator NEEDHAM.—I rise to order. Senator McColl has just said that this Bill is a brazen attempt to keep the present Government in power. I do not think that he ought to have used such language.

Senator DE LARGIE.—What does it matter?

Senator NEEDHAM.—It matters a great deal.

The PRESIDENT.—The only word used by Senator McColl that might be out of order was the word "brazen." Otherwise I do not think that there was anything in what the honorable senator said to take exception to.

Senator McCOLL.—The proper title of this Bill—which is entirely misnamed—should be "A Bill to secure Trade Union and Socialistic Domination in Australia." That is the real purpose of the measure. The most important part of it, and that which most affects the community, is that it proposes to make a clean sweep of the postal voting system.

Senator RAE.—The last stronghold of the Opposition.

Senator McCOLL.—This is only, however, one direction in which power is being used so to shape administration and legislation as to carry out the purposes of the party which I have just named. We have had introduced into this country preference to unionists, one of the most pernicious principles, and the most subversive of liberty—the strongest attack on individual freedom ever made in Australia. The attempts made to bolster up the party in office constitute a political scandal. The party itself is entirely driven by political bosses. At a recent meeting of the Political Labour Council in Sydney, the chairman said—"This is the Parliament of Australia." He told the members of the Federal Parliament that they were simply sent here to carry out the commands of that body. And the party opposite are carrying out the will of their political bosses in the legislation they are introducing to-day. If the Bill is to be driven through the Senate, it will be driven through at the cost of the honour and self-respect of its supporters.

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The PRESIDENT.—Order! The honorable senator is out of order in stating that if the Bill passes it will pass at the expense of the honour of those who support it. I ask him to withdraw the statement.

Senator McCOLL.—In obedience to your request, sir, I withdraw the statement. In this measure the Government are taking away facilities for voting, and therefore it does not provide for compulsory voting. To me it is not so much an essential that we should have a full roll as that we should have a full poll. Men and women should have the chance to enrol, and those who do should have every possible opportunity to vote, so that we may have a large poll. But we know that the Labour party do not want a large poll. If it were possible to get a large poll, they would be swept out of existence.

Senator NEEDHAM.—At the recent elections in Western Australia, there was the largest poll on record.

Senator McCOLL.—One swallow does not make a summer. In Western Australia the electors were simply renewing the votes which they gave at the referendum. But in the other States, on that occasion, the electors voted in a different fashion.

Senator NEEDHAM.—The larger the poll the better for us.

Senator McCOLL.—That is not the case. There is nothing in this Bill to enable the true will of the people to be ascertained; to give the large number who do not attend the poll an opportunity to vote. At the last election a combination of circumstances put the Labour party in power. But since then they have received a very serious warning that they are not on solid ground. Finding that they are on thin ice, they realize that they must bolster up their position. Hence we have preference to unionists, and this measure introduced. Warned by the voting at the referendum, they set themselves to consider where lay the danger of the party being defeated at the next election. They attributed the danger to two causes, namely, the women's vote and the influence of the press, and so they said, "We must take away the women's vote; we must deprive that section of the community of the full opportunities which they now have to record their votes. And we must curb the press in order that there may not be such a full expression of opinion in regard to us as there has been in the past."

Senator E. J. RUSSELL.—Can you substantiate the statement that Labour men attributed the defeat of the referendum to the women's vote?

Senator McCOLL.—The whole Labour party attributed their defeat to that cause; otherwise, why is this attempt made to abolish voting facilities? It was in South Australia that the Labour party first brought in the system of voting by post. In Victoria the Trades Hall party was not in favour of granting womanhood suffrage.

Senator E. J. RUSSELL.—That is not correct.

Senator McCOLL.—It is absolutely correct. In this measure, the Labour party are attempting to abolish the female vote, which they think is not in their favour, and to curb the press, in order that we may not have a free expression of opinion. How has the postal vote operated? In 1903, when women first voted under Federal law, 527,997 males, or 53.09 of those on the roll, voted; while 359,315 females, or 39.96 per cent., voted. At the election of 1906, 628,135 males, or 56.38 per cent., voted; while 431,033 females, or 43.30 per cent., voted. In 1910, 802,030 males, or 67.58 per cent., voted; while 601,946 females, or 56.17 per cent., voted. From 1903 to 1910 the number of females who voted increased from 359,315 to 601,946, or nearly double; while the percentage of voting increased from 39.96 to 56.17 Yet it is this great vote which the Government are attempting to trammel, and preventing from being exercised in the way in which it ought to be. The postal votes issued in 1910 were as follow:—Males, 12,690; females, 15,459; total, 29,253; showing that a very much larger percentage of females than males voted. At the recent referendum, the voting was as follows:—Males, 10,540; females, 14,257; total, 24,797. One peculiarity is that nearly one-half of the votes polled in Australia under this postal system have been polled in Victoria. Out of 15,459 postal votes, 7,708 were polled in Victoria. At the referendum, out of 14,257 postal votes issued, 7,748 were polled in Victoria. Because it does not see fit to

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become a Labour State, and return a majority of Labour members to Parliament, a distinct blow is aimed at Victoria in this measure. The proposal to introduce the postal vote was made here in 1902. At first, a radius of 10 miles was fixed upon, but that was altered by the Senate to 5 miles. Is it fair or humane to withdraw this voting facility from the weaker persons in the community—women who are unable to go to the poll, and those who are ill and infirm? That is what the Bill seeks to do. It is really an attack on the crippled, the helpless, and the infirm, and, of course, on the women of Australia. That is not playing the game fairly. There has been no public demand for the abolition of the postal vote. Its abolition has not been advocated in the press, or by any party in Australia. This is purely a move in order to strengthen the Labour party. When the postal vote was first proposed here, the Senate was practically unanimous. Both Labour men, and other senators, voted in favour of its enactment. In the other House, although some objections were taken by Labour men, on the whole there was a fairly unanimous vote in favour of postal voting. But as time passed, the Labour party realized that it was the postal votes which turned elections. When the postal votes came in, after the first poll was declared, it was found that a majority of them were against the Labour party, and so it was decided to try to abolish the system. In 1909, when the last revision of the Electoral Act took place, almost every Labour man in the Senate, with the exception of Senator E. J. Russell, voted against the retention of the postal voting system. The names of those who voted against its retention were Senators Croft, de Largie, Guthrie, Henderson, Lynch, Needham, Pearce, W. Russell, Story, Findley, Trenwith, Turley, Stewart, and McGregor. At that time, the Labour party had not the necessary number to abolish postal voting, but now that they have a majority, they bring in this measure. When the last amending Bill was sent down from the Senate to the House of Representatives, the same unanimity was shown there on the part of the Labour party to try to abolish postal voting. They gave practically a solid vote against the principle. But, at that time, they were not able to achieve their purpose, and now they have renewed the attempt. It involves not only a question of party feeling, but a question of humanity. We ought to consider the feelings of those who are feeble and ill, and especially women, who are unable to go to the poll. Women are under natural disabilities to which men are not subject. They have on their shoulders the care of the household, and of children. If postal voting is abolished, it will deprive invalids of a right of citizenship. It will deprive thousands of voters in remote districts of the opportunity to record a vote. Of what use is it to compel a man or woman to travel 15 or 20 miles to be enrolled when you do not give them the privilege of voting unless they travel a like distance? The provision in this Bill for compulsory enrolment should be followed up with a provision for compulsory voting. I am not too fond of compulsion in any way. But there might be some merit in this proposal of the Government if it were followed up with a greater extension of voting opportunities. This is not a time to curb or cripple voting facilities. On the contrary, it is a time when they ought to be extended in every possible way. Under this measure compulsory enrolment is to be introduced by proclamation, so that the Government will have the right to act as they please. I take exception to the fact that the administration of nearly the whole of the measure is made subject to regulations, which, of course, may be framed in such a way that they can be used to the Labour party's advantage. The Bill also provides that the poll shall be taken on a Saturday. We ought to hesitate before we take that step. Saturday is very near Sunday, and we do not want to encourage Sunday labour. This provision cuts across the conscientious convictions of many members of the community. We have no right to interfere with the conscientious convictions of the Seventh Day Adventists and the Jews. We have no right to compel them either to vote on Saturday, and, perhaps, break a rule, or to be disfranchised. The provision ought, I think, to be reconsidered, with a view to appointing a suitable day for taking the poll. Under what the Minister called a comprehensive system of voting, a man or woman will have to attend personally on the Electoral Registrar. That may suit persons in the cities and towns, but it will impose a very great hardship on persons in the country. How can we scatter electoral registrars broadcast over Australia? They must be established in centres of population. Under this measure, persons who live miles away will be compelled, under a penalty of £2, to come in and register. That will

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inflict a great hardship upon them, as well as on feeble persons and women. There are many respects in which the Bill is defective. It does not contain details, but the application of the provisions is largely left to regulations. The provision which enables a man to vote all over Australia is a very dangerous one, because it will open the door to personation and double voting. How a check is to be kept has not been explained by the Minister, and certainly is not indicated in the measure. At present, a man has to obtain a postal certificate or a "Q" form. In the latter case, the applicant must mention the division in which he lives, and his number on the roll, otherwise a form will not be supplied to him. That presupposes a knowledge by the applicant of his position with regard to enrolment. But under this Bill a man can go to a polling place anywhere in Australia, make a declaration, and then record his vote. That will open the door to all sorts of corruption and personation. When introducing this legislation, the Government might have improved our voting facilities very much. The opportunity to do so seems to have been lost, and only one thing appears to be aimed at by this measure. The sending of a number of ballot-boxes to one place is wrong, in my opinion. Every ballot-box ought to be opened where the votes are polled. There would then be a means of checking the votes that we have not now. On the question of the returns of expenses, there is nothing said in the Bill as to how far these are to go back. It is not stated whether they are to cover the period between the issue of the writ and the polling, or some period anterior to the issue of the writ. The provision with regard to newspapers seems to me to be an attempt on the part of the Government to get even with newspaper proprietors for their opposition on previous occasions. From the definition of electoral matter, it is very difficult to understand what will be regarded as a breach of these provisions. It is the duty of the Opposition, having in view the enormous interests involved in this Bill, the interests of the freedom and liberty of women especially, who will be deprived of a great privilege given them under the existing Act, to fight this measure throughout on every line of every clause.

Debate (on motion by Senator HENDERSON) adjourned.

Sitting suspended from 6.25 to 8 p.m.

GOVERNMENT FACTORIES IN FEDERAL TERRITORY.

Senator McDOUGALL (New South Wales) [8.0].—I move—

That, in the opinion of the Senate, all Government establishments for the manufacture or supply of goods for the Federal Public Service should (when practicable) be located in the Federal Capital Territory.

I do not intend to take up much of the time of the Senate in discussing this motion. I have one or two reasons to put forward why the whole of the factories for the supply of goods for the Commonwealth should be established in Federal Territory. One reason is that we have spent, and are spending, an enormous sum of money in the rent and purchase of sites for factories, whilst we have land of our own in the Federal Territory on which they might be established. We have spent £139,100 in acquiring land for this purpose, and in renting warehouses to meet departmental requirements. No doubt it will be necessary to continue to have warehouses in all the capital cities of the Commonwealth. It must be obvious that factories for the manufacture of all the requirements for our military service should be established in Commonwealth Territory, whether in view of possible aggression from outside Australia, or of trouble which might arise within the Commonwealth. Such things have happened in other parts of the world, and they may happen in Australia. I do not say for a moment that they will, and I hope that they never will happen; but he is a wise man who can foretell the future. Our factories for the supply of rifles, ammunition, and other requirements of our Defence Force could be easily cut off from the coal supplies which are necessary to keep them working. That will be admitted to be very undesirable. There are in the Federal Territory all the fuel and other requirements necessary to keep them going. Presuming the occurrence of trouble within the Commonwealth between States, or sections of States, the people in part of a State might be in a position to control the whole of the Commonwealth by cutting off necessary military supplies, unless the factories are established in Commonwealth Territory, and can be guarded by the Commonwealth Forces. On the route of the proposed railway from the Federal Capital to Jervis Bay, there are valuable seams of coal; and in the Federal Territory there is

almost everything that would be necessary to equip our factories. At present, we are depending for the supply of coal for our factories upon sources from which it has to be carried many miles, and that coal supply might easily be cut off. We have a small arms factory in a part of one State; a cordite factory, a harness factory and a clothing factory in another State. We shall require to establish factories for the manufacture of electrical appliances for the Post and Telegraph Department, and of field guns and waggons; and I am of opinion that all our factories to supply Commonwealth requirements should be located as closely as possible to each other, and within the Federal Territory, that they may be controlled by the Commonwealth authorities. Another matter which has to be considered is that it is almost impossible to keep a set of men working in one factory all the year round. We may be able to keep experts going; but as soon as we get a reasonable supply of the articles required by the Commonwealth, we shall find it very difficult to keep the general hands and assistants going in our factories. If all our factories were established close together in the Federal Territory, the labour might be made interchangeable. Men might be worked in one factory until its output had met requirements, and they could then work in another. It would not be necessary for them to go, as they may have to do now, from one State to another, looking for work. It is necessary that we should adopt some means of keeping our hands constantly employed, and my idea is that we should have our factories established close together within the Federal Territory.

Senator ST. LEDGER.—The honorable senator would change the bootmaker of to-day into the gunmaker of to-morrow.

Senator McDOUGALL.—I am sorry that Senator St. Ledger does not understand the matter. I said that it would be necessary to keep the experts employed in these factories; but there will be many employed in them as assistants who will not be experts, and those are the people to whom I refer. It would not be necessary for them to be gunmakers to-day, bootmakers to-morrow, or lawyers the next day. Another reason why our factories should be established together is that the cost of working may be reduced. We now have factories established in different parts of the Commonwealth at a working cost for each which would not be exceeded by the cost of working the whole of them together if they were established close to each other. An electric plant might be provided which would reduce the present working cost by two-thirds, and would result in the saving of many thousands of pounds to the Commonwealth every year. Now that we have lots of money, we need not think of the question of cost; but there may come a time in the history of the Commonwealth when we will be sorry that we did not look at the cost when our factories were being established. We might also, by the establishment of our factories close together in the Federal Territory, greatly reduce the cost of control. In all those now established, there are managers, bookkeepers, timekeepers, and paymasters. In each one of them a staff has to be employed. If these staffs were collected in the Federal Territory, the cost of control would be reduced by at least one-half. That is another consideration that should induce the Senate to vote for my motion. The cost of the maintenance of the small arms factory, the cordite factory, the harness factory, and the clothing factory, will be increased in the future. But that cost would be immensely reduced if the work were concentrated in the Federal Territory. Another reason why I think these factories should be placed close together in the Federal Territory is that, in the near future, several thousands of men will have to be employed in the Federal Territory for the making of roads and bridges, and the erection of buildings. If we have 15,000 men at work there it is probable that there will be from 1,500 to 1,750 lads and girls, children of the workmen, requiring employment. If the heads of homes are located in the Federal Territory, employment will be required for their offspring. In cities like Melbourne and Sydney there are always plenty of avenues of employment for young people. But at present there are no avenues of employment for the sons and daughters of the workmen in the Federal Territory. I can see a grave danger in this. If we do not find employment for these people the lads and girls will have to be sent into the big cities to find work. That is most undesirable. It is true that we are suffering from a want of juvenile labour. Undoubtedly factories require juvenile labour to some extent. But, at the same time, there is a want of employment for parents. Parents have not sufficient work to do to keep them, and that is largely the reason

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why there are not enough of the offspring of the working classes to supply the wants of the factories. We should see to it that there is work for the young people to do at the Seat of Government. I say nothing now about the suitability of Yass-Canberra as a place to live in. Parliament, however, has determined upon the Capital site, and I am one of those who say that this Parliament should go into its home there as soon as possible. I believe, for my own part, that temporary accommodation could soon be provided to enable us to hold the sittings of Parliament there. It would be a good idea if, during the time when those buildings are being erected, Parliament could meet in the Northern Territory. It would be a good experience for all of us.

The PRESIDENT.—Order.

Senator McDOUGALL.—I do not intend to say any more, believing that I shall have the support of the Senate for this motion. Honorable senators all desire to see the Capital established at Yass-Canberra without unnecessary delay.

Senator GIVENS (Queensland) [8.13].—I desire to second the motion, and to commend it as briefly as I can to the favour of the Senate. It appears to me that, either consciously or unconsciously, the present Government are doing all they can to further a process which, in my opinion, is likely to be disastrous to Australia, namely, the gathering together large numbers of the population in a few big centres. We have in Melbourne, Sydney, and Adelaide, large cities, the populations of which are out of proportion to the number of people dwelling in country districts. It appears to me that, instead of doing anything which would counteract that tendency, the Government are doing everything in their power to further it. A little while ago an article appeared in a very powerful journal, which claims to be national in its policy—the *Age*, published in this city. That journal argued that, as Sydney has had such and such a work established by the Government, it was now Melbourne's turn to get something else. It appears to me that people who hold that view think that Melbourne and Sydney are all that count in this country. Even New South Wales and Victoria, outside the capital cities, do not appear to count. The Commonwealth does not count. Nothing counts but the big cities. I am altogether opposed to that policy. The first thing that should be considered by this or any other Ministry is the welfare of Australia, not the welfare of any particular city. What is the position to-day in regard to the Capital site? So far from furthering the establishment in our own Territory of our own works, not a single thing has been done by this Ministry since the site was selected to establish anything in the nature of a Commonwealth work there. The Government have been put to great expense in purchasing or leasing offices and sites for the establishment of factories. By-and-by, when we move into our own Territory, those factories will be scattered all over the face of the continent. They will require separate supervision and separate power to work them. We shall have nothing in our own Territory at all. I privately expressed my opinion to the Government at the time when the clothing factory was going to be established, that it ought to be placed in the Commonwealth Territory. The view put to me in answer to my argument was, that it would be impossible at present to get a sufficient number of employés to work the factory effectively in the Federal Territory. With all due respect and deference to those who hold that view, I submit that it is the purest bunkum. If profitable employment is to be found in a place there will always be employés willing to work there. How are we going to get population into the Federal Territory? How are we going to establish a decent city there, worthy of being the Capital of Australia, if we establish all our Federal industries in the metropolitan centres? We must find profitable employment for the people whom we expect to live there, and the sooner we make a beginning in that respect the better it will be. We have a small arms factory in a remote place called Lithgow. We have a cordite factory at Maribyrnong, a few miles from Melbourne, almost upon the sea shore, where it would be within easy reach of an enemy. We are going to have other factories established elsewhere. It appears that the only consideration actuating the minds of the Government is that, because there is a large population in a particular centre, factories ought to be established there.

Senator MILLEN.—From what the honorable senator says, it would appear that every place in Australia will have a Federal factory, except the Federal Territory.

Senator GIVENS.—We are tending in that direction. It is said that the buildings erected for the purposes of the clothing factory, and other factories, are merely temporary. Why go to the expense of erecting temporary buildings, and putting

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machinery in them, when further expense will have to be incurred hereafter to move them? I venture to say, however, that, when the time comes to shift these factories, Cain will be raised about our ears by indignant people, who will want the factories to be retained in other parts of Australia to increase the value of their own property and add to their own importance. Now the only consideration that counts with me is the interest of Australia. I am not asking for any Federal work to be established in Brisbane, or anywhere else in Queensland. I simply ask that the interests of Australia shall be looked after in this matter. A regular tug-of-war is going on as to where the Australian Naval Station shall be. A great deal is said about the claims of Sydney as the naval head-quarters of the Commonwealth. Melbourne indignantly puts forward a claim on behalf of Western Port as the finest site. We never hear a word about the claims of Jervis Bay nowadays. When the merits of the various Capital sites were under review, we were told that we had a splendid harbor at Jervis Bay. But now, it seems to have been swallowed up by the waters of the Pacific. I suppose that the very headlands have disappeared in the ocean. These things set one thinking. Why should two big cities like Sydney and Melbourne be able to exercise such an overweening influence upon the Commonwealth? There are one or two other reasons in favour of the motion which should be considered by the Senate. I am not so pessimistic as Senator McDougall is in believing that it does not matter what the Senate may do. I am perfectly certain that if the Senate puts its foot down firmly with regard to this matter, it can make the position of any Government that chooses to ignore its dictum very awkward indeed. Therefore, I do not agree with Senator McDougall in the view that it is useless for the Senate to express its opinion as it ought to do. Holding a strong opinion on the subject myself, I feel sure that, if that opinion is indorsed by the Senate, it will have a powerful influence upon the present or any other Government. I wish to emphasize one or two remarks made by Senator McDougall as to why the factories in question should be situated in the Federal Territory. Take, first, the matter of defence. We have a small arms factory and a cordite factory established about as far apart as we could possibly put them. But it is an undoubted fact, which, I think, will be vouched for by all competent military authorities, that it is highly desirable that those factories should be working side by side. At any rate, they should be as close together as possible. I believe it to be desirable that those factories, and all other military depôts, should be absolutely within the Federal Territory. It may be said that an argument of that kind is rather far-fetched, because the factories at present are within the bounds of the Commonwealth. But they are not within bounds fully controlled by the Commonwealth Parliament, unless they are situated in Commonwealth Territory.

Senator MILLEN.—That is to say, we do not exercise sovereign rights over them.

Senator GIVENS.—Undoubtedly we do not; and that is the point that I wish to emphasize. We cannot exercise sovereign rights over those factories, unless they are within Federal Territory. When the United States first became a Federation, no one dreamt that there would be internal trouble within half a century. But we all know that there occurred in that country a civil war which was one of the most disastrous and destructive that the world has ever seen. Any one who, at the time of the establishment of the United States, had predicted that such a war could occur, would have been laughed at as a pessimistic fool. Yet within about three-quarters of a century there was the most disastrous struggle in that country which the world has ever seen—a war which, I believe, entailed a greater human suffering, loss in human life, and material wealth than any other war which the world has ever seen. There is, I think, no one in Australia who does not hope that such a thing will never occur here. But everybody must recognise that while we have six States, each with occasional warring interests, or what they consider as warring interests, and each suffering from what they may regard as a grievance, there is always the possibility, even if there is not the probability, of internal trouble arising. In fact, it was only the other day that there was serious talk of a secession in Tasmania, with a population the size of that of an overgrown village. If internal trouble should arise in Australia, in what sort of position would the Commonwealth be if it had not within its own boundary and control its arms factory, its cordite factory, and its ammunition factory? Suppose, for instance, that trouble arose between the Commonwealth and Victoria, and that Victoria was able at once to seize our cordite factory and shut off our supplies

of ammunition. That State would undoubtedly be able to dictate terms to the Commonwealth.

Senator MILLEN.—No, because New South Wales could commandeer the arms.

Senator GIVENS.—My honorable friend must recollect that probably the arms would have been distributed before; but suppose that he is correct, and that trouble arose between the Commonwealth and New South Wales, and that the latter seized our arms factory and left us armless and defenceless, in what sort of position would we be? Probably the Government would try to rectify that evil by having an arsenal in another State. But suppose that that State took up a like position, kicked up a row with the Commonwealth, and seized our reserve supplies, we should be in a pretty queer kettle of fish. At any rate, while these things are not probable, there is always a possibility that something of the kind may occur. I submit in all seriousness that for the proper conduct and safeguarding of its Defence Forces, the Commonwealth should undoubtedly make sure that all these factories are located within territory over which it will have sovereign rights, and in which only its own authorities can interfere. I believe also that if we have a sincere desire to make a Capital worthy of the Commonwealth we should do everything in our power to immediately set about the business, and build up a large, populous, wealthy, and prosperous city at Yass-Canberra, which is practically a waste place at present. I believe that the electoral returns disclose that there are only 800 voters in the 900 odd square miles of territory under the control of the Commonwealth. If we convert that waste into a smiling and happy country with a population of 150,000 within the next ten or fifteen years, we shall have accomplished something good for Australia. But if we add to the population of Melbourne, or Sydney, or Adelaide, we shall be doing injury to Australia. I do not know how many men are employed in the various factories already set up by the Commonwealth. But I venture to say that if those factories and others which are projected are located in Commonwealth Territory, and also all the employés with the people dependent upon them, and the other hundred and one persons who will be called on to administer to their wants by setting up accommodation houses, building private factories, and running stores and shops, we shall very soon have a very considerable population there. In my opinion, that is the way to gradually set about the building up of a Federal Capital. At any rate, I am entirely opposed to the policy of further centralizing the population of Australia in a few large cities. I think that the Government will be well advised if they take into consideration at the earliest possible moment the desirableness, and indeed, the necessity of establishing Commonwealth works within territory over which we shall have sovereign rights and control.

Senator RAE (New South Wales) [8.38].—I am in hearty accord with the motion, and with the sentiments expressed by the mover and the seconder of it. At the same time, I have never believed in doing things by halves. If the Senate is going to carry the motion, the other branch of the Legislature should be asked to give its concurrence, and then there will be no doubt as to what the feeling of the Parliament is, and any Ministry worthy of the name will endeavour to give effect to that feeling. I move—

That the following words be added:—

"2. That the foregoing resolution be conveyed by message to the House of Representatives for its concurrence."

I do not wish to repeat the figures, or the facts, or the arguments which have been used in support of the motion. But I think that a word or two may with advantage be added to what has been said. I was one of those who opposed the selection of Yass-Canberra as a site for the Federal Capital. But I have always been a very strong advocate for the Capital being established, as the press facetiously terms it, "in the bush." We know that within less than a century the State Capitals were situated within the bush, and that the presence and the needs of the population have created wealthy cities where once was bush. In like manner, the presence and the needs of the Commonwealth, peculiarly as a Commonwealth, are capable of raising up a very fine city on whatever site may be chosen. While I still regret that a better site was not chosen, yet the fact that finality has been reached in the only way known to parliamentary government—by the deliberate will of the majority—is a reason why that decision should be acted upon in the only practicable way. There are some who say that it would be of no use to shift the Parliament to the Federal Capital until we have there something like a substantial settlement; while others seem to think that it would not be wise to encourage settlement until Parliament goes there. One is waiting on the other, as it were. Of course, it may be argued

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that, as designs have not been obtained for laying out a city on those up-to-date lines which we all desire to see adopted, that is a good reason for deferring the erection of buildings which may afterwards have to be altered or removed. But I do not think it is a good reason. I think that, before the ornamental part of the city is laid out, it is advisable to erect such buildings as may afterwards be suitable for other purposes, for instance, to accommodate any factories that may be necessary for the effective working of the Commonwealth. It appears to me that one special reason why no time should be lost in giving effect to this motion is not that adduced by its mover—that we shall be building up vested interests in other centres and incurring all the inconvenience and expense which arise from this scattered policy—but that we shall lose the value of land, much of which will have to be purchased. I have seen the official return of how much land will have to be resumed from private owners. The cost of that resumed land will be a perpetual charge on the Commonwealth. Therefore, in its own interest, the Commonwealth should utilize the land. I contend that—apart from the greater safety of an inland city from invasion—one of the main advantages of choosing a site away from an existing city or town for the purpose of a Federal Capital is that, by that means, instead of paying enormous prices for the sites necessary for Parliament House, public buildings, and other requirements, we shall have the ground at its natural or prairie value; and whatever value afterwards accrues will be the property of the nation. It will be infinitely cheaper to obtain the sites for factories and other works at next to nothing, than to buy sites near old-established settlements. At the same time, we shall be utilizing land which otherwise will lie idle, and for which the Commonwealth will pay in one shape or other. It appears to me that a very large proportion of the £139,000 already expended on the purchase of Federal sites, and the erection of buildings thereon, may be accounted for by the very high land values which attach to properties situated near large cities. There is absolutely no reason why, in a place so readily accessible as Yass-Canberra, we should not at once proceed to erect Federal factories, some of which have been established, and some of which are projected for the near future. The trend of modern parliamentary action is for the State to more and more undertake those duties, and the supply of those services which at one time were left entirely to private enterprise. As that tendency is likely to grow, even though our opponents should take our places, it will be necessary to have very large and extensive works in the Federal Territory. That is one good reason why we should have chosen a place where, by means of water power, we could have generated electrical energy. But, as that matter has been settled, it is obviously advisable that we should commence to build on the site which has been chosen. I do not imagine that the dangers so humorously foreshadowed by Senator Givens are likely to arise; but we must agree with him that they are remote possibilities.

Senator GARDINER.—And we cannot shut our eyes to the hatred of New South Wales.

Senator RAE.—We cannot shut our eyes to the jealousy and distrust which exist between many of the States and the Commonwealth, or the absurd and parochial spirit in which many persons speak as though the Commonwealth were a foreign Power, to which the States were in some way asked to be tributary. But I do not think that any jealousy by the Mother State, as it likes to be termed, which is felt by the others, should blind its Government to the fact that, in more than one session of Parliament, they deliberately set about choosing a site which they knew must be situated within their territory, and that, therefore, no half-hearted effort should be made to prevent that decision from being realized. Surely no body, or Parliament, would be so deceitful as to take part in choosing a site, and express the hope that at no distant date they would be housed there, and then try to deliberately put every obstacle in the way of carrying out one of the main objects of establishing a Capital. I take it that the main reason why a Federation requires a territory specially dedicated to itself, and placed under its own sovereignty, is not merely to avoid the jealousies of the States one with another, but to have a home of its own, and to there concentrate the National Departments. That the number of the services, and the importance of the various Departments under Federal control will grow year by year, is self evident. We are only now at the beginning of Federal control. We have only the nucleus of those Federal establishments which must

necessarily grow and grow at a tremendous rate, both in number and importance. If that is so, surely it is only right and proper to begin to establish those necessary works and Departments where their ultimate location must be. The land, which will acquire value as the population increases, will, in time, return a revenue sufficient to defray the cost of the Capital. I believe that the Federal Capital will cost Australia nothing, and that, in the long run, all the millions we talk about spending upon it will be amply repaid. The only way in which we can attract population to the Federal city is, as Senator Givens has said, to find profitable employment for people there.

Senator BARKER.—And to have confidence in the place ourselves.

Senator RAE.—I resent that interjection. I say that this Parliament has unmistakably decided on the site of the Federal Capital. I was opposed to that site, but Parliament having made the decision, no one should now question the advisability of concentrating the Federal Departments in the Federal Territory on the ground that some better site might have been chosen. If they do not believe that, it is open to honorable senators to try to bring about a reversal of the decision which has been arrived at.

Senator MILLEN.—For the same reason, some who thought that a better Constitution might have been framed ought, I suppose, to go to work to tear up the one we have.

Senator RAE.—That is a very far-fetched and weak analogy. I should not be in order in making more than a passing reference to it. I may be allowed to say that if the troglodyte party which Senator Millen champions believes that the Constitution is, to use Senator McColl's word, "sacrosanct," and should never be amended, they are hopelessly behind the age, and even more so than I believed. I say it is the obvious duty of the Government in carrying out the wishes of Parliament to utilize the site which has been chosen, or to take steps to reverse the decision of Parliament. Senator Barker has no right to attempt to defer the building of the Federal Capital on the ground that he does not approve of the site selected for it.

Senator BARKER.—I say that we shall show our confidence in the site by building there.

Senator RAE.—It is our duty to build there, or take steps to have the decision of Parliament reversed. No middle course is honorably open to us. I do not care for Micawber politicians, and no one has any right to defer action in this matter in the hope that something may turn up. I think that the motion must commend itself to the sense of honesty and fair play, even of those who, like myself, disapprove of the choice of the present site of the Federal Capital. It is good sense and sound business to at once proceed to build up the best capital city that can be built on the selected site. Thousands of people who are now living in the slums of Sydney and Melbourne would certainly be very much better off than they are at present if they were established in the healthier climate of the Federal Territory in well-managed and clean State factories.

Senator ST. LEDGER.—Ask those who have to work in our post-offices something about that.

Senator RAE.—I am aware that, owing to the policy of the predecessors of the present Government, the Post and Telegraph Department was allowed to get into somewhat of a muddle; but it is our duty to pull it out of that muddle. That does not in any way detract from the absolute accuracy of my statement that State-run factories, in the matter of wages and general conditions of employés, are infinitely better than the average of those run by private enterprise.

Senator PEARCE.—The complaint is now made that we are attracting all the best operatives from private enterprises to our factories.

Senator RAE.—I believe that I saw it stated in the press that our factories were attracting the best workmen from private factories. I shall be told that this is because the State employés are getting better wages, but I venture to say that if honorable senators opposite get into power, they will not dare to reduce those wages, and there is not one of them who could prove, on any economic ground, that a single man or woman employed in the Commonwealth factories is getting a farthing more than his or her work deserves. Those persons who everlastingly put themselves against any rise in wages, and try to make out that the State is coddling and pampering its employés at the expense of the general community, are the natural Conservative heirs of those who a few years ago, in England, opposed factory legislation. There are two sets of people in this Chamber.

Senator ST. LEDGER.—One has all the virtues, and the other all the vices.

Senator RAE.—I deny that I have ever claimed for the party on this side a monopoly of all the virtues. What I say is that, while the individuals who compose the different parties in this House may not differ widely in regard to virtues or vices, we, as a party, are on right lines, and honorable senators opposite are on wrong lines.

The PRESIDENT.—Order! The honorable senator is getting away from the question.

Senator RAE.—I was led away by the unseemly interjections of our opponents. I believe that the motion must commend itself to every fair-minded member of the Senate, that it will be carried here, and that it ought to be carried in both Houses of the Federal Parliament.

Senator PEARCE (Western Australia—Minister of Defence) [8.58].—The motion is one which the members of the Government will not oppose, because they have already endeavoured, wherever possible, to give effect to it. At the same time, it must be remembered that the proposition embodied in it cannot be put into practice so easily as Senator Rae seems to think. I venture to say that if any attempt were made to put it into practice in the rough and ready fashion that the honorable senator suggests, we should have a very great muddle to deal with in the Federal Capital when we came to build the city. Senator Rae and, I think, Senator Givens also have pointed out that we should endeavour to make the Federal Capital a model city, to avoid in it the mistakes of other cities, and in laying out the city and its surroundings to make it all that it should be. I ask honorable senators to consider the difficulty which that at once puts in the way of an immediate realization of this motion. So far, the Federal Capital has not been laid out. No plans of it have yet been adopted. The Government are taking steps, in order that the city shall be all that several speakers have contended it ought to be, to invite world-wide competition in the designing of plans for the laying-out of the city.

Senator GIVENS.—It was never contemplated that factories would be established inside the boundary of the city proper.

Senator PEARCE.—The difficulty is that we do not know what is the boundary of the city proper. If we establish a factory there now, we might subsequently find that it would be within the city boundary, and possibly in one of the main streets. I could take Senator Givens to a street in one of the capital cities of Australia which is one of the finest streets in that city, with the exception of one part, in which there is a kink. That came about in this way: The surveyor sent out by the Imperial Government to survey the city, happened to plant his cottage there before he started his survey. When he completed his survey of the city, he found that his cottage was right in the middle of this street, and, instead of shifting his cottage, he shifted the street.

Senator MILLEN.—He was a man of resource.

Senator PEARCE.—No doubt he was. If we adopted Senator Givens' suggestion, we might subsequently find that we had located our harness, or our clothing, factory in a main street of the Federal Capital.

Senator GIVENS.—As a matter of fact, the boundaries of the city are mapped out now.

Senator PEARCE.—That statement is quite incorrect. It is true that what it was proposed should be the boundaries of the Capital were mapped out; but that work is by no means arbitrary. And when the city is laid out, it is possible that the boundaries so far fixed may be changed.

Senator WALKER.—The honorable senator was referring to the city of Perth in the illustration he gave.

Senator PEARCE.—Yes; to St. George's-terrace, in Perth. In pursuance of this policy, with which the Government have every sympathy, it was decided to locate the Military College at the Federal Capital, and the Defence Department at once received an intimation from the Home Affairs Department that they could not say where the college could be located, because it was not yet decided where the city was going to be. The very reason that the buildings of the present Military College are of a temporary character is that that question is not settled, and cannot be settled until the Capital is laid out. The Military College has been placed at a considerable distance from what it is thought will be the centre of the Capital, so that it may be on the environs of the city; and, but for that reason, it would have been placed much nearer to what is likely to be the site of the Capital. We have had to defer for the same reason the erection of some factories in the Federal Territory which I, personally, believe ought to be there, and would like to have seen established there. It is not right to say that the

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present Government are responsible for the sites chosen for the cordite and small arms factories. They were fixed by a previous Administration, possibly for the same reason as that which has actuated the present Government in the establishment of other factories. It should not be forgotten, also, that at the time the sites were chosen for the cordite and small arms factories, the site of the Federal Capital had not been decided upon.

Senator MILLEN.—There was another factor—the supply of raw material—in the establishment of the factory at Lithgow.

Senator PEARCE.—Yes; the local supply of steel, iron, and coal. We must either defer the establishment of factories, or establish them in temporary buildings, and face the expense of change and dislocation to which Senator Givens referred.

Senator MILLEN.—Are the present factory buildings temporary buildings?

Senator PEARCE.—In some cases they are. I shall give instances presently. There is another difficulty to be considered, and that is the labour difficulty. I am sure that honorable senators on this side who believe in State enterprise wish to see it succeed. In order that it may succeed, we must have a full labour supply. In a clothing factory, for instance, the class of labour employed requires to be drawn from a big population. If we were to establish such a factory at a considerable distance from any large centre of population, we should have very great difficulty in securing the necessary labour to carry it on.

Senator MILLEN.—What class of labour is the honorable senator referring to?

Senator PEARCE.—I am referring to female labour. We have to remember that these State factories will come into direct competition with similar factories carried on by private persons in big centres of population.

Senator RAE.—But not on even terms?

Senator PEARCE.—Certainly, they will have to compete on even terms. We undertake in these factories to produce the articles required as economically as we could obtain them from contractors; and, at the same time, to pay decent wages and provide good labour conditions. On present indications, we are doing that in the factories that have been established. If those who at present have the supplying of these articles, and who have recourse to an enormous labour market and the other facilities of a big centre of population, were competing with our factories, planted away in a place where there is no labour supply, we should be working at a very great disadvantage, and our opponents would immediately point to our operations as emphasizing the failure of State enterprise. It would be idle, then, to speak of the difficulty of obtaining labour, as that would not be regarded as a sufficient excuse. In pursuance of this policy, that our factories should be established in the Federal Capital, in the terms of this motion, "when practicable," we have, in the case of the clothing factory, erected such a building that, when we are in a position to move the factory to the Federal Capital, the building may be used as an ordnance store for military supplies for the State of Victoria; while the machinery, being small, can be easily transported. In the case of the harness factory, we have purchased premises that have a market value, and which it will be possible to dispose of in the open market for as much, if not more, than we have given for them. The machinery of this factory is also small, and may be easily removed. As soon as the difficulties I have indicated in connexion with the Federal Capital are overcome, there is no reason why this motion should not be given effect to. I understand that it is the scheme of the Home Affairs Department to provide the power necessary to run these factories, and any other industrial works which may be started at the Federal Capital. Provision is to be made for an electric lighting and power-developing plant. This is not yet in existence, and if we established our factories in the Federal Territory to-day, we should have to work them with the most costly power—steam power.

Senator VARDON.—Where are we to get the water-power necessary?

Senator PEARCE.—It is supposed that the Cotter River will provide water for the necessary power.

Senator VARDON.—I do not believe it ever will.

Senator PEARCE.—That is such an old story that I suggest to Senator Vardon that he might refresh his memory on the subject by reading some of the old debates on the choice of a site for the Federal Capital.

Senator GIVENS.—And especially the Minister's own speech on the subject of the water-power of the Cotter.

Senator PEARCE.—Yes; if the honorable senator will read my speech after we had been supplied with the latest reports as to the water supply available at the

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present site, he will see that I proved that there would be ample for domestic purposes, and for power also.

Senator MILLEN.—The Minister of Defence then proved that Senator Pearce was wrong.

Senator PEARCE.—No; the Minister of Defence then proved that Senator Pearce had acted on insufficient information, in the first place. I have shown that the policy of the Government is to give effect to this motion as far as practicable, and as soon as practicable. There are, however, and always will be, in a huge continent like Australia, difficulties in concentrating Government establishments in any one portion of it. To think of doing so is ridiculous. There must necessarily be industrial and other establishments scattered all over the country. The question, therefore, ought to be this—that so far as we can economically put those factories and public services in the Federal Territory, it shall be done. That is the policy which we propose to carry out. I do not know that I need add anything more. We are dealing largely with a question of the future. We have to remember that while the resources of the Federal Territory are undoubtedly great, and while coal is to be found in the vicinity, nevertheless, those resources are not yet developed. The coal seams are not being worked. Even if they were, there is at present no railway to bring the coal to the Capital. Therefore a large amount of preliminary expenditure will have to be incurred before the rosy picture painted by Senator McDougall can be realized. As one who wishes to see the Capital, not only a political, but an industrial centre, I am anxious to do all that is possible to develop its resources. That has been the policy of this Government. We believe that we are taking action in that direction in an orderly fashion; first of all by mapping out our plans, and then, when those plans are properly prepared, by developing our resources, opening up communications, and establishing industries. It must be remembered also that the very fact that we do develop the resources and open up communications will in itself bring a large population to the Territory, thereby giving us the labour for the industrial concerns which we are anxious to promote. For these reasons, I have to say, on behalf of the Government, that we have no objection to the motion.

Senator MILLEN (New South Wales) [9.14].—If I spoke at some length on a previous motion, I propose to address myself to the Senate on the question now under consideration with penitential brevity. I wish, however, to say a word or two on a motion which is apparently assured of being passed by the Senate. We have had—as was to be expected—an assurance that the Government will carry out the resolution in the spirit in which it has been proposed. The phrase which affords a key to the motion, and expresses the real purport of it, is "when practicable." It is in that spirit that I intend to deal with it. I have risen, therefore, first of all, to point to a matter which is closely associated with that which has now been brought under review. It is this: Before the undertakings to which reference has been made can be carried out, the Government of the Commonwealth, in my judgment, ought to be possessed of the freehold of the land upon which it is proposed to establish both the Federal City and the industrial works referred to. We have to remember that, whatever resumptions may have taken place in one or two areas, so far the great question of land resumption has not been seriously approached. I hope that it is not intended to go on developing the Territory on land owned by private individuals. If that be not the intention, is it not a matter, not merely of common sense, but of justice to the individuals concerned, that that resumption should be effected at once? We have to remember that there is a law upon the statute-book which provides that the Commonwealth shall resume at the value which prevailed two or three years ago.

Senator McGREGOR.—In 1908.

Senator MILLEN.—That is three years ago. But no steps to resume have been taken so far. Are we going to wait ten or twenty years before we resume the land, leaving those who hold it at present in the peculiar position that, while they themselves are unable to do anything to develop it—they cannot even sell, because no one will buy while this sword is hanging over the properties—the Government, which must ultimately become the purchaser, remains passive, content that, no matter what happens, it can at any time claim that land at the value which obtained in 1908? I do think that that is repugnant to our sense of justice. We have, sooner or later, if the sentiment which prevails in this chamber, and which, I believe, prevails throughout

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the Commonwealth, is to be maintained —namely, that the Commonwealth shall be the landlord of the Federal Territory; I do not mean merely the sovereign power, but landlord in the sense of being the owner of the fee-simple—to face the question of entering upon a wholesale resumption scheme. If we are not going to do that, I say at once that we ought to repeal the section of the Act to which I have referred. Otherwise we do a gross injustice to the limited number of individuals who happen to have holdings in the Territory. Closely associated with this consideration is the main reason why I think the motion is entitled to support. Every one who has even the slightest knowledge of the A, B, C of land economics, knows exactly how land values are created. As population multiplies and concentrates, and as time brings added numbers to a particular locality, land values go up. Other factors may temporarily obscure or disturb that process, but it is inevitable that the multiplication of population should cause land values to rise. In this Federal Territory we have to face considerable expenditure. Here is a road opened by which we can make that great undertaking largely sustain its own cost. I venture to say that many a syndicate would be quite willing to take this job off the hands of the Federal Government, and say, "We will provide you with all the public buildings you require, if you will allow us to use the opportunities which are open to you in connexion with the appropriation of land values in the Federal Territory." For that reason, I want to see the Commonwealth acquire the land which we are going to develop. That having been done, I wish to see the Commonwealth massing its various enterprises upon the Territory, with a view of securing that added increment—that unearned increment, if honorable senators opposite prefer the term—which will come the moment development commences. There is no quicker way to develop that Territory, when it is entirely ours, than by commencing those big undertakings which will immediately be followed by large numbers of private individuals, either themselves seeking employment in the undertakings, or, what is much more likely, seeking to act as manufacturers and suppliers to those who will be so employed. It is idle to speculate on what the Commonwealth can hope to gain from the unearned increment which will accrue there. But we know that the area which the Commonwealth will have under its control will be a very considerable one. We know that, year by year, values will rise from a low pastoral value to quite a moderate agricultural one; and the moment we proceed with the construction of the city, they will rise from that stage to city values when land will be sold at per foot. There is a fund upon which the Government can feed by concentrating in the Territory, as far as possible, all the undertakings to which reference has been made.

Senator FINDLEY.—The honorable senator is becoming wildly Socialistic all at once.

Senator MILLEN.—I am not wildly anything, except when my honorable friend interjects, and then I become wildly indignant. Except for that, I think Senator Findley is with me when I say that there is the strongest of business reasons for supporting this motion. But, before we can attempt, or ought to attempt, to develop this Territory, or to establish industries there, we ought to take steps to resume the land that is not at present ours, so that the Commonwealth shall be both landlord and governing authority.

Senator WALKER (New South Wales) [9.20]. — As a colleague of Senator McDougall, I desire to congratulate him on having at length discovered that the Senate is of some use after all. For many years I have had to bear a certain amount of obloquy in New South Wales, and elsewhere, because I have always been in favour of the establishment of what has been called the Bush Capital. I was in favour of it because I considered that its establishment would do something to distribute the population of this country. At present, the capital cities of Australia, as regards population, are altogether too closely concentrated. I think that much more happiness is to be found in cities of moderate size than in very large ones, where slums are apt to be created. I hope to see the Capital become both a political and an industrial city. One great advantage from the location of the Seat of Government there, will also be that we shall not be under the domination of any one newspaper in any large city. I hope to see a newspaper established that will be quite above State jealousy.

Senator RAE.—We may have a State-owned newspaper.

Senator WALKER.—We may. I desire to make a slight correction with regard to a remark made earlier in the debate,

with regard to the date of the Civil War in the United States of America. As a matter of fact, the war broke out eighty-four years after the establishment of the Federal Government. I am one of those who believe that in Australia we may confidently look forward to the time when there will be the most kindly feeling between the States and the Federal power. Therefore, I am convinced that the idea that such a civil war will ever break out in Australia is completely outside the realm even of imagination. I have no belief that we, as Australians, are going to be unbrotherly towards one another. That is the reason why, for twenty years at least, I have been a strong supporter of Federation. We have no right to judge of what Federation is from its beginnings. We all remember the unfortunate jealousies that have prevailed in the past between Sydney and Melbourne. They have been greatly lessened within the last few years. I am bound to say, in justice to Victoria, that I think the old New South Wales people were largely to blame for that jealous feeling.

Senator GARDINER.—No.

Senator WALKER.—It is, unfortunately, a fact. I remember a very worthy man in New South Wales chiding me for supporting Federation. He said, "Had it not been for the separation of Victoria from New South Wales, we should have had Ballarat, Bendigo, and the other big cities of Victoria under our control." I replied, "What did you do with the territory when you had it under your control?" I am particularly pleased that Senator Rae has moved the addition to the motion which is going to be accepted. If the two Houses of the Legislature pass a resolution of this kind, I am convinced that we shall soon see the Federal Capital in a fair way of being what it ought to be.

Senator GARDINER (New South Wales) [9.25].—I wish to say a few words on this motion. I indorse a great deal of what Senator Givens, Senator Rae, and Senator McDougall have said. I particularly wish to congratulate my colleague Senator McDougall on having brought the question forward. Most people who are reasonably minded will agree that the sooner we enter into possession of the Federal Territory the better. I quite agree with the Leader of the Opposition as to the desirableness of the Commonwealth becoming possessed of the whole of the land within the Territory. I also think with him that a magnificent future for the Territory is beginning to dawn upon the minds of the members of this Parliament and the people of the country. The Government should secure, if there is any chance of doing so, sufficient additional territory for the proper development of Federal needs. I should like to see a line drawn through Jervis Bay, and another line taking off the whole of the south-east corner of New South Wales and a piece of Victoria. I see some honorable senators smiling at that suggestion, but I am looking forward to the time when Australia will be a great nation, and when there will be an end to that antipathy towards the Commonwealth which was shown no later than at the last referendum.

Senator McGREGOR.—I copyrighted that idea long ago.

Senator GARDINER.—It seems to me that I am constantly trespassing against this Government. Perhaps that is the reason why they have introduced a new Copyright Bill. I particularly direct attention to certain remarks made by the Minister of Defence. He seems to think that the desire of Senator Rae, that we should at once commence Federal works within the Territory, was too advanced. But if the works are good, and it is desirable that they should be carried on within the Territory, the sooner they are commenced there the better. There may be difficulties in the way of giving effect to the motion immediately. But I must confess that I rubbed my eyes, and thought I was dreaming, when I heard a member of a Labour Ministry talking in the old-fashioned Tory way that Ministers have been accustomed to talk in Australia—as Senator Pearce did this evening. That has always been the way Conservatives have talked. But we want to do things now. It is desirable that, as early as possible, the manufacturing industries conducted by the Commonwealth should be transferred to the Federal Territory.

Senator McGREGOR.—The honorable senator wants to put the roof on before we build the house.

Senator GARDINER.—What will it matter if these factories are established in the centre of the proposed Federal city before the Commonwealth Parliament takes up its abode there? By the time the city is completely built, the factories will probably be dilapidated, and we can renew them in a more convenient situation. I take it that the object of establishing these factories is that they will give us such a

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service of material for war purposes as will supply our troops with all they require. In order that they may be conducted, we shall want water power to develop electricity. If that power be provided for purposes of the factories, it can be utilized in connexion with building. I quite recognise that Ministers have their hands full of work. I know that they have been harassed and overworked. But, at the same time, that does not relieve them of their duties. They will not make their work easier by putting it off until to-morrow. The best way of overcoming difficulties is to tackle them. Ministers have done a great deal in the matter of defence, land taxation, a new note issue, and so forth. While I recognise the good work they have done, however, I cannot shut my eyes to the responsibilities that still rest upon them, and one of the first duties is that we should rapidly and effectively develop the Federal Territory. I recognise the gain that will accrue from the increased value given to the land by the increase of population and the development of industries. I also gladly recognise the possibility of the cessation of disputes between States and Commonwealth. But, at the same time, we must remember that it was only owing to the forbearance of the Commonwealth that serious trouble did not arise some years ago in consequence of the seizure of steel rails and wire-netting by the Carruthers Government in New South Wales. We are not sure that similar disputes may not arise again. Since I have been in Melbourne, it has been forced upon me that the fact of being a New South Welshman leaves one open to being mistrusted and distrusted, and certainly does not recommend any one for employment in this State, even by the Federal Government. The qualifications of a person from New South Wales are still very closely investigated. I am convinced from what I have seen that a person who comes from Sydney is still treated with suspicion over here. So far from New South Wales being responsible for that jealous feeling, as Senator Walker says, I think that the reverse is the case. Wherever I go, I find a feeling of jealousy prevailing. I quite understand it. The wealth of that State, and the progress she is making, are sufficient to cause jealousy to arise, although New South Wales has made greater sacrifices for Federation, and got less out of it, than any other State. But I disapprove altogether of making it appear that this jealous feeling is all on one side. I came here, as, perhaps, one of the strongest opponents in New South Wales—in my humble way—of the spirit of hostility to the other States. But, since I have been in the Commonwealth Parliament, I have met with nothing but jealousy, envy, and misunderstanding from the other States.

Senator WALKER.—I have met with the reverse. At the place at which I stay when in Melbourne I have never heard an uncomplimentary remark made about New South Wales.

Senator GARDINER.—I am very pleased to hear that in the circles in which the honorable senator moves State jealousy is dying away. I am heartily in accord with the mover of the motion. If he has done no other good, he has shown the true Federal spirit which some honorable senators have cultivated. I venture to say that a Federal city, surrounded with tall chimneys, belching forth smoke, as in Sheffield and other manufacturing towns in England, would not be a beautiful place. I would, therefore, impress upon the Government the necessity of trying to secure sufficient territory for the development of the future needs of Australia, if it is intended to establish these factories within Federal territory. Take the establishment of docks at Jervis Bay, which, with the growth of the Australian fleet, will be absolutely necessary. I understand that under the agreement the Commonwealth has only the land to high-water mark at Jervis Bay.

Senator MILLEN.—It has more than that.

Senator WALKER.—We will get more than that.

Senator MILLEN.—That assurance was given to the Senate when it passed the original Bill in the session before last.

Senator GARDINER.—I feel quite sure that Senator Millen is correct. But I do not think that I am incorrect in stating that there has been no alteration of the provision that the Commonwealth is only to take over the land in Jervis Bay to high-water mark. What will happen? There is a number of natural inlets between the proposed Federal wharf and the defence works, which would form admirable places for the establishment of docks. But if we are to have the land only to high-water mark, New South Wales will, I take it, retain the right to the waters I refer to. I have reasonable ground for believing that the agreement has not been changed in this respect.

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Senator WALKER.—New South Wales has expressed its willingness to give double the area which has been given if wanted.

Senator GARDINER.—I should like to see a line drawn through the centre of Jervis Bay, New South Wales taking the northern portion, and the Commonwealth the southern portion. If we are only to have the land down to high-water mark, and it is intended to establish industries for ship-building or docking purposes, it will be very dangerous indeed to continue the development of the Federal Territory under such an agreement. If we have not already settled the question of going below high-water mark, the sooner it is settled the better. I believe that a broad-minded settlement would be to draw a line through the centre of Jervis Bay to a point 150 miles inland, and thence to the ocean, taking off the south-east corner of New South Wales and a piece of Victoria. I am looking a century or two ahead. If we are to continue as a Federation I think it is well to legislate not for a community of a few millions, but for a community which will comprise hundreds of millions.

Amendment agreed to.

Senator McDOUGALL (New South Wales) [9.37].—I am very pleased indeed with the manner in which my motion has been received. The reason which the Minister has given for not establishing factories in the Federal Territory at present is the very reason I gave why they should be established there when practicable. The Minister has told us that to-day we cannot get suitable labour. I admit that. But I would point out that when there are 20,000 men working in the Federal Territory we shall have nothing for young labour to do unless we have these factories established there. When the question of selecting a Capital site was discussed by a previous Government the conditions of labour should have been thought of. I am not alone in holding this view. I hold in my hand a report from a high official in the military service, who placed these facts before the Minister of the day. I had no knowledge of the existence of this document when I gave notice of the motion, but it coincides with my view. The Minister has stated that there is no fear of internal strife arising in Australia. But that is no reason why the Commonwealth Government should not be prepared for internal strife. One of the best ways in which to prepare is to centralize the manufacture of war material, and the place for that concentration is naturally the Federal Territory. The report I refer to reads as follows—

> When the site for the Lithgow factory had been selected, I reported to the Minister that the branch had not been consulted, and that, although I had not been asked to advise, I had, whenever the opportunity presented, advocated Federal Territory for two general reasons, viz. :—
>
> (*a*) Defence considerations;
>
> (*b*) Manufacturing considerations.
>
> The reasons are—
>
> (*a*) Defence. There are always possibilities of internal stress in a young nation, and therefore the factories for defence equipment should not be located where they could be dominated by any particular State; that so long as they were in a town in a State, that State would dominate both coal supplies and distribution by rail (without necessarily taking control of the factory). If the factory had been on Federal Territory (Dalgety was then the selected site) it would have been independent of coal, and there would have been a Commonwealth port and railway thereto. The argument still holds good at Yass-Canberra, because there are coal measures on the route of the railway to Jervis Bay, and Jervis Bay will be a port for distribution. Provided that the factory is situated within Federal Territory, it would entail aggressive action by a State to take control of the factory, which is a very different matter to an aggressive action on the part of the Commonwealth to maintain its control over the factory if located in a State town.

Senator SAYERS.—What is the use of reading a document to us if we do not know the name of the author?

Senator McDOUGALL.—The concluding paragraph reads—

> Last, but not least, the general question of factories' control, both in its economical and industrial aspects, could best be effected by having the factories in one vicinity, and essentially within the Federal Territory, to attain one general system of administration, control regulation of output with resultant economies in management, handling for distribution, storage, and so forth. There is still a further possibility, and that is that with the large industrial population which there will be at the Federal Territory within three years of undertaking the construction, some of the factories would form an avenue of employment for the grown-up children.

Senator SAYERS.—Whose report is it?

Senator McDOUGALL.—The report was made by a high official in the military service, and presented to a previous Government. It proves that before I had any idea of being transferred from the

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very useful sphere of life I occupied before I was sent here, other persons thought as I did. A very high official in the service of the Commonwealth contended that preparation should be made for cases of internal or external aggression by placing in the Federal Territory the factories for the manufacture of defence equipment. The report discloses that somebody besides myself had the foresight to realize that when the Commonwealth places 20,000 men at work in the Federal Territory it has a right to see that their offspring shall have a chance to get work in the factories there established. If, however, our factories are located in large cities, as they are to-day, and in which they will remain if something is not done to have them shifted, there will be no avenue of employment for grown-up children at Yass-Canberra. I hope that the motion, as amended, will be carried.

Question, as amended, resolved in the affirmative.

ADJOURNMENT.

MINISTERIAL STATEMENT: ELECTORAL BILL—OLD-AGE PENSIONS.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [9.45].—I move—

That the Senate do now adjourn.

When I stated yesterday that the Minister of Defence will represent in the Senate the Minister of Home Affairs, and that the Honorary Minister will represent the Minister of Trade and Customs instead of the Minister of Home Affairs along with the Postmaster-General, I omitted to mention that Senator Findley had been gathering information with respect to the Electoral Bill before that arrangement was made, and consequently he will continue the conduct of that measure through the Senate.

Senator GARDINER (New South Wales) [9.46].—I wish to ask the Minister in charge of the Treasury to send an officer from the Old-age Pensions Department to Sydney to go through the homes and institutions in which are housed quite a number of old men who are entitled to old-age pensions, but who were refused them for various reasons by the State. A considerable time—years in some cases—has elapsed since the refusal was made. It is desirable that qualified men should be given an opportunity to get old-age pensions. Therefore I ask the Treasury to send to Sydney an officer to help old persons to get out of the State institutions, and to put them in the way of getting the provision which Parliament has made for their old age.

Senator RAE (New South Wales) [9.47].—In New South Wales there is quite a number of old men whose cases I have been inquiring into, and who have been prevented from getting old-age pensions since the Commonwealth took over the administration of the Department, because the reports which State officials made years ago were adverse to their claims, perhaps in regard to behaviour. Although years have elapsed, these officers rake up the Police Court decisions against the applicants as a reason for continuing to refuse them old-age pensions. Every obstacle seems to be put in the way of men proving their ages. The very fact that a system of old-age pensions was undreamed of when they were born, and even when they arrived at early manhood, prevented them from taking particular care or interest in the dates when they were born, or the records which may have existed. In many cases, the record of birth or baptism has disappeared. Some of these men are not in a position to find out even the exact spot where they were born. I know of a case where a man could not find out the name of the parish in which he was born, because his parents died in his infancy, and he was removed by a relative to a distant part of the country. Whatever facilities are nominally granted for overcoming these difficulties, in many cases the officials put such obstacles in the way that applicants find it impossible to qualify. In the meantime, they are suffering deprivation; in fact, some applicants have died before justice could be done to them. I ask the Minister whether he cannot accept a certificate from a medical man that an applicant is obviously in excess of the qualifying age. It is preposterous to continue to demand accurate documentary evidence of age when it does not exist.

Senator McCOLL (Victoria) [9.50].—A case came under my notice not very long ago of a very old man who was kept out of his pension on somewhat similar grounds. I feel, therefore, the force of what Senator Rae has said. Where there is difficulty in procuring the evidence required, the matter might be referred to a medical man, and action taken on his certificate.

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Senator McGREGOR (South Australia —Vice-President of the Executive Council) [9.51].—With respect to the statements made by Senators Gardiner and Rae, and the instance referred to by Senator McColl, I may say that the Invalid and Old-age Pensions Act provides that, if the examining magistrate is satisfied that the applicant for a pension is, in the case of a woman, sixty years of age, and in the case of a man, sixty-five years of age, he may grant it. There is no difficulty in the way, so far as the provisions of the Act are concerned. I admit that cases have occurred, and some have been brought under my own notice, in which no very great alacrity was displayed by examining magistrates to satisfy themselves in the way provided for. I will have the representations of Senator Gardiner placed before the Treasurer, and I am sure that he will see that the old-age pensions authorities take some steps to obviate the difficulties which have been mentioned in the Senate this evening. I should like, also, to say that where difficulties occur in connexion with the granting of old-age pensions in individual cases, it would be well if the honorable senator or honorable member of another place, who is made aware of the fact, would bring the case under the notice of the Old-age Pensions Department. I believe that if that were done a remedy would be found to meet each case. I have had a number of cases submitted to me, and when I have brought them before the proper authorities, they have been duly attended to.

Question resolved in the affirmative.

Senate adjourned at 9.55 p.m.

House of Representatives.

Thursday, 19 October, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

PETITION.

Mr. THOMAS BROWN presented a petition from officers of the Postal Departments of the Commonwealth, praying Parliament not to amend the Commonwealth Public Service Act 1902 by placing the Service under the Arbitration Court for the settlement of disputes.

Petition received and read.

STATE REPRESENTATION.

Mr. GROOM. — Can the Minister of Home Affairs say when he will take the steps necessary to determine the representation of the various States in accordance with the census returns?

Mr. KING O'MALLEY.—Almost immediately. We have already begun with Western Australia.

Mr. BAMFORD.—Has the Commonwealth Chief Electoral Officer yet reported to the Minister under the terms of the Act that a new distribution of seats should be made?

Mr. KING O'MALLEY.—Not officially, but it is thoroughly understood that it must be made immediately.

PORT DARWIN FREIGHTS.

Mr. GREENE. — On Tuesday last I drew the attention of the Minister of External Affairs to certain statements in the *Age*, and ask him now if he can give the House any information as to why the subsidy for a steamer service to Port Darwin has been withdrawn?

Mr. THOMAS.—I am informed that—

> There was a contract between the Government of South Australia and the Eastern and Australian Steam-ship Company for two years from the 1st October, 1909, under which the company undertook to carry Government cargo in accordance with terms agreed upon, and to carry passengers at fixed fares between the southern and eastern ports and Darwin. The subsidy for the service was at the rate of £2,000 a year.
>
> The question of renewing the existing contract or inviting applications for a fresh service was submitted to my predecessor, who, in view of the fact that the Navigation Bill now before this House might, when passed, materially affect the situation, resolved to take no action till the decision of Parliament in regard to that measure was known.

I see by a statement in to-day's paper that the three shipping companies whose vessels trade to Darwin have agreed to adopt an increased and uniform scale of rates. It is stated in connexion with this announcement that the expenses of shipping at Darwin have increased. I am having inquiries made into this assertion.

PEARL-SHELLING INDUSTRY.

Mr. MAHON. — Has the Government taken into consideration the importance of the pearl-shelling industry as a factor in the settlement of the Northern Territory, recently acquired by the Commonwealth? Is the Minister aware that experiments in

the growth of pearl-shell have been made for some years by Mr. T. H. Haynes, at the Montebello Islands, off the coast of Western Australia, and that the success of such experiments would enable the pearling fleets to be manned with white labour exclusively? In view of the fact that Australian taxpayers pay over £1,000,000 per annum for the promotion of the sugar industry in Queensland, does he not think it possible to find money to employ a capable biologist to continue the experiments at Montebello Islands, abandoned by Mr. Haynes through exhaustion of funds, especially as Mr. Haynes is willing to give the Government the results of his researches?

Mr. TUDOR.—The Government is aware of the importance of the pearl-shelling industry, and had Mr. Haynes' proposal before it. I cannot say now what the taxpayers contribute for the maintenance of the sugar industry of Australia. As to the employment of a biologist to continue experiments the Government have not come to a determination.

WIRELESS TELEGRAPHY.

PENNANT HILLS AND FREMANTLE CONTRACT.

Mr. GREENE (for Mr. KELLY) asked the Attorney-General, *upon notice*—

1. At the time the contract for erecting wireless telegraphy installations at Pennant Hills and Fremantle was signed in Sydney, in December, 1910, did he express or voice to the then contracting syndicate, or to any member of it, any doubt as to the capacity of the syndicate—the capital of which was £5,000—to carry out its contract?

2. Did he at that time suggest, or acquiesce in a suggestion, that the contracting syndicate should transfer its contract to a company to be floated subsequently, with a working capital of not less than £25,000?

3. If so, did the suggestion for the transfer of the original contractor's contract to a public company originate with him, or did he fall in with the suggestion of the syndicate, or of any member of it, in this regard?

Mr. HUGHES.—The answers to the honorable member's questions are—

1. Yes.

2. No.

3. The suggestion did not originate with me, nor was it mentioned at the time or prior to the signing of the contract in December, 1910. The Government, after the new company was formed, agreed to the transfer on certain conditions.

POSTMASTER-GENERAL'S DEPARTMENT.

MISDELIVERED LETTER: CASE OF MR. ALEXANDER BLACK.

Mr. HIGGS asked the Postmaster-General, *upon notice*—

1. Did the Postal Department at Brisbane receive the following letter from Alexander Black:—

> "Fairymead, Bundaberg,
> June 22, 1909.
>
> Sir,—Would you be so kind as to forward any letters that may be held over for me to the above address, and hold over any other letters that may come for me until I write again, and you will oblige,
>
> Yours respectfully,
> ALEXANDER BLACK"?

2. Was this order to hold letters in force on the 9th of August, 1909?

3. Was a letter containing two money orders totalling £30 16s., and addressed to Alexander Black, received at the G.P.O., Brisbane, on or about the 5th August, 1909, and delivered to some person other than Alexander Black while the latter's order of 22nd June, 1909, to hold letters until he wrote again was in force?

4. Were the money orders referred to cashed at the G.P.O., Brisbane, on the 9th of August, and was not the signature of the person who received the money not the signature of Alexander Black?

5. Did Alexander Black complain of the loss of the money?

6. Did the Postal authorities at Brisbane hand over the case to the Queensland Commissioner of Police, and did the police report contain the following paragraphs:—

> "On the 9th August last he (Black) was working on the Fairymead plantation, and he was not in Brisbane at any time last year.
>
> "I interviewed Mr. J. Crabtree, accountant, who looked up the records and informed me that Alexander Black worked continuously during the month of August, 1909, and was not absent from the plantation on the 9th, or any other day of that month.
>
> "Mr. Black appears to be a decent man, and I am of opinion that his complaint is a genuine one"?

7. Will the Postmaster-General give instructions that Mr. Black be paid the full amount of the loss he has sustained?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. Yes.
2. Yes.
3. Such would appear to have been the case.
4. The money orders indicated were cashed as stated. The Alexander Black referred to repudiates the signature, which may, however, have been the signature of another Alexander Black.
5. Yes.
6. Yes.
7. The Postmaster-General is specially exempted by law from liability in such cases, and would require the authority of Parliament to make such a payment.

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PAPUA: MINING DEVELOPMENT LOAN.

Mr. WATKINS (for Mr. Howe) asked the Minister of External Affairs, *upon notice*—

1. Whether the Minister will take into consideration the question of granting a loan of £80,000 to the Government of the Territory of Papua for the purpose of connecting and developing the gold-mining industry of Woodlark Island and assisting the development of the Astrolabe copper-fields?

2. Will the Minister communicate with the Lieutenant-Governor of Papua for the purpose of establishing the terms of such loan in the event of the loan being favorably viewed by the Ministry?

Mr. THOMAS.—The answers to the honorable member's questions are—

1 and 2. Proposals in regard to a loan for Papua were submitted by the Lieutenant-Governor, and correspondence between him and the Department on the subject is now proceeding. When further particulars are received the matter will receive special consideration.

PREFERENCE TO UNION LAWYERS.

Mr. HIGGS asked the Attorney-General, *upon notice*—

1. Whether it is the practice in the Attorney-General's Departments of the Commonwealth and States of Australia to give preference to union lawyers, barristers, and solicitors?

2. Does the Attorney-General know of a single instance, ancient or modern, in which a non-union lawyer has been allowed to practise in a court of law?

3. Would a non-union barrister under the ban of the barristers' union, and attempting to appear for a client in a Supreme Court, be allowed to address the Court?

Mr. HUGHES.—The expression "union lawyers" is not precise enough to enable an answer to be given.

BUTTER SHIPMENTS AND APPLE TAINT.

Mr. SINCLAIR asked the Postmaster-General, *upon notice*—

1. Whether the various Agents-General in London have approached the Commonwealth Government with a view to taking action to protect shippers of butter to London from loss through apple taint during the apple season?

2. If so, what steps have been taken to give effect to the request?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. Not so far as I am aware.

2. See answer to No. 1.

PAY AND ALLOWANCES: PERMANENT MILITARY FORCES.

Mr. RYRIE (North Sydney) [2.41].—I move—

1. That a Select Committee (with power to send for persons and papers) be appointed to inquire into the pay and allowances of the warrant, non-commissioned officers, and men of the Permanent Military Forces of the Commonwealth.

2. That such Committee consist of Mr. Charlton, Mr. Kelly, Mr. Mathews, Mr. McWilliams, Mr. Roberts, Mr. Bruce Smith, and the mover.

I make no apology for submitting this motion. It is one to which, I think, no honorable member will take exception, and it is in the interests of the Commonwealth that it should be carried. No question of party is associated with it, and I propose very briefly to put forward several reasons that should recommend it to the favorable consideration of the House. We must all admit that it is essential that we should endeavour to create and maintain an efficient military force; and a great factor towards the creation and maintenance of such a force is efficiency in the highest degree on the part of our comparatively small Permanent Forces. The Permanent Forces, which are held up as an example to our Militia and Volunteer Forces, and will be held up as an example also to the great body of soldiers to be created under the compulsory service scheme, are comparatively small in number. At the end of September, 1910, in the whole of this great Commonwealth, we had only 1,522 permanently-paid men and officers in our Military Forces, or, omitting officers, a little over 1,400 men.

Mr. Groom.—Do those figures include the Administrative Staff?

Mr. RYRIE.—Yes, they include the Head-quarters Staff. On the date mentioned, we had a force of 83,333 men, exclusive of cadets, the total being made up as follows:—Militia, 16,930; Volunteers, 5,057; Rifle Clubs, 57,826, and others, including officers, &c., about 1,000. Of this total, it will be seen, my motion relates to only about 1,400 men. I mention that fact in order to remove from the minds of honorable members any fear that if, as a result of this action on my part, an increase in pay were granted, great expense might be incurred. I purposely omitted from my motion any reference to commissioned officers, fearing that unless I did so, these might be, perhaps, in the minds of some a suspicion that I had some ulterior motive,

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and desired to advance the interests of personal friends or relatives of my own who happen to hold commissions in the Permanent Forces. All parts of the House will realize that the non-commissioned officers and men of our Permanent Forces are not receiving payment corresponding in any sense with the remuneration received by those who follow civil vocations. Wages of all descriptions have recently gone up, but there has been no corresponding increase in the pay of our Permanent Military Forces, although they are just as deserving of a rise as are those employed in other directions. In these circumstances, therefore, I make no apology for this motion, and whilst I should like honorable members opposite to give expression to their views upon it, I sincerely hope that no attempt will be made to talk it out. A soldier in our Permanent Forces at the commencement of his career receives about one-half the wages of an unskilled labourer to-day. In order to emphasize that point, let me state the scale of pay of non-commissioned officers and men. A gunner—and a gunner has no easy task in performing his daily routine of duties—receives 4s. a day; a bombardier 4s. 3d. per day; a corporal 4s. 6d. per day, and a sergeant 5s. 6d. per day. Before a man can attain the rank of sergeant in the Permanent Forces, he has to go through a good many years of hard work. It is a great mistake to believe that soldiering is something in the nature of an amusement—that a soldier has nothing to do but to walk about and disport himself in fine uniform. There is a great deal of hard work and drudgery entailed in soldiering, and a man, after some years of this hard work may, if he behaves himself, and is particularly attentive to his duties, reach the rank of sergeant and receive 5s. 6d. a day. In the present prosperous times, and in comparison with the present rates of wages ruling outside the service, that is not enough. A Company Sergeant-Major gets 6s. 3d., a Staff Sergeant-Major 10s., a Quarter-Master Sergeant 11s., a Regimental Quarter-Master Sergeant 11s., and a Master Gunner 10s. 9d. per day. The pay of a Master Gunner is really only equal to the pay of an unskilled labourer, but I do not think that a Master Gunner who has to go through years of hard work and study can be fairly classed in that category. He is really an expert at his business, having had to pass very difficult examinations, and to go through many hard and strict schools of gunnery, and other subjects. A soldier starts his career at about 4s. 4d. per day, or perhaps less than half the pay of the unskilled labourer outside. If he applies himself carefully and diligently to his business he may be receiving 7s. or 7s. 6d. a day in about five years, and after a further period he may receive 8s. 6d. Subsequently he may by small rises of perhaps 3d. per day reach something like 13s., but often those small rises may entail his having to move, with perhaps his wife and family, from one State to another.

Mr. W. J. JOHNSON.—It might make more of them go to work.

Mr. RYRIE.—The honorable member is perhaps under the misapprehension that the members of the Permanent Forces—I am not speaking of the Volunteer Militia—have no work to do.

Mr. W. J. JOHNSON.—No good comes of their work.

Mr. RYRIE.—I can assure the honorable member that he is under a misapprehension. If he believes that we should have no defence force, I can understand his position; but if we are to have a defence force, and I think the honorable member's party are determined that we shall have one in Australia, we must have an efficient one. We cannot have an efficient force unless we give encouragement to this comparatively small body of permanent men. To show how essential this is, practically the whole of the Australian Army to be created under our compulsory service scheme will be dependent upon the permanent men for instructors. We must encourage the best men to join our Permanent Force, and encourage them to remain in it when they have joined. They will not be encouraged to remain if they are paid a lower rate of wages than is obtainable outside. That fact is accountable for the wastage that is always going on in the Permanent Force. In the Royal Australian Artillery fully 40 per cent. of those who sign on resign after the first period is up and leave the force. That is not desirable. Many of them are good men, who should be encouraged to stay in the service.

Mr. W. J. JOHNSON. — Most of them save enough money in one term to buy a public-house.

Mr. RYRIE.—The honorable member's remarks are just about on a par with the first speech that I heard him make in this House on the Address-in-Reply. On that occasion he wound up with a magnificent peroration about "this rotten, silly business of defence." The Lord help this country

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if a majority of men of his class were governing it! It is deplorable that men who are supposed to be moulding the destiny of this great Commonwealth should give expression to such puerile sentiments. I think I have said sufficient to show that there is some warrant for my action in moving the motion. A Committee ought to be appointed, and I am sure that no one on either side of the House will oppose its appointment.

Mr. FRAZER (Kalgoorlie—Postmaster-General) [2.55].—I regret that the Government are unable to accept the motion. I quite agree with the honorable member for North Sydney that the desire of the great majority of the members of this House, and I think of the people of Australia, is to establish an efficient Defence Force; but the honorable member has not pointed to any information that is not available, or that cannot be secured without the assistance of a Select Committee. In those circumstances the Government would not be justified in incurring the expense of appointing such a body. Within the next week or two the Budget will be debated in this House. The pay of all the officers and men of the Defence Forces mentioned in the motion can then be discussed at any length and in any aspect. If there is shown in the House a sufficiently strong feeling to justify an alteration of the existing state of things, the Government will be prepared to give consideration to the views then expressed. The information for which the honorable member asks can certainly be obtained without the aid of a Select Committee. If the honorable member desires any particular information regarding the non-commissioned officers or men, I will undertake that, if he will frame a motion and move it in the House, the information will be secured from the records. We know the number of men employed in those branches of the service. Every one who has a knowledge of military affairs knows that they are engaged in particular work. The Department knows the number of hours they work. We know the obligations of the Department towards them so far as allowances are concerned. In those circumstances, what additional information does the honorable member expect to get by adopting the cumbersome expedient of appointing a Select Committee?

Mr. RYRIE. A Select Committee does more than gather information. It makes recommendations which are often acted upon by the House.

Mr. FRAZER.—The honorable member can make his own recommendations when debating the Budget.

Mr. RYRIE.—I am afraid my recommendations would not carry as much weight as those of a Select Committee.

Mr. FRAZER.—I am afraid the honorable member's recommendations might not in all cases carry much weight.

Mr. JOSEPH COOK.—That is nasty. There is no need for it.

Mr. FRAZER.—I do not know that the Deputy Leader of the Opposition is entitled to exercise any censorship over my speeches in this Chamber.

Dr. CARTY SALMON.—It would be the recommendation, not of an individual, but of a Select Committee.

Mr. FRAZER.—I am quite aware of it.

Dr. CARTY SALMON.—Surely the Minister will not say regarding the recommendations of a Select Committee what he said about the recommendations of the honorable member for North Sydney?

Mr. FRAZER.—I am not saying so, and I am not allowing the honorable member to say it for me. The honorable member for North Sydney has not stated a case which would justify the Government in authorizing the expenditure that would be incurred in obtaining information, which, as I say, is available to every member of the House. In justice to the present Government, I must say that since we came into office the pay of these men has been increased from 2s. 6d. to 3s. 6d. per day, or by 40 per cent.

Dr. CARTY SALMON.—When did that apply to the warrant officers?

Mr. FRAZER.—The pay of the sergeant-major of the Instructional Staff was increased from £137 to £156, if my memory serves me rightly, shortly before the Minister of Defence went to England at the beginning of the year. The pay of the lower rank non-commissioned officers has been increased in the same proportion. The honorable member for North Sydney desires such an investigation into the conditions under which the men work as would justify him in submitting a proposal to the House to increase the pay, although, of course, the honorable member has not definitely said so. There is no information that is not available in the Department as to the duties, rations, wages, travelling expenses, and everything else showing what the men have to do from starting on Monday morning to finishing on Saturday night.

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Under the circumstances, the Government cannot see their way to accept the responsibility of incurring additional expense.

Mr. JOSEPH COOK (Parramatta) [3.2].—I repeat that there was no occasion for the Postmaster-General to treat the honorable member for North Sydney in such a testy way. The opinion of the honorable member for North Sydney may not be of very much value, or it may be; but I should imagine that a man of his experience in military affairs is quite as well able to express an opinion on the matter as is the Postmaster-General, who knows nothing whatever about the Forces except what is pumped into him by the Minister who presides over the Department.

Mr. PAGE.—"People who live in glass houses should not throw stones"; the honorable member for Parramatta, as Minister of Defence, had information pumped into him!

Mr. JOSEPH COOK.—I quite agree with the honorable member. No information has come to this House except in driblets, since the Minister has been in another place. We get to know very little about the Forces, and we can get to know very little. It is impossible, for instance, to have a question of any kind answered until it has been on the paper long enough to grow stale.

Mr. FRAZER.—I cannot speak for the Defence Department; I do not administer it.

Mr. JOSEPH COOK.—I am not complaining of the Postmaster-General; but it ill becomes him to twit others with having no information, seeing that he himself has none. However, I do not wish to get into "holts" with the honorable member; but I take it that he misapprehends entirely the purpose of the proposal of the honorable member for North Sydney. That honorable member feels that these men have grievances which he desires shall be rectified, and he believes that, rather than leaving the matter to the Minister or the Acting Minister individually, it should be the subject of full inquiry by a Select Committee. It is of no use beating about the bush; at the bottom of this proposal is the question of pay, allowances, and pensions. The whole must be investigated before there can be a satisfactory settlement; and I cannot understand why the question of pensions is delayed so long. Before I left the Department, after a tenure which was all too brief, only just sufficient to allow me to see what required doing, I altered very much for the better the pay and conditions of some of these men. For instance, I abolished the third-class, or bottom rung, for the non-commissioned officers, and thus gave them a substantial "leg up" at once. Altogether, I did a great deal in that respect, but more needs to be done. The one impression I left the Department with was that there should be an exhaustive inquiry into the whole question of the circumstances and privileges of these men. If we compare the pensions and pay for similar services in the Old Country, we see that our men are still very much underpaid. The question of pensions must be faced sooner or later if we are to have a proper Defence Force; and the sooner the Government take action the better. It was my intention to deal exhaustively with this matter, and to launch a pensions scheme as an integral part of the new defence scheme; because we shall never have a satisfactory service until there is a system of either deferred pay or pensions. As it is, the Government are finding positions to-day for men who should have been able to retire honorably, with the guarantee that they would not be subject to serious disability in their home life. The Government are acting very properly in finding those positions, so that these men may not be turned on to a cold and cruel world after having served the Commonwealth faithfully for so many years. When the proper time arrives, I shall have something to say as to the manner in which the positions have been found; for, while I commend the object of the Government, I think they might have attained it in an infinitely better way. The object of the honorable member for North Sydney is to have a full inquiry from every point of view, as the best way of informing the mind of the House. In what better position will the House be if the honorable member for North Sydney continues to address a series of detached and unrelated questions from day to day, or year to year, or if, as doubtless it will be, the matter is discussed on the Estimates? The fact is that the House is in the dark concerning these details.

Mr. FRAZER.—The House need not be in the dark. If the honorable member for North Sydney cares to submit a motion, I shall undertake that the Minister will supply all the information desired.

Mr. JOSEPH COOK.—In what better position will the honorable member for North Sydney then be, so far as his objective is concerned? The Postmaster-General has asked whether the honorable member is seeking for better pay and privileges, and the honorable member frankly

says that he is. Would the supplying of the information induce the Government to assist the honorable member to get what he desires?

Mr. FRAZER.—Certainly, it would.

Mr. JOSEPH COOK.—Does the Government propose to deal with the matter, or do they not?

Mr. FRAZER.—The Government have increased the pay of the men by 40 per cent. since taking office.

Mr. JOSEPH COOK.—The reply to that is that the men still desire their position looked into, in relation to the military forces of other portions of the Empire.

Mr. FRAZER.—What is the reply to the statement that the honorable gentleman did not do anything in that direction whilst he was in office?

Mr. JOSEPH COOK.—The reply is that the statement is grossly inaccurate. The honorable member is so ignorant of these matters that he does not know what I did.

Mr. FRAZER.—Does the honorable member say that he increased the pay of these men?

Mr. JOSEPH COOK.—Of some classes of non-commissioned officers. I did not pretend to deal with the case in an adequate manner. What I did, or what any one else has done, matters little now. The impression I formed during my brief tenure of office was that a serious and adequate investigation was necessary, and my last action was to instruct the Secretary to get every detail he could respecting the pensions payable by the Imperial Government, with a view to the inauguration of a pension system at the earliest moment in connexion with the new defence scheme then being inaugurated. Eighteen months have passed since then, and nothing has been done. Ministers tell the public that this Government was the first to bring about a new scheme of defence, and repeat the statement until they have come to believe it, although there is no justification for it.

Mr. SPEAKER.—The honorable member is going beyond the question.

Mr. JOSEPH COOK.—If honorable members look into the matter, they will see that the confident assertions of Ministers are not borne out. The Government might very well agree to an inquiry into the position of these men, who are the backbone of the service. If investigation shows that, taking everything into account, their position is not at least equal to that of men holding similar positions in other parts of the Empire, the matter should be rectified. The Government, I take it, will not allow them to remain worse off than others of their rank in the Imperial service. Such conduct would be a strange commentary on the boast of Ministers that they are the friends of all who toil for their daily bread. If the men are being as well treated as is just, nothing can be lost by making the fact known. But I think that investigation will show that they are not as well treated as others in similar positions elsewhere. I should like a more comprehensive inquiry than is proposed. I wish to know if the Government intends to stand up to the financial obligations of the Kitchener scheme with respect to all sections. Ministers claim to be doing everything imposed by that scheme, but I should like to know what they are doing regarding the officers.

Mr. SPEAKER.—The honorable member is now going beyond the motion.

Mr. JOSEPH COOK.—The sooner the conditions of employment in the Department of Defence are subject to a close and adequate inquiry the better it will be for all concerned. Such an investigation would assist the House in dealing with many problems now pressing for solution. The Kitchener scheme, having been inaugurated, should be carried out in its integrity as soon as possible. It will necessitate a marked advance in the pay and privileges of these men who, as the honorable member for North Sydney has shown, are underpaid in comparison with others of their rank in the Imperial service.

Dr. CARTY SALMON (Laanecoorie) [3.18].—I shall support the motion. I intervened when the mover was speaking, to point out to the Minister that if a Select Committee were appointed its report would not be that of a single individual. I did so because the Minister seemed to have lost sight of that fact in making his somewhat tart interjection. I understand that in January last the men received an advance of 1s. a day. I am in frequent contact with them, and know that there is grave dissatisfaction among them, for which, I believe, there is good ground. It is remarkable how conservative one becomes when in a position of responsibility. The Minister has followed the beaten track in objecting to an inquiry into departmental methods by a Select Committee.

Mr. FRAZER.—If the honorable member for North Sydney will indicate how a Select Committee could obtain information which is not now available to honorable members, the Government will consider his proposal.

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Dr. CARTY SALMON.—That reply could be made to every mover for a Select Committee. It is the old answer. The House should not be satisfied with it, but should assert its right to obtain in its own way information regarding the working of Departments. Those who know anything of the case must feel shocked at the way in which these men are being treated. They are picked men, who have risen from the ranks. The most violent Socialist could not point his finger at those supporting their claims, and accuse us of supporting the claims of over-paid and over-dressed officers. Industry, application, and ability have raised these men to the positions which they occupy. They have undergone constant and severe training, and have qualified by passing competitive examinations. Their treatment is, therefore, scandalous. In many cases they receive only half what is paid to the unskilled labourer, either inside or outside the service, and they are doing special and highly technical work. Another injustice is that many of them who have seen active service, in some cases while holding commissions, are being paid only as much after seven or ten years' work on the Instructional Staff as is given to those entering the service to-day, their experience and work counting for nothing. Surely the Government does not propose to keep every one on the same dead level, adopting the doctrine of the Socialists! Men who have served the State well should be treated differently from the newest recruits to the service. To give the Defence system a fair trial, these men should be properly treated by the authorities. To get the best results our Forces must have the best training, and to secure that we must have a contented and adequately paid teaching staff. No one can be expected to do his best as a teacher unless he is in a contented frame of mind. No man can be contented when he is underpaid to the extent that these men are, and when he feels that his capacity and merit are not being recognised. We cannot have a contented service when men who have been doing certain work for many years receive no more than is paid to others who have been engaged in the same work for only a few months. I would suggest to the honorable member for North Sydney that he should make an alteration in the proposed *personnel* of the Select Committee. It was indicated a few minutes ago by the honorable member for Parramatta that a certain amendment was contemplated, and I think a change in the *personnel* of the Committee may also be found necessary.

Mr. JOSEPH COOK.—Hardly. There is nothing to prevent a Minister acting on a Select Committee.

Dr. CARTY SALMON.—The name of the honorable member for Maranoa might very well be substituted for that of the new Honorary Minister, the honorable member for Adelaide. The honorable member for Maranoa has had practical experience as a soldier. He knows the work from A to Z, and I believe that his experience would be found of great advantage to the Committee in the prosecution of its inquiries. I trust that the Government are not going to resort to the old method of shirking inquiry by sheltering themselves behind the excuse that there already exists in the Department all the information that is necessary. If we did not think it existed there we should not be asking for access to it. I appeal to the Minister to say whether his experience leads him to believe that any individual member of this House would have the slightest chance of obtaining all the information he desired relative to a question of this kind, and whether, if he did gain it, he would be able to influence the House in regard to it.

Mr. FRAZER.—It is open to the honorable member to submit a motion asking for a return.

Dr. CARTY SALMON.—A motion for a return is perhaps the most cumbersome and sluggish method of obtaining information of which one could conceive. I am surprised that so energetic an honorable member as the Minister should suggest that we should be content to fall back upon the old-fashioned parliamentary method of seeking this information by way of a return, when we can take a short cut and, by means of a personal interview on the part of a Select Committee with those who are in authority, obtain all the information we desire. The honorable gentleman has said that he objects to this proposal, on the ground, amongst others, of the expense that it would involve. I would remind him that Select Committees cost very little. From what he has said, people outside might imagine that members of a Select Committee are paid for their services. As a matter of fact, they receive no payment. The only expense involved in this case would be in respect of the services of a shorthand writer and a supply of stationery.

Mr. W. ELLIOT JOHNSON.—Probably if we asked for a return the Minister would object.

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Dr. CARTY SALMON.—What would be said if honorable members were, from day to day, to bombard the Minister with motions for returns? We should be accused of trying to hold up the whole Department in order that certain information might be furnished to the House. The Minister knows very well that one return often leads to a motion for another, to elicit additional information. By the ordinary easy method of an inquiry we can obtain all that we desire far more effectively and cheaply than we could hope to do by means of the obsolete method of obtaining returns. I do not want to talk out this motion; I hope that we shall proceed to a vote upon it, because I am satisfied that those who know anything of the conditions of these men must not only feel sympathy for them, but desire to get at the very root of the reasons why they have been treated in the way of which complaint is made. We can get at the root of the matter only by the appointment of a Select Committee. I am sure that the honorable member who has submitted this motion will be prepared to agree to a time limit being fixed so as to insure the Committee reporting to the House within a few weeks' time of its appointment. The additional information which such a Committee would elicit would place both the Minister of Defence and the Minister who represents him in this House in a very much better position to deal with the question than they are at present.

Mr. MATHEWS (Melbourne Ports) [3.30].—I sympathize with the object which the honorable member for North Sydney has in view in submitting this motion. Not long ago the Defence Department found it impossible to secure recruits for the Permanent Artillery at the rate of pay they were then offering, and they were compelled to increase it. I cannot help expressing the hope that they will continue to find it impossible to obtain men at the remuneration now being offered. Those who enter the Permanent Forces have to be physically and mentally strong. They are the pick of those who present themselves for enrolment, and are certainly entitled to fair remuneration. In reply to the complaints as to the small pay offered, it may be said that a man need not enter the service unless he chooses to do so. That is true of all employment, but if we compare the pay of the men in the Permanent Forces with that received by men following civil vocations we will see at once that it is exceedingly small. Promotion is also so slow that but few of these men are likely to reach in the service a position which will entitle them to remain in the Department until they have attained a ripe age. Many have to retire at a comparatively early age, and are thrown upon the world after years spent in a service which makes them utterly unfit to earn a living in many of the ordinary walks of life. Again and again during the last few years the pay of these men has been discussed, and although an increase was recently made, I think that something more should be done in the direction asked for by the mover of this motion. This may not be the best method of achieving the object which we have in view; but it is the best that has been put forward, and, for the reasons I have stated, and more especially as there is no provision for the payment of pensions to those who reach the retiring age, I have pleasure in supporting the motion.

Motion (by Mr. ROBERTS) put—

That the debate be now adjourned.

The House divided.

Ayes	...	...	31
Noes	...	...	17
Majority	...	...	14

AYES.

Anstey, F.	Johnson, W. J.
Archibald, W. O.	Lyne, Sir William
Brennan, Frank	Mahon, H.
Brown, Thomas	Maloney, Dr.
Cann, G.	McDougall, J. K.
Carr, E. S.	Moloney, Parker
Catts, J. H.	O'Malley, King
Chanter, J. M.	Poynton, A.
Charlton, M.	Roberts, E. A.
Fenton, J. E.	Scullin, J. H.
Finlayson, W. F.	Smith, Laird
Fisher, A.	Tudor, F. G.
Foster, Frank	Watkins, D.
Frazer, C. E.	*Tellers:*
Higgs, W. G.	Page, J.
Jensen, J. A.	Riley, E.

NOES.

Atkinson, L.	Mathews, J.
Cook, Joseph	Ryrie, G. de L.
Deakin, A.	Salmon, Dr. Carty
Edwards, R.	Sampson, S.
Forrest, Sir John	Sinclair, H.
Fowler, J. M.	Wynne, Agar.
Glynn, P. McM.	*Tellers:*
Groom, L. E.	Greene, W. M.
Johnson, W. Elliot	Thomson, J.

PAIRS.

Bamford, F. W.	Kelly, W. H.
Hall, D. R.	Hedges, W. N.
Howe, R.	Irvine, Hans
Hughes, W. M.	Irvine, W. H.
Spence, W. G.	Palmer, A. C.
Thomas, J.	Fairbairn, G.
Webster, W.	Best, Sir Robert

Question so resolved in the affirmative.

Debate adjourned.

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NEW SOUTH WALES CADETS.

Mr. RYRIE (North Sydney) [3.41].—I move—

That a Select Committee of seven Members of this House be appointed to inquire into and report upon the whole of the circumstances connected with the visit of the Australian Cadets to England; such Committee to have power to send for persons and papers.

I take it that the Government will raise no opposition to the motion. I have been led to believe that they welcome an inquiry into the circumstances connected with the visit of this contingent of Australian cadets to England.

Mr. FISHER. The matter is much better as it is.

Mr. RYRIE.—Without an inquiry?

Mr. FISHER.—I think it is

Mr. RYRIE.—I do not fear any inquiry so far as my side of the question is concerned. If what the right honorable the Prime Minister says is to be taken as a threat with regard to the officer who had charge of the contingent, all I can say is that I welcome an inquiry, however it may turn out. An inquiry is absolutely essential, because there is, undoubtedly, a widespread feeling of dissatisfaction in the Commonwealth with regard to the treatment which it is alleged was meted out to the contingent. I think the Prime Minister and the Government will admit that there is a great deal of controversy going on at present on the subject, and I take it that it is for the benefit of the Government themselves that the matter should be cleared up. If they can bring forward evidence which will justify the action of the Minister of Defence, so much the better for them. I take it, therefore, that they will not burke an inquiry, and will offer no opposition to the motion. There is a widespread feeling of discontent amongst the whole of the community, more especially amongst the parents, relatives, and friends of the lads themselves, over what occurred during their visit to the Coronation festivities. So far as I can make out, the facts of the case are something like these: First of all the Commonwealth Government refused to contribute anything towards sending Home any contingent of soldiers or cadets; secondly, through the aid of private citizens, and by means of contributions from the parents of the lads selected, we were able to send them to London without any aid from the Commonwealth Government. They were sent really by private subscription.

Mr. LAIRD SMITH.—And you deserted them when they reached England.

Mr. RYRIE.—The Government did so. The Minister of Defence deserted them absolutely, and snubbed Major Wynne, who had command of them. Some of the mothers of the lads who went Home came to me, and really thought that their sons were left stranded in the streets of London, and would be unable to get back. It is to the advantage of the Government that the whole question should be cleared up, and that the minds of the people should be disillusioned of that impression if it is not justified.

Mr. HIGGS. When did the Minister of Defence administer a snub?

Mr. RYRIE.—Major Wynne took it upon himself, whether rightly or wrongly, to despatch a wireless message of congratulation to the King. I do not uphold his action in regard to that matter, but he might not, perhaps, have been altogether *au fait* with what I may call the etiquette of such questions. I understand that when that message was received at the Home Office, the Minister of Defence was asked whether this was the Commonwealth contingent, and, if not, how the message came to be sent from the "Commonwealth Contingent of Cadets"; and that Senator Pearce replied that it was not a Commonwealth contingent. I believe that, through his lieutenant, Major Buckley, he reprimanded Major Wynne for having sent the telegram.

Mr. FRAZER.—The Minister of Defence, when asked by the War Office whether the Government had altered their original intention about sending a contingent, simply said, "No." The honorable member can see all the particulars in the official papers.

Mr. RYRIE.—I have seen them; but I take it that the Minister of Defence might very easily have made the path smooth for the cadets had he wished to do so. As a result of his practically disclaiming or repudiating the contingent, they very nearly had to camp out on the Thames Embankment. Major Wynne had to threaten to camp them out there because no provision was made to accommodate them at the White City, where provision was made for camping and maintaining every other contingent from other parts of the world. That is a disgraceful state of affairs, and does not reflect any credit upon this great Commonwealth, or upon

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the Commonwealth Government. The contingent was as fine a lot of lads as ever left the shores of any country. They were a magnificent advertisement for Australia. Their conduct, so far as I can make out, was exemplary. They showed their prowess satisfactorily in shooting and athletics. They won the King's Cup in competition against cadets from all parts of the world, and in many other ways showed that they were worthy representatives of Australia. The Government might well have contributed something towards their expenses in the circumstances. It is intended to spend some thousands of pounds in advertising Australia, and I do not know whether the Government propose to spend £3,000 upon the picture of the wattle blossom and the maiden rather scantily clad standing in the midst of it, as now shown in the Queen's Hall; but it would have been a very much better advertisement for Australia to have this splendid contingent of cadets to represent the Commonwealth, and to show what sort of men we can breed here. What better advertisement could we have for Australia and its climate than those splendid, stalwart lads? The Minister was very much to blame in not making the path easy for them. Even if he had to say that they could not be officially recognised as a Commonwealth contingent, he could have told the Home authorities that he would take it as a favour to his Government if they could show them any favour in their power, and make provision for their camping and maintenance. If he had said one word of that description, I am sure everything would have been made much more pleasant for them, but he refused to do so.

Dr. CARTY SALMON—Did the Government draw such a hard and fast line about other visitors who went Home from here?

Mr RYRIE.—I take it that they did not.

Mr. FENTON.—Major Wynne made it more difficult than ever.

Mr. RYRIE.—If Major Wynne has done anything subversive of discipline, he can be dealt with. I, as a military man, say that if a man offends against discipline, he must be punished. Surely it can easily be shown whether that officer did so offend. If he did, then punish him; but it was not right to visit his faults upon the cadets. They should have been treated properly, no matter what their commanding officer did. It is not to the credit of the Commonwealth that they should have been left practically stranded at Home; and every credit ought to be given to Mr. McGowen, the Premier of New South Wales, for sending £500 to assist to bring them back, when the Commonwealth Government refused absolutely to give a shilling towards it. I take it that there was a good deal of jealousy with regard to this contingent. The Government refused to have anything to do with sending them Home. I suppose they thought there would be no contingents of any sort sent from here, and that private citizens and parents would not be able to do it.

Mr. JENSEN.—If the Government refused to send them Home, how can the Government be saddled with the responsibility of looking after them, or bringing them back?

Mr. RYRIE.—We did not want the Government to be altogether saddled with that responsibility; but the Minister of Defence might have shown them a little courtesy, and helped them by asking the Home Office to give them some consideration. Had he done so, I am sure that every consideration would have been shown to them, instead of which he absolutely repudiated them as a Commonwealth contingent. His action in that regard was most unseemly, because he and the Prime Minister should have borne in mind that they and all their suite were being royally entertained by the Imperial authorities. In this connexion, I might refer to the enormous amount of money that was spent on the visit of the Prime Minister and other Ministers and their suite to London. I understand that £7,300 was spent in sending Home that suite, the largest that ever left the shores of Australia for any function or festivity in Great Britain. Seeing that so much money was being expended, something might have been contributed for making the path easy for the contingent; and I hope that honorable members on both sides will see that the importance of the matter demands some inquiry. If the Government can show that the fault lies with the officer commanding the contingent, they can have no objection to the appointment of a Committee. If the Government are blameless, I am prepared to give them every credit; but, if they are deserving of blame, the general public should know the facts. There is grave dissatisfaction throughout the country with regard to the alleged treatment of the cadets; and, if the allegations be correct,

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the House and the people are entitled to all information. I hope the Government will not oppose the motion, as they did my previous proposal. If the Government think they stand on a "good wicket," and can show that I, and those who think with me, are wrong—if they can show that there is no action of Senator Pearce that calls for rebuke—they ought not to be afraid of inquiry, and I leave the matter in the hands of the House.

Mr. W. ELLIOT JOHNSON (Lang) [3.59].—I second the motion, and indorse generally the opinions expressed by the honorable member for North Sydney. I was not at all satisfied with the way in which the cadets were treated by the Government. Certain statements were made to me by the officer commanding the contingent, and certain documents were shown to me by him, which I regard as anything but satisfactory as to the treatment of the cadets after their arrival in England. It appears that there was every desire on the part of the British authorities to show all kindness, courtesy, and consideration to the contingent; but they were unable to carry those desires fully into effect—so I was informed in certain quarters—owing to the action of the Minister of Defence in blocking proposals for their entertainment and recognition. At any rate, we know that these boys were not in evidence in the procession, nor when the Coronation medals were presented to the visiting contingents by the King, and further, so far as I am aware, that they were not allowed to take their place with the other oversea contingents in the Coronation procession. After those ceremonies were over, and the Australian Ministers left London, thus severing the official connexion, the Home authorities had a freer hand, and some effort at recognition was made. Through the intervention, I believe, of Lord Roberts it was ultimately decided that the cadets should have medals; but these medals will be presented to them in Australia. It would have been much more satisfactory if the cadets had been in the pageant and allowed to take part in the parades and general assemblies of the oversea contingents at Buckingham Palace, and to receive their medals from the hands of the Sovereign himself. The medals would then have had attached to them a distinctive personal value, which will certainly not be the same when they are presented through a deputy, however exalted that deputy may be. In any case, the granting of the medals was apparently an afterthought, the intention in the beginning being that, when the medals were presented, the Australian contingent should be deliberately left out.

Mr. FRAZER.—Does the honorable member say that the Minister of Defence tried to get the cadets left out?

Mr. W. ELLIOT JOHNSON.—It was so asserted in London by those who should have been in a position to know. I do not make the assertion, but say they were left out, and that, according to the newspapers, it was through the intercession of Lord Roberts and other military officials that the medals were ultimately conceded. Whatever may be the facts, we have to depend on *ex parte* statements, and the fact that those statements are many and conflicting is a conclusive argument in favour of the motion. What the honorable member for North Sydney desires, and what I should think the House naturally desires, is to get at the facts of the case. The matter is clouded with all kinds of suspicion, and, generally speaking, the position is most unsatisfactory; and I can see no better way of ascertaining the facts than by means of a Select Committee. The Minister tells us that we have access to a return, but that return is an *ex parte* document.

Mr. FRAZER.—Honorable members can have the right to peruse the whole of the papers. As a matter of fact, those papers have been on the Library table for a month, and I do not suppose the honorable member has ever looked at them.

Mr. W. ELLIOT JOHNSON.—I saw several of the papers in London. It is true that there are the papers, but we require persons as well as papers. So far as they go, the papers are, no doubt, valuable, but something more is needed to ascertain all the facts. There has been so much public dissatisfaction that I think the honorable member for North Sydney is perfectly justified in asking for a Select Committee. If there is nothing to hide, the Government ought to be only too anxious for an inquiry of the kind, so that all may be cleared up, and the Ministry rehabilitated.

Mr. FRAZER (Kalgoorlie—Postmaster-General) [4.5].—The Government cannot see their way to accept the motion. This is a case that, undoubtedly, has caused a great deal of—what shall I say?—public criticism.

Mr. W. ELLIOT JOHNSON.—Scandal.

Mr. FRAZER.—Not scandal, but public criticism. In July, 1910, the gentleman in charge of the contingent asked the

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Government if it was intended to send a contingent to the Coronation, and a reply in the negative was given. The question was repeated at a later stage, and a similar reply made. It was then intimated that there were a number of people in New South Wales apparently prepared to provide sufficient money to send the contingent; and the Government gave their sanction on the distinct and definite understanding that they had no financial responsibility. In the communication sent to Major Wynne, on the 20th February, 1911, the language was very clear, to the effect that the Government would give recognition to the proposal only on the distinct understanding that no liability, financial or otherwise, in connexion with the raising, sending, or returning of the contingent would be recognised by the Government.

Mr. FENTON.—That was before they left Australia?

Mr. FRAZER.—Of course. But in connexion with the preparations the Government granted leave of absence to non-commissioned officers and cadets, the issue of arms and equipment, and camp equipment during the camp before embarking, and the services of two non-commissioned officers of the Instructional Staff to assist in the preliminary arrangements. It was definitely stated, however, that the Government would take no financial responsibility. The contingent went to London, and then we had the statements made by the gentleman to whom I referred the other day as the much-advertised Major. I believe that the chief factor in the whole of this little misunderstanding is that gentleman's association with a particular journal in New South Wales.

Mr. W. ELLIOT JOHNSON.—I do not think so.

Mr. FRAZER.—I think so; and I think that that connexion is responsible for the enthusiasm of some of those honorable members who are advocating his claims in this House.

Mr. W. ELLIOT JOHNSON.—That is a very unfair and unjust statement to make.

Mr. FRAZER.—The honorable member may take any view he likes, but I think that if Major Wynne did not happen to be associated with one of the big powerful dailies of New South Wales there would not only not have been the publicity which was given to the statements made in London, but we should not have heard anything about the matter in the great dailies at the present time. When the contingent went to London the conditions were distinctly outlined. We find, however, that, when in London, Senator Pearce asked Major Buckley, the High Commissioner's military adviser, to see that accommodation was provided for the cadets; and that does not seem to be a very strict adherence to the condition that no assistance would be given by the Government.

Mr. W. ELLIOT JOHNSON.—That was after complaints had been made.

Mr. FRAZER.—It was an action by the Minister of Defence to assist the cadets, although it had been definitely stated that the Government had no responsibility, and the assistance was given when it was found that some difficulty had arisen. As to the cadets not being in the procession, Senator Pearce wrote to Lord Haldane, Secretary of State for War, asking that the cadets should be give a place on the line of procession, and a reply was received promising that that would be done. The Minister saw that they were looked after.

Mr. W. ELLIOT JOHNSON.—They were placed along the line of procession; they were not allowed to take part in it like other contingents.

Mr. FRAZER.—The honorable member's original complaint was that they were not given an opportunity to see the procession. When I reply to that, he shifts his ground. I do not know that they particularly desired to march in the procession. The Minister did all that he was asked to do. He met the cadets on their arrival, welcomed them, and assured them that he would do everything to make their stay pleasant. As to the need for an inquiry, all the papers have been on the Library table for a month, and no additional facts are to be got.

Mr. J. H. CATTS.—What about the visit to Paris? A great deal of scandal has been spoken about that; and the matter ought to be cleared up.

Mr. W. ELLIOT JOHNSON.—That is another reason for an inquiry. Let Major Wynne and some of the boys be examined.

Mr. FRAZER.—An inquiry would only produce the conflicting opinions of one and another. The honorable member for Lang will have an opportunity to deal with this matter at the greatest length when the Estimates are before us. It would be a serious thing for the House to intervene between the Minister and a military officer. Honorable members opposite may make the most

of Major Wynne's statement, but they cannot show that the Government failed to carry out its undertaking in regard to the contingent. We believe that there is no need for an inquiry.

Sir WILLIAM LYNE (Hume) [4.17].—I regret that a party complexion has been given to this matter. An investigation on party lines would certainly be unwise. As I left Australia last December, I was not aware, when in London, of the terms on which the cadets went away; but I saw them on several occasions. Most of them were from New South Wales, and a credit to that State and to Australia. It is true, as has been stated, that the Minister of Defence met them on arrival, and welcomed them; but there seems to have been some unpleasantness afterwards. I say, unhesitatingly that, as they were in England, although not sent by the Government, it is a pity that they were not officially recognised, especially as Australia had no other troops there at the time. They should have been in the procession. I gather, from the papers which I saw in London, that the Minister declined to send a contingent, or to be liable for any expense, but agreed to provide for the reception of the cadets in England. The question has been raised, "Was proper provision made?" I do not think that it was. From what I have been told, mainly by Major Wynne, there was a celebration on board ship on Empire Day, when the cadets were going to England, and he did what I consider a mistaken and wrong thing. He sent a marconigram direct to the King, telling him of the demonstration. He has admitted to me that he made a mistake. He should have sent the message through the proper channel.

Mr. JOSEPH COOK.—Through whom should it have been sent?

Sir WILLIAM LYNE.—I am not well up in military etiquette; but I think that the message should have been sent through the High Commissioner, or through the Minister. When the boys got to England, there was, according to Major Wynne, an alteration of tone so far as the Minister was concerned, and official recognition was refused. I do not know whether the Minister should have allowed the cadets to be recognised as the contingent representing Australia; but it might have been recognised as representing New South Wales. I have been informed by Major Wynne that ground was prepared and tents erected for the accommodation of the cadets, but they could not use it because they could not get recognition, and had to camp at the Crystal Palace, paying for their accommodation there. There is, however, no case for an inquiry. Everyone is sorry that mistakes occurred; but the honorable member for Lang is making a mountain out of a mole-hill. When medals were distributed at Buckingham Palace to oversea troops, I asked why the Australian cadets were not there, and was told that it was because the Minister did not allow them to be recognised. I thereupon saw our Prime Minister, the day before he left London, and told him what I had heard. He had Mr. Pethebridge and Major Buckley with him, and said that the case had not been put to him in the way in which I put it. In my presence, he instructed Mr. Pethebridge to obtain medals for the boys, the Minister of Defence having by that time left England. After my departure, Major Wynne saw Field Marshal Earl Roberts, and got him to interest himself in the matter; and Mr. Pethebridge told me that he understood that the War Office had promised to give the boys the medals. I visited the cadets five times altogether, and no body of young men from other parts of the Dominions, or in Great Britain itself, drilled as well as they did. The perfection of their movements was marvellous, considering how short a time they had had for drilling. At the instance of some one from Australia who said that the food was not good, I made inquiries, paying two visits to the encampment. By instruction of our Prime Minister, Mr. Pethebridge and Major Buckley went with me, and we ascertained that the food was good, and that the boys were well cared for. Those who saw the cadets were very proud of them. We thought that they should be recognised; but, apparently, some power behind the throne was causing trouble. If the Minister proposed to take action regarding Major Wynne, an inquiry might be justified; but, as he does not, it would be best to let the matter drop. The public know exactly what has occurred. I was sorry to hear the honorable member for Melbourne Ports interject that the boys were Jingoes.

Mr. FENTON.—No. He said that some of the New South Wales Jingoes helped to send them Home.

Sir WILLIAM LYNE.—I saw attributed to him in the press a statement that was derogatory to the boys.

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Mr. ROBERTS.—I do not think he intended to speak of them in a derogatory sense.

Sir WILLIAM LYNE.—At all events, it appeared to be derogatory to them. I know a large number of the boys who formed the contingent. I am acquainted with all who went from my own electorate, and I am able to say that, with one exception, they are all children of poor men. The exception to whom I refer is a son of Dr. Woods, of Albury, who, although not a poor man, is certainly not wealthy.

Mr. WATKINS.—Three boys also went from my electorate; and their parents are certainly not wealthy.

Sir WILLIAM LYNE.—Quite so. I feel that it would be unfair to the boys, and to their parents, to allow to pass uncontradicted the statement that the contingent comprised only the sons of wealthy men. It comprised far more sons of poor parents than sons of wealthy people.

Mr. JOSEPH COOK.—And in many cases, the towns from which they came subscribed the cost of sending them.

Sir WILLIAM LYNE.—I have heard that that is so; but I have no personal knowledge of the matter. I wish now very briefly to refer to Major Wynne, the officer in charge of the contingent. Major Wynne's father is connected with the *Daily Telegraph*. He himself is a journalist, and may have imported some of his journalistic methods into the work of advertising the boys; but, in any event, not one in a thousand could have undertaken the control of the contingent, and have carried out the work as successfully as he did. Too much cannot be said in praise of the way in which he looked after the boys and brought them back to Australia.

Mr. JOSEPH COOK.—He did a good job.

Sir WILLIAM LYNE.—He did.

Mr. FENTON.—There are other sides to the story.

Sir WILLIAM LYNE.—I know all the facts relating to the matter, for I have taken a very great interest in the contingent, and I do not like to hear Major Wynne condemned. I am convinced that he did his best, although he may have imported into his work methods that were unknown to the Defence Department. In that respect, no doubt, he erred, and Major Wynne himself is the first to acknowledge that he made a mistake.

Debate (on motion by Mr. JOHN THOMSON) adjourned.

NATIONALIZATION OF DISTRIBUTION.

Debate resumed from 5th October (*vide* page 1144) on motion by Mr. FRANK FOSTER—

1. That, in the opinion of this House, in order
   - To effectively and economically organize distribution of products in Australian markets, and Australian products in foreign markets,
   - To abolish the waste of the unnecessary middlemen,
   - To secure fair and reasonable prices to Australian producers,
   - To secure imported and Australian products to Australian consumers at reasonable prices,
   - To extend the consumption of Australian products in Australian and in foreign markets,
   - To abolish adulteration,
   - To safeguard foods and clothing, &c., against infection or contamination,
   - To improve the quality of Australian products,
   - To abolish trusts, combines, and monopolies in Australia, and their influence on Australian commerce,
   - To decentralize Australia through commercial channels, with a view to its more effective occupation and defence,
   - To be prepared with organized food and other supplies in time of war,
   - To lay by sufficient stores to carry the Australian people through times of drought and scarcity,
   - To establish an honest currency, based on goods and services,
   - To effectively secure the new protection,

   it is desirable to nationalize distribution.

2. That necessary power to carry out the provisions of the foregoing resolution be sought through a referendum of the people at the next general election of the Federal Parliament.

Mr. FRANK FOSTER (New England) [4.29].—I hope to be able to conclude, within an hour, my speech in submitting this motion to the House. When it was last before honorable members, I traversed a good deal of the ground to be covered; but I wish to-day to point to some of the efforts that have been made to cope with the waste of distribution, and to the injustice that is done to the people under the methods that have grown up with our civilization. The most striking example of co-operative effort that the civilized world furnishes to-day is that of the co-operative societies of Great Britain. As far back as the time of Robert Owen, attempts were made to form co-operative distributing societies, and also co-operative societies for production, but it was not until 1844 that the great effort was commenced which has led to the magnificent successes of to-day. The history of the movement in Great Britain is of much interest to students, and

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particularly to those who desire that distribution shall be dealt with in an effective way. Whilst many co-operative efforts have been successful in Australia, more particularly in centres where a large number of men are employed in one industry, there have yet been many failures. The main reason for these failures has been, I think, the small amount of capital with which operations have been commenced, and also the neglect to obtain men capable of conducting them from a purely business stand-point. The men who enter upon the struggle to establish a co-operative society are more or less sentimentalists and idealists. They are not altogether men of practical business knowledge, and hence many of their efforts result in failure. The great co-operative system of the Old Land, however, has reached a stage at which success is absolutely assured. On the formation of a co-operative society in Great Britain, the promoters may at once apply to the Co-operative Wholesales, and to their Co-operative Union, for a manager, who will undertake the whole work of organization. The society, once started, is able to obtain its goods on the best wholesale basis, and success is at once assured. Although we have many successful co-operative enterprises in Australia, we have not a Co-operative Wholesale, and, until we have such an institution, we cannot expect to make very rapid strides in the way of co-operative distribution. One must not ignore the educational value of co-operative effort. I do not wish to discourage those in Australia who favour the building up of co-operative societies for production or distribution; but I do not hesitate to say that the nationalization of distribution would prove the master co-operative effort. It is, after all, the simplest of all methods of co-operation. Although it looms large in the eyes of those who are not familiar with the idea, yet it is the simplest method of obtaining what we desire in regard to distribution. For the information of those who, like myself, recognise the necessity of fighting for the control of distribution by the people, I propose to quote some figures showing the growth of the co-operative movement in England. These figures, which appear in *The History of the Co-operative Wholesales*, were taken from the *Co-operative News*, and show what was the position on 23rd June, 1904. The Wholesale Society was founded in Manchester, in 1864, with but a small sum at its command, and it now has assumed gigantic proportions. In 1904, the movement in England comprised a federation of 1,133 retail societies, with a membership of 1,500,000, exclusive of outside customers. In 1904, the annual sales of these societies totalled £20,000,000; they had a banking turnover of £87,000,000; they owned eight steam-ships, eleven foreign and four shipping and forwarding depôts, thirty-eight creameries, and fifty auxiliaries, two fruit farms, tea estates in Ceylon, and fifty productive departments; whilst they employed 15,000 persons. There are also branches at Newcastle and London. That, in brief, is the position of this great co-operative movement in England up to June, 1904. I have seen later statistics, but I have not the exact figures, and do not propose to quote from memory. I know, however, that the business of the society has increased by leaps and bounds. As an enthusiastic co-operator I entered this movement nearly twenty years ago. Apart from experience gained as a private storekeeper, I acted twice as a manager of co-operative societies, and I had before me the ideal that we should eventually bring about an amalgamation of all the co-operative societies into one great co-operative concern, and so accomplish, in effect, the nationalization of distribution.

Despite the successes of the co-operative movement in Great Britain and elsewhere, I have had to give up that idea, however, believing that the nationalization of distribution through the Federal Parliament offers a shorter road to the object I have in view. In Australia, there have been some other excellent efforts to cope with distribution. First and foremost amongst these is the action of the Government of South Australia in establishing a State Produce Department. That Department handles produce of all kinds, wheat, honey, cheese, bacon, butter, and rabbits; and it is doing excellent work. The Government said, in effect, to the farmers of South Australia, "You are being badly treated by the middlemen, while the consumers also are paying too much for their goods. We are, therefore, going to help you." I should like to ask for what purpose a Government exists if it is not to help the people on the land? A Government that refuses to take cognisance of the persecution of our producers by rings—which neglects to fight, not only for the producer, but also for the consumer—is guilty of almost criminal neglect. The South Australian Produce Department has been an unqualified success.

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Even a man who has only a dozen fowls to dispose of may take them to the Department, and have them put into the freezer. Justice is done to the very small producer. In the public markets to-day, the producers, and especially those who are in only a small way, are defrauded right and left.

Dr. MALONEY.—Why, in Victoria, books showing the depredations of the buttermongers were burnt.

Mr. FRANK FOSTER.—I am glad of that interjection. We shall do well if, within the next few years, we are able to wipe out the whole of the present ridiculous and wasteful system of distribution.

Mr. SAMPSON.—Will the honorable member point to some actual benefits which the producers of South Australia have obtained from the State Produce Department?

Mr. FRANK FOSTER.—One of the results of the establishment of the Department is that agents in South Australia are now giving the producers far better treatment than they received before.

Mr. SAMPSON.—Give us a concrete example in the way of better prices.

Mr. FRANK FOSTER.—I regret that I have not the information for which the honorable member asks. I have not a detailed comparative list of prices, but, no doubt, they can be obtained.

Mr. J. H. CATTS.—The fact is that the institution is working successfully.

Mr. FRANK FOSTER.—That is proof of the magnificent success of the system. The honorable member for Wimmera can easily be supplied with the items he requires if he applies to the manager of the institution. It is common knowledge that that department has been most successful. Even its success need not be emphasized so much as the common honesty which it has brought about amongst the other agents handling the produce of the farmers.

The Commonwealth Parliament has passed a Commerce Act, which has made for a more honorable system of trading. We passed a Trade Union Label Act, which was aimed at protecting the Australian worker, who fights for his own rights, from the curse of buying sweated goods made under conditions at which he would blush. We have on record many attempts at dealing with adulteration. Adulteration cannot be taken in hand with anything like efficiency except in this wholesale way While ever private trading exists, adulteration has a chance to thrive. We have gone a little further in the inspection of dairies and in watching the meat supply. All these things have helped, and are working up to the ultimate aim of those who want a complete reform in distribution, but there, also, I maintain, there has been a failure. With full national control of the productions from dairies, and of the butchering trade, we should get a purer food supply. We have had Pure Food Acts passed. Many of them have gone a fair distance, but they, too, have failed, for the simple reason that, while ever there is a profit in tricking the public, by distributing adulterated goods, some person will find it worth his while to sell them.

We have also had some anti-trust legislation. America might be quoted as a country where it has been attempted on a very large scale, and it may also be said that there it has absolutely failed to cope with the evils of the trusts. In France, Austria, Italy, Spain, and Roumania, the distribution of tobacco has been made a Government monopoly. Unbiased accounts state that whenever you wish to purchase tobacco in those countries you know you will get exactly what you ask for, and the same grade is at the same price in every district of the State. There is no chance of adulteration, or of the article being made too dear. What has been done in regard to tobacco might easily be done with regard to all necessaries of life.

Here I should like to quote from *The Greatest Trust in the World*, at page 185, figures showing how the Beef Trust in America, by taking hold of distribution and production, were able with one hand to reduce the price paid for cattle by several hundreds of millions of dollars, and at the same time to raise the retail price of meat to the consuming public. The following figures show, in regard to Chicago, how the prices were gradually raised:—

Article.	Oct. 21, 1900.	Oct. 21, 1902.	May 6, 1905.
	cents.	cents.	cents
Sirloin steak, per lb.	10	12	20
Chuck steak ...	8	10	12½
Veal cutlets ...	12½	15	20
Leg of mutton ...	10	12½	14
Bacon (canned and rindless) ...	16	20	25
Bacon (other grades)	10	14	18
Roasting chickens	11	15	25
Broilers, per pair	70	90	$1.50
Ducks	11	12½	20

These figures show how gradually the Trust does its work. It does not rush things, but takes them nicely and easily. As the people get used to one increase another is

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put on. The above prices may be compared with Australian prices by reckoning that a cent is equal to about a half-penny. I wish to warn the people of Australia that if they do not take hold of their distribution themselves, the trusts will take hold of it for them. If we go on regardless of the high cost of living, and of the robbery of the people of their just earnings by increased prices and high rents, we shall land the people of Australia into the very conditions that have taken hold in America. My main object in bringing forward a motion of this kind is to avoid that result. Those who say that I am looking too far ahead forget the results of trustification in America, and are too self-satisfied that legislation is sufficient to cope with trusts after they are formed. The only remedy the people of America have is to take over the trusts and nationalize them after they are formed. I admit that the trusts have shown the way to organize; but the difference between a trust and a Government controlling distribution is that in the latter case the prices would not increase, but could be decreased to what was reasonable. There are many articles the price of which even our nationalized system would have to regulate according to the markets of the world, but thousands of other articles could be regulated on a fair basis, so as to give the producer a reasonable return.

I have no objection whatever to production being carried on as it is to-day. So long as adulteration is eliminated from it, so long as the articles produced are not sold under false pretences, and the sweating conditions of labour are eliminated, and sanitation is properly attended to, especially in factories, and fair values are given for the products, and monopoly is wiped out, so long, also, as the producer is assisted by reasonable credit, and given free access to the land, I have no desire to see established the nationalization of production. With distribution, however, it is totally another matter, and the demand for its nationalization is imperative.

One industry which has suffered severely through private handling of the products is that of mining. I have had a good deal of direct experience for several years in connexion with the mining industry, especially gold, tin, copper, bismuth, and wolfram. While we are always satisfied that so much an ounce will be given for gold, the unfortunate miner who produces tin and certain other metals is at the mercy of a set of middlemen who do not hesitate to swindle him out of a fair price. I have never yet seen a fairly good price given for tin. There has always been a tremendous margin, and the miner has suffered under great disabilities. The following is contained in a letter sent to me under date 2nd October, 1911:—

> Now, nearly all this year tin has been from £186 to £195 per ton, that is, at the three months' price, of course; the spot price was mostly over £200 up to £231 for a few weeks, and it is only this last four weeks there has been a slump, which seems to be steady now. Well, you know that most of the tin sold here is 72 to 73½ per cent., and that is never what they call top tin. Now, the highest price got here this year was one parcel of over a ton at £119 10s. per ton, and then it was because Smith and Collins were in opposition; the highest I have got has been £115. Then, again, there is wolfram and bismuth and scheelite. How is it we can never see the market (European) quoted in the *D.T.*?—because there is a ring.

That exemplifies what has been going on for years and years. Millions of pounds' worth of tin, bismuth, wolfram, and other minerals have been raised in New South Wales, and the middleman is fattening on them the whole time. The Government have never extended the hand of assistance to the miners; and I challenge the Federal Government to see that these workers are not exposed to this sort of manipulation in the Northern Territory. I challenge the Government, in the administration of the Territory, and in assisting the miners and prospectors, to establish a system of storekeeping under Government control. The Government ought to establish depôts, and so govern that part of Australia that every man shall get the fullest possible price in the best market of the world for the minerals he produces. I do not desire the Government to go in for wholesale buying, but rather to act as agents, advancing supplies to the workers, and seeing that the product is placed on the market to the best possible advantage. It would be risky for the Government to buy materials outright, seeing that this product fluctuates so much in the market; but I see nothing to stop the State from advancing supplies from the Government stores, and rendering assistance financially from a National Bank, if necessary. I do not suggest that the Government should advance more than half the value. When I was interested in mining operations, if I could have lodged, say, a ton of tin with a local store, with the knowledge that I could have advanced on it 50 per cent. of its likely value, I could have carried on until that tin was sold in the best market. I am sorry that the Minister of External Affairs, who is

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the Czar of the Northern Territory, is not present. That gentleman has been truly a sort of Czar up to the present; but the time is coming, I suppose, when some arrangement will have to be made for a kind of Constitution.

The sort of assistance I have suggested for the miners may also be extended to those who go on the land. The Northern Territory, up to the present, with £3,000,000 spent upon it, has been practically a failure, and the explanation lies in the fact that the pioneers and explorers have little or no assistance. The Territory is too far away from the base of supplies, and the difficulty is increased of getting a decent price for products. I trust, however, that our Government will take hold of the proposition as a business one. If they do not, they will not be able to make anything like a decent success of the Territory. Until we have railways and the other facilities of civilization, there is no chance for the pioneer, the explorer, and the developer. The position is all very well for gentlemen like Mr. Kidman, Mr. White, or Mr. Christian, who can take up 1,000,000 acres and drive their cattle overland to South Australia or Queensland; but the difficulties presented are too much for the pioneer miners and settlers without Government assistance.

This robbery of the producer by the distributor of metals has been a scandal in New South Wales. Miners may be told locally on the field that they will get £90 for their tin, and they see quotations in the newspapers that the price is nearly £200 in the Old Land. That, of course, is for pure tin, and some allowance must be made; but, with tin touching, say, £160, the miner ought to get at least £125. But what about the balance of £35 of which they are defrauded? It would not be so bad if correct information were supplied about the market; but the middlemen in the tin trade send fictitious wires to the effect that, for various reasons, tin has fallen. When they know that a lot of tin has accumulated, they spread abroad a rumour of falling prices; but, when the miners rush in with their tin, and it again becomes scarce on the fields, up goes the price. As to the general effect of the nationalization of distribution, I may point out that our international trade with other countries would reach a splendid balance. Trading as the Commonwealth of Australia in the markets of the world, we would gain a standing which the traders of other nations could not attain unless they took a similar step. At present trade is left to individuals, whose integrity in many cases is much doubted; but there could be no doubt as to the integrity of the whole nation. We would find that our international relations, as we built up Australia, would become very solid and sound throughout the world. There would be harmony between the producers of Australia and the producers of every civilized country. There would be pure reciprocity. If Germany took £20,000,000 worth of products from Australia, we might be able to take £20,000,000 worth from Germany on the best possible basis. There could be no danger of trickery or scheming when the Commonwealth bought as one body. Now just one word on the general conclusions I have laid down.

If honorable members look at the motion, they will find that, towards the finish, I express a desire to see the nationalization of distribution, in order to establish an honest currency, based on goods and services. We have never yet had an honest £1 note. There is a supposition that the £1 notes issued by a Government or by the private banks will be met by sovereigns; but those who have gone into the question deeply have come to the conclusion that if suddenly, throughout the civilized nations, the people were all to demand sovereigns for the notes, about 1s. in the £1 would be paid. The gold system is something like a pyramid standing on its apex instead of on its base. We in Australia have issued a Commonwealth note which is not absolutely an honest one. It is far more honest than the private note, but it is not totally honest, because, if there were a sudden rush, we could not pay a sovereign for each note, and we might have to provide by legislation for deferred payments. But if the £1 note were based on goods and services—if the Government had full control of the distribution, and every note they issued were to the man who performed a service or presented goods to the Government for sale—it could be met at any time in goods or in services. At present a man is guaranteed his £1 in gold, though we know that he cannot get it; but if it were exchangeable for goods and services, he could take it in tea, sugar, boots, machinery or any other commodity. I hope we shall soon reach the time when the Government will absolutely control distribution, in order that we may issue an honest note based on goods and services. Of course, this is a subject which

touches currency; but I desire to draw the attention of students of currency to the fact. The idea is not a new one, by any means. It has been advocated by many people, and it has been practised, but never by a State or nation. It has been practised in a small way, in exchanges and marts, where tradesmen have agreed to accept a note based on goods and services. That, however, is only playing with a great principle. The moment the nation takes over the distribution, that moment we may have an honest £1-note superseding the absurd idea of the gold basis. I do not suggest that we should abolish the sovereign, which could still be utilised for international commerce. In the motion I set forth that the nationalization of distribution would effectively and economically organize the distribution of products in Australian markets, and Australian products in foreign markets; and I need not add to the argument I have already adduced under that head. I further say that the reform would abolish the waste of the unnecessary middleman. It is self-evident that if we have one store where now there are several hundreds in a big city, the unnecessary middleman will have to go.

Then I urge that we should secure fair and reasonable prices to Australian producers, because the produce would go directly from the farm, factory, or workshop to the consumer. We should extend the consumption of Australian products in Australian and in foreign markets. To-day we have an excellent production in Australia, yet we find there is very little patriotism in the importer. He would sooner sell an imported article, even if made in a prison, than an Australian article, if he can make more profit. I do not accuse him heavily on that score, because he has a struggle to maintain his business, and we cannot expect him to be too much of a patriot. With a Government store, however, Australian productions would get the preference every time; and, if these were as good as the foreign, the latter would be wiped out. The quality of Australian products would also be improved, because, when the producer is encouraged by good prices to give of his best, he does so. It is astonishing, however, how producers, especially on the land, struggle year after year to give the best despite the disability of bad prices. Then I maintain that the nationalization of distribution would abolish trusts, combines, and monopolies in Australia, and their influence on Australian commerce. The Government would be in such a position that they need not purchase articles manipulated or produced by a trust, if they could be obtained at decent prices elsewhere. What I fear to-day is, not the establishment of a trust in Australia, but its operations in Australia, although it may be established in Germany or America.

We should, if my motion were carried into effect, decentralize Australia through commercial channels, with a view to its more effective occupation and defence. That point I have already dealt with; and I maintain that the solution I present is the only one which will settle this country and hold it. The national commercial channels presented in our railways, ports, and roads ought to be utilized so as to give the people every possible chance of getting their products to market on the best possible terms. I come now to a proposal which may look a little far fetched, but I am pleased to know that it has received countenance by the action of a member of the House of Commons in moving in the same direction. I propose the organization of food and other supplies in preparation for times of war. Honorable members know what scandals have been caused by the commissariat department of Great Britain in war time. They know what tricks have been played by contractors, and how Governments have been embarrassed for the want of supplies. If Australia were thrown into a war now, she would suffer serious disabilities for want of the organization of food supplies, but with the nationalization of distribution everything would be ready to hand. One might make a long speech on this subject alone, its importance is so great. The danger of Great Britain from the cutting off of supplies is more serious than ours, because we are, or soon will be, self contained. The people of Great Britain, however, would starve in a week if cut off from the rest of the world. If my proposal were adopted, the public would not be defrauded; rich contractors would not become richer by ill-gotten gains, soldiers would not be fed on rubbish, and adulteration would receive its death blow. The Japanese gave us many lessons in the art of warfare which we might well take to heart. They sent men ahead to examine water supplies, to prevent sickness, and we have as good cause for preventing illness by the use of bad food.

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I propose, too, that supplies should be stored to provide against droughts. There have been times when we have suffered very heavily from droughts, and prices have then become very high. When supplies are plentiful they are recklessly exported; but with the control of distribution in the hands of the Government, countless millions of bushels of wheat and other foodstuffs could be put aside in times of abundance, and kept in great storehouses against times of scarcity, following the example of Joseph in Egypt.

We have undertaken a big contract in the development of Central and Northern Australia, and must adopt methods less slipshod than those of the past. We cannot afford to leave any longer to private enterprise the distribution of supplies, making no provision against drought and scarcity. I hope that I have not unnecessarily wearied honorable members. I read in the newspapers that the blood of some of them turned to water. That will really happen if they do not do something effective to provide against the increase in the cost of living. I warn the great labour movement of Australia that new Protection is not possible until the consumer is protected, and distribution controlled by the Government. Anti-trust legislation and the nationalization of monopolies, or other tinkering legislation, will not do what is needed. Under the present system of distribution the producers are robbed. I hope that the proposals covered by the questions put at the last referenda will ultimately be adopted. That will do a great deal for the solving of our difficulties; but I challenge the Labour party and the producers to take up this question of the nationalization of distribution. I recommend the Labour party to make the nationalization of distribution a plank of its platform. Then we can deal with it in this Chamber. In doing so, we shall be facing one of the greatest problems that we have had to meet since Federation.

Dr. MALONEY (Melbourne) [5.18].—I compliment my honorable friend upon his clear and thorough statement of the case. Though no party could do everything that he asks, his speech shows great research. I can verify what he says regarding the tobacco monopoly. Three years ago, wishing to study the kanaka question, I visited the South Sea Islands, and at Vila, to my great satisfaction, found a French store where I could buy the brand of tobacco which I was accustomed to use in France between 1880 and 1886, and, so far as I could recollect, at the same price. The French Government monopoly gives the people of France a wholesome tobacco, which, although it may not be pleasant to the palate of those who have not learned to appreciate it, is unadulterated, and obtainable wherever the French flag flies, at the one price. The profits of the monopoly are larger than the annual production of gold in Australia, being in one year £17,500,000, and in another £18,250,000. The existence of the monopoly does away with the terrible competition to which we are accustomed, and enables the French Government to assist the widows of soldiers by placing them in charge of small country stores, and allowing them to sell tobacco, instead of paying them pensions. To show that a taste for French tobacco is easily acquired, I would point out that there are in London no fewer than ten shops which sell French tobacco. The first shop to do so was established fifteen years ago, the trade being established by the demand of artists and others who had acquired a taste for the tobacco while studying in France. To those unacquainted with the book, I recommend a study of Albert Shaw's *Municipal Government in Europe*. It shows the advantages of having a Government analytical department to control the sale of pure foods. Until 1880, wine and bread were both adulterated in France, but it is dangerous to adulterate them now. A friend of mine once told me that, seeing a group in a side street, he asked an interpreter what was the matter, and found that the assemblage was gazing at a baker's shop, in the window of which was a notice stating that the baker had been fined for adulteration, the date and amount of the fine being given. That notice had to remain in the window for three months. Imprisonment is the penalty for a second offence. I do not think that any shopkeeper would run the risk of adulterating food on a second occasion. The German municipalities are also taking stringent action to prevent adulteration. But within the confines of this great continent, which is washed at all points by the waves of the ocean, manufacturers who are base and wicked enough may make and sell foodstuffs whose use jeopardizes the lives of tender infants. All honorable members must be of opinion that the food of the nation should be pure and unadulterated, and that adulteration should be punished by imprisonment. I remember the glorious words of Mr. Gladstone, when regretting that the English law permitted the sale of

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coffee adulterated to the extent of 60 per cent. It was in the speech that he made on that occasion that he declared that Great Britain was the home of adulterated foods. Much can be done to prevent the adulteration of our food supplies, and I hope that the Minister of Trade and Customs will do his best in the matter.

The Produce Department established by the Government of South Australia is doing excellent work. It is so conducted that, through its agency, a farmer in that State can dispose of his sheep, can sell the skins and the flesh, and even have the offal converted into manures, and be sure that he will have returned to him every penny received on account of his sales. I know of no greater effort under the British flag to do justice to those who go on the land, and who, undoubtedly, lead the hardest of lives. I can speak from experience in this regard, since I took up land in Victoria thirty-nine years ago, and carried out the three years' residence condition. I laugh sometimes when I think of my experiences in those days. As the result of swinging the axe on my selection, I have a big chest measurement, but it was an infamy for the Lands Department of Victoria to send a poor little bank clerk into that heavily-timbered country.

Mr. KING O'MALLEY.—Had the honorable member to clear the land?

Dr. MALONEY.—For three years we were working away at big logs. There was on the average twenty trees of an average diameter of 7 feet to every acre, so that the honorable member may imagine what were the difficulties experienced in clearing the land. If I had had a few acres into which I could have put the plough, perhaps I should have remained on the land, and have never sat in this Parliament.

I am sure there is not an honorable member who would not support a movement to prevent the adulteration of foods. Sir Jonathan Hutchinson, who was one of the greatest figures in the medical and surgical world of the latter part of the last century, strongly advocated the nationalization of bread, and I could wish that the British Government would adopt that proposal. I should be glad if the English had the organizing capacity of the Germans. If the controlling power of London were for twenty years in the hands of such men as now control Berlin, the result would be beneficial to the British race. With fair conditions of living the Britisher can always hold his own. But the homes of the workers in London are far different from those of the workers of Germany. A Democratic Socialist showed me over Berlin, and when I asked where the workers lived he pointed to some splendid terraces, six and seven stories high, situated in a wide and well-kept street. I was astounded with what I saw. I found that a mechanic could, for £2 a month, rent a flat of three rooms in one of these buildings, with light, water, and often heating, free. I know of no terrace in South Yarra or Toorak to equal those pointed out to me in Berlin as the homes of working men. I certainly never saw their equal in London. I can compare them only to the building known as "The Mansions" erected in Collins-street by the late David Syme. These terraces extend for hundreds and hundreds of yards, and the roadway in front of them is much better than is that part of Collins-street on which "The Mansions" abut. First comes the footpath, next the roadway, and then a tramline, running over mown grass plots, which have the appearance of a gentleman's lawn. Then there is a track in the middle of the road specially prepared for horses. Next comes another tram track, a roadway, and a footpath. The street in which I saw these terraces was half as wide again as is Collins-street, and I must certainly pay my meed of praise to the organizing capacity of the Germans. I saw no slums in Berlin, and I hope that we in Australia will keep our future cities free of slums, just as we hope to wipe out all poverty in our midst. On the occasion of my recent visit to London I contrasted what I saw with that which I saw there twenty-five years before, and I felt that the stigma of infamy rested on those responsible for the failure to provide proper living conditions for the workers. The poor of London have not the opportunities to insure good health, and they are not even considered fit to have a vote. In no other country have I seen the infamy, degradation, and poverty that exists there. If the living conditions of the English poor were improved I believe that England would become greater and more glorious than she is. We, of the Southern Seas, hope she will always maintain her prestige among the nations of the earth; but I, the son of an English woman, anxious that the greatness of the British race shall never die, am yet forced to confess that unless a Tariff that will protect the manufacturers, and open up the lands of England, is brought into force England will sink to

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terrible depths. The honorable member for Denison, who was one of the delegation to England, visited what was once known as Petticoat-lane, and also took a photograph of a right-of-way only some 6-ft. wide, on which two-story houses abutted. How, in Heaven's name, can people, living in such a place, be strong and healthy? The 600 members of the House of Commons, however, continue to talk and to waste time instead of allowing England, Scotland, Ireland, and Wales to have their own local Parliaments, which would quickly enable the people to get rid of many of these undesirable conditions.

In the fighting of trusts and combines the Empire of Japan furnishes us with an example. Indeed, I am inclined to think that Japan will be the first co-operative Commonwealth the world has ever seen. A fool is born in every line of Kings, and the present King of Bavaria is said to run about picking up in his mouth sticks with which to build a nest, imagining that he is a stork. I admire the Japanese for their love of their country, and their great fighting power, and one cannot but admire the way in which they fought the great American Tobacco Combine. The Japanese Government endeavoured at first to arrive at an honorable compromise, but the Combine, secure in its millions, only laughed at them. The Japanese Government made a second offer, and that, too, having been rejected, they set to work to establish a State tobacco monopoly. In the first place, when they set up a 50 per cent. Tariff, the Combine simply laughed at them. The Tariff was again raised, until, about 1904, it stood at 100 per cent. Then, under an article in the Japanese Constitution, it was ruled that everything required for a Government monopoly could come in free of duty, and when, in addition, the Tariff was raised to 150 per cent., the Combine began to display some anxiety. In the following year, it was raised to 250 per cent., so that it cost the Combine £35, plus landing charges and freightage, to bring into Japan cigars worth £10 per thousand, whereas the Government monopoly could secure them at a cost of only £10 per thousand, plus landing charges and freightage. The Combine then approached the Government, and expressed its willingness to accept their offer. The Japanese Government, however, refused to re-open the negotiations, and, in the end, obtained the machinery of the Combine at what was, perhaps, only a nominal sum. The American Tobacco Combine thought that they had finished with that little part of the earth, but Japan to-day is fighting them over a far greater area. If we do not obtain power to crush the trusts, then, sooner or later, they will come in and injure us I have much pleasure in seconding the motion, and am sure that those who read the speech delivered by the honorable member for New England, in submitting it, will find in it information of much value and interest.

Debate (on motion by Mr. FRAZER) adjourned.

ARMED FOREIGN MERCHANT SHIPS.

Debate resumed from 5th October (*vide* page 1150), on motion by Mr. KELLY—

1. That this House is of opinion that action should be taken to discourage trading in Australian waters by such foreign merchant ships as are capable of immediate conversion into commerce destroyers upon the outbreak of war.

2. That the above resolution be sent to the Senate for its concurrence.

Mr. HIGGS (Capricornia) [5.39].—Some honorable members have made a fetish of the question of the defence of Australia, and, having apparently worked themselves into an extraordinary state of alarm and panic, are casting about for various ways and means of emphasizing their views. The honorable member for Wentworth is now joining with other foolish people in making an attack upon a nation which, I believe, although there is a war party amongst its people, is in the main desirous of preserving peace. This motion is directed against the Germans.

Mr. WEST.—And the French.

Mr. HIGGS.—I do not think so. The French vessels which trade in Australian waters are not, so far as I know, ready to be turned into war-ships, but the German vessels are. If there is any truth in the maxim that the best way to preserve peace is to prepare for war, surely it must apply equally to every nation. I think I am entitled to a fuller House to listen to my observations. [*Quorum formed.*] When an honorable member submits a question of this kind to the House for public discussion, he ought to be here to listen to the arguments on the other side. I regret that the honorable member for Wentworth is not present. The main body of the German people do not want war. There is in Germany, just as there is in Great Britain, and possibly in France, a war party; but the most aggressive war parties in the world at present are those in Great Britain and Germany. The

German people, in the main, are not desirous of having war, and we should not carry any resolution which is a reflection upon the German people, and which may have a disastrous effect upon Australian trade.

Mr. GREENE.—Why is this motion particularly a reflection on Germany?

Mr. HIGGS.—Because the German vessels are the only vessels trading in Australian waters that are ready to be converted into men-of-war.

Mr. GREENE.—How does the honorable member know that?

Mr. HIGGS.—If the honorable member can contradict me, I shall be glad to hear the names of any other vessels to which the same thing applies. I have here a picture in the *Graphic*, entitled, "Shall There Be War? A Hundred Thousand Germans Answer 'No.'" The letterpress below it is as follows:—

> On Sunday morning, at the height of the Morocco crisis, while France was assembling a vast fleet of war-ships to make an imposing display at Toulon, and Germany was doing the same at Kiel, a hundred thousand Socialists gathered very quietly in Treptow Park, Berlin, to protest against the war agitation. In calling upon the people to turn out in their thousands to attend the demonstrations the *Vorwärts*, the chief organ of the Social Democratic party in Germany, printed in large type on its front page, "People of Berlin, proclaim your unshakable determination for peace! Morocco is not worth the bones of a single German workman! Down with the war fever! Long live solidarity with our English and French brothers!"

That is the spirit which actuates the majority of the people of the civilized nations; but it is men like the honorable member for Wentworth that are the disturbing element, and succeed in persuading the Legislatures of the nations to go in for huge war expenditure. It is misguided men like the honorable member—although, no doubt, the honorable member believes thoroughly that Great Britain and Australia are in danger—that are the instruments of the army and navy contractors of the world, who have simply got the civilized nations deluded into the idea that they should be afraid of one another. The army and navy contractors mainly in Great Britain are availing themselves of the panic which has been created by people like the honorable member for Wentworth to bleed the people of the world of millions of money in order that they may pay from 10 to 25 per cent. dividends. The curious fact is that all the large establishments in Great Britain will make guns and munitions of war for any nation, for Spain, for Japan, for Italy, for anywhere. Those guns may at any time be turned upon Great Britain, but what do their makers care? While they are talking about patriotism, and the necessity for keeping up an army and navy to defend Great Britain, they are manufacturing arms and munitions of war to enable other nations to attack Great Britain. The people of the world who want to live in peace with everybody else are being deluded by them. We have been led astray by motions such as the honorable member for Wentworth proposes. The honorable member belongs to the Free Trade party, and yet he proposes that we shall attack the Germans because the Germans have adopted a very sensible provision, which, if we had any sense, we would adopt tomorrow, by subsidizing our Inter-State vessels so that, if a war did occur, they could be turned into war-ships.

Mr. RYRIE.—I do not think there was anything in the honorable member's proposal about attacking the Germans.

Mr. HIGGS.—Can anybody tell me what other nation is aimed at by the motion? A book entitled *Our German Cousins*, and published by the *Daily Mail*, in the Old Country, contains the following paragraph concerning German merchant vessels:—

> Arrangements have been made in the event of war to arm all the faster German steamers. In time of peace they carry a few 6-pounders on board, and sufficient trained men to work the guns. On the declaration of war they would hoist the flag and attack the commerce of the enemy; and it would probably be a matter of extreme difficulty to run them all to earth and destroy them.

Mr. RYRIE.—Does not the honorable member think it a good thing to guard against them?

Mr. HIGGS.—No. If there is anything in the suggestion that we ought to arm to preserve peace, the Germans are perfectly right in so constructing their vessels that they can be turned into war-ships at a moment's notice. The lesson to be learned is that we ought to follow their example, and not try to penalize them because they have sufficient intelligence to equip their vessels in a better fashion than ours. Does the honorable member know what it would mean if we taxed the German vessels that come to our harbors? Has he looked up the figures of our trade with Germany? Our imports from Germany in 1909 amounted in value to £4,538,612. As a Protectionist, I do not look at that item, which I take from the *Commonwealth Year-Book*, with any great satisfaction. A

great deal of those imports could be manufactured in Australia, but there is the fact. We exported to Germany in 1909 £6,394,634 worth of goods, so that our total trade in the year was £10,933,246. The value of wool exported from Australia to Germany from 1905 to 1909 was as follows—

	£
1905	3,143,614
1906	2,962,586
1907	4,117,394
1908	3,632,707
1909	5,006,623
Total	18,862,925

Undoubtedly the war party in Germany is one of the disturbers of the peace of the world; but we have no right to make an enemy of the German people because of the actions of the German war party. To carry out the honorable member's idea, we should have to tax German shipping coming here. If we did so, do honorable members opposite think that the pastoralists of Australia would be able to sell to the German people £4,000,000 or £5,000,000 worth of wool per annum? The motion is so ridiculous that I do not feel disposed to discuss it further.

Mr. FENTON.—What about such a motion causing international complications?

Mr. HIGGS.—It is the recognised right of every nation to do its best to arm itself, and rather than penalize the German nation we ought to be proud that any people have sufficient brains to have their ships so constructed. If we do anything to annoy the German people, it is quite possible that we may bring about that international war which I and other honorable members would so much deplore. I shall not debate the question further, but simply say that I oppose the motion very strongly

Mr. DEAKIN (Ballarat) [5.55].—This is a motion to be acted on rather than discussed. The less discussion there is on so grave a proposition the better. If the Prime Minister could say a word or two of a general character, the motion could be disposed of at once. The motion declares that action should be taken to discourage the trading in Australian waters of certain vessels; and that is a serious request. If the Prime Minister could say that the Government will bear in mind what has been said, that they will consider what is the best course to pursue, and pursue it, some such assurance would be a fitting close to a discussion which, otherwise, cannot really attain its object.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [5.56].—It may have appeared to honorable members that I was talking with honorable members opposite just now on this matter; but, as a fact, it was not mentioned at all. I agree with what the Leader of the Opposition has said regarding the motion. Indeed, I told the honorable member who submitted it that I thought it was a most undesirable one to discuss, especially at the time when he placed it on the notice-paper. The Government are fully alive to all the difficulties that lie in the path of Australia in the matter of foreign shipping, especially that class of shipping engaged in the world's commerce, and, at the same time, carrying all the necessary equipment of war-ships. We are fully alive to the dangers that may arise from any want of vigilance. I can tell the House, as the Leader of the Opposition already knows, that every reasonable step has been taken to discover the strength of the statements made regarding vessels that may be armed secretly. The policy of the Government is to assist, in every way, British shipping; though it is not the intention to wilfully penalize any other Government, or any country in the world, which wishes to carry on legitimate trade in these waters. But we do say, most emphatically—shall I say determinedly?—that those who control trading ships of other nations in these waters must not presume too much on our good nature, and equip their vessels in such a way that they may not only be ships of commerce, but instruments of war. That is the position of the Government; and I think I have said enough, if not too much, to indicate to honorable members that I do not think it wise to open a discussion on the question at this time. I should be glad, indeed, if the motion could be withdrawn.

Dr. MALONEY (Melbourne) [6.0].—I am glad to hear the statement made by the Leader of the House. For myself, I say that this motion is pointed towards Germany; and we should not cover the intention with a glamour of words, such as was used when we established the education test in regard to undesirable immigrants. An intelligent nation like the Japanese was not to be deceived by any such device; and it was laughed at throughout the length and breadth, of not only Japan, but India and China. The educated people of these countries are not fools; and I strongly urge that we should not resort to a similar device on the present occasion. Let us have

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no nonsense. Are we going to refuse our harbors to men-of-war which are ten times more deadly than any armed merchantmen could ever be? If so, let us state it in plain words, and not cover up our intentions like a pill with sugar coating. I honour the Germans for one thing. Mr. Ritchie, the President of the Board of Trade in England, threatened to prosecute the Peninsular and Oriental Steam Navigation Company for their treatment of their lascar sailors; and the meed of praise paid to Germany was indorsed by an admiral in the British Parliament, who said that British ship-owners ought to follow the example of that country and employ only white labour. I understand, from what Mr. Ritchie said, that every Peninsular and Oriental Steam Navigation Company's ship which left England was penalized in having its tonnage restricted in consequence of the miserable accommodation provided for the lascars. That company allowed only 36 cubic feet per man, which is according to the Indian navigation laws, and not according to the law of England. If we carry this motion, will the Government of the United States of America think it necessary to follow our example? I resent strongly any attempt to keep out the vessels of a nation which is friendly at present, and which we hope will remain friendly. We in Australia are threatened by the greatest peril that any nation in the world has. Even the peril of hunger that threatens Great Britain, owing to its confounded fiscal and land policies, is nothing to the danger threatening us. We ought to do all in our power to promote friendly relations between European nations, for we do not know the moment when we may need their help. I regard the danger that threatens us as so fearful that I do not think the mighty power of England could defend us, or even that power combined with the power of the United States. However, with the protection of the combined European nations, Australia may be saved in a moment of danger. Homer Lee, one of the most celebrated generals of the United States in that work of his, which has become a classic, and which a high authority in England has said ought to be in the hands of every officer, tells us that Japan could seize the whole of the Western coast of America and hold it. I do not think that either Australia or America has more loyal sons and daughters than those who have come from Germany. I have known them for many years, and have learned from them many of the democratic opinions which I hold. There are none who more glory in the democratic freedom of this country than our German immigrants, and the same may be said of America. I believe that, if war broke out between the United States and Germany to-morrow, the younger Germans of America would fight under the Stars and Stripes, because they enjoy a freedom which no European nation bestows. There is no more glorious picture in the world than that I hold in my hand, showing a gathering of 100,000 democratic Socialists of Germany, representative of 3,000,000 solid votes. These men do not desire war, because it is always the workers and the women who suffer more than the soldiers. I shall vote against any such infamous motion as that before us, feeling that it may cause strife between nations; and I think, with the Prime Minister, that it ought to be withdrawn. We in Australia have most to fear from war, and, being most defenceless, ought to be careful; and this motion, on any platform outside, would be stamped as insulting. The Norddeutscher-Lloyd Shipping Company, to its honour, has never employed any coloured man in a ship trading to Australia. The Orient Steam-ship Company tried to fight the Peninsular and Oriental Steam Navigation Company, and had to "knuckle down"; but, thanks to the Australian Commonwealth, the Orient Steam-ship Company can now sail these seas, and it does not insult the British nation by saying that British men are not fit to be sailors, because, it is said, they are drunkards and scamps. The Peninsular and Oriental Steam Navigation Company draws about £1,000 a day from the British Government, and Mr. Ritchie was not prevented from expressing his opinion by the fact that a member of the Salisbury Government was a director of the company. The discussion in the House of Commons to which I refer may be read in the *Times* more conveniently than in *Hansard;* and I shall be pleased to give any honorable member the date. I wish that the honorable member who submitted this motion were present to hear the arguments against it. Apparently he has not sufficient regard for his proposal to listen to those who have given much time to the consideration of the subject. I resent strongly the tenor of the motion, and I hope that, if the honorable member has the temerity to press it to a division,

it will get such a bump that he will not again insult the intelligence of the House with a similar proposal.

Debate (on motion by Mr. JOSEPH COOK) adjourned.

BANKING COMPANIES RESERVE LIABILITIES BILL.

In Committee (Consideration resumed from 5th October, vide page 1157):

Clause 3—

"Net profits" means the profit made after full and due provision for current expenditure has been made, and does not include the proceeds from the realization of assets or the conversion of reserves or any portion of reserves.

Upon which Mr. GREENE had moved—

That all the words after the word "profits," line 1, be left out, with a view to insert in lieu thereof "shall not include—

(*a*) any sums arising from the realization of assets which are properly applicable to the replacement of capital;

(*b*) any sum arising from the conversion of any portion of other reserves; or

(*c*) any sums which under the circumstances ought to be set aside to meet liabilities direct or contingent."

Mr. GREENE (Richmond) [6.15].—I was not altogether satisfied with the amendment which was placed in my hands to be moved, and during the course of the debate the honorable member for Flinders suggested another, which covers the ground better, and secures all that was intended to be, but is not really, secured by the clause as framed. The Senate inserted the clause to guard against the danger of the disposal of the assets of banking companies in such a way that they might ultimately, by the means provided in this Bill, be used to cover the reserve liability. I ask that the amendment be withdrawn to permit of the insertion, after the word "means," of the words "profits which may lawfully be distributed as dividends." I did not think that it would be necessary at this stage to enter upon an explanation of the principles of the Bill, being under the impression that honorable members had accepted them in voting for the motion for the second reading. But, as a great deal of discussion has taken place on the clause, I wish to reply to some of the objections which have been raised. I understand that the Prime Minister is prepared to accept the Bill with one or two alterations, which, though slight, are important. He, no doubt, will indicate them later. It is not the desire of the senator who introduced the Bill in another place to relieve shareholders of just obligations, or to weaken the position of the creditors and depositors in banks. On the contrary, he wishes to improve the position of creditors and depositors by enabling shareholders to provide reserve funds for meeting their liabilities in the event of institutions coming to grief. Our banking companies are remarkably sound to-day, so that there is not much likelihood of any of them failing. But on the shares of some of them there is, in addition to the liability for uncalled capital, a reserve liability equal to the amount of the face value of the share. In the event of a bank having to go into liquidation, its creditors would demand that the shareholders should meet these liabilities, in order to pay its debts.

Mr. WEST.—But the shareholders might not have the capital with which to meet their obligations.

Mr. GREENE.—Precisely. In most cases, the shares of the banks were originally subscribed by men of substance, who could have met their liabilities had they been called on to do so. But, as time has passed, the shares have got largely into the hands of small investors. Bank shares have been regarded as a first class security, and now, in many instances, are held by persons who derive their sole income from their dividends.

Mr. FENTON.—There are not very many such persons.

Mr. GREENE.—The honorable member would be surprised, if he went through a bank share-list, to see how many women figure as shareholders. In many cases, their whole living, or a considerable part of it, is derived from the dividends. But the point I am making is that many of the shareholders are persons of no substance, or of only small means. The Bank of New South Wales shares carry a reserve liability of £20 each, notwithstanding that they are paid up to the full amount. If that bank went into liquidation, and its assets were not sufficient to meet its liabilities, its shareholders would have to find £20 for each share they held.

Mr. SCULLIN.—Sometimes they have not the money.

Mr. GREENE.—Exactly. In many cases, the creditors would find that shareholders were unable to meet this liability.

Mr. FENTON.—They would not have taken up the shares if they had known of that reserve liability. I am speaking, of course, of widows.

Mr. FINLAYSON.—In many cases they are bequests.

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Mr. GREENE.—In many cases they are. The fact remains that this reserve liability, which should, and was originally intended to be, the ultimate source of supply to the creditors of a bank in the event of its going into liquidation, is more or less mythical. When there is a possibility of a bank going into liquidation, the shareholders, realizing that this reserve liability may at any moment be called up, are very anxious to get rid of their holdings. They consequently force their shares on the market in large numbers, with the result that the panic is intensified. During the banking crisis of 1893, shares in one New South Wales bank fell, as the result of such action, from £120 to £25 or thereabouts; and in another case from £60 to £20 each. There are other instances which I could give, but as the time allotted to the consideration of private members' business has almost expired, I shall not attempt to do so.

Amendment, by leave, withdrawn.

Amendment (by Mr. GREENE) proposed—

That all the words after the word "means," line 1, be left out, with a view to insert in lieu thereof the words "profits which may lawfully be distributed as dividends."

Progress reported.

Sitting suspended from 6.29 to 7.45 p.m.

CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Debate resumed from 18th October (*vide* page 1567), on motion by Mr. HUGHES—

That this Bill be now read a second time.

Upon which Mr. DEAKIN had moved—

That all the words after the word "That" be left out, with a view to insert in lieu thereof the following words:—"no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community."

Mr. FAIRBAIRN (Fawkner) [7.45].—When I obtained leave last night to continue my speech at a later date, I was endeavouring to show that the establishment of the Commonwealth Conciliation and Arbitration Court had greatly interfered with the State Wages Boards. If men believe, rightly or wrongly, that better terms can be obtained from the Federal Court, they are more likely to appeal to that tribunal than to seek an award from a Wages Board. They go reluctantly, if at all, to the Wages Boards, and, consequently, a good deal of friction arises. I believe that if the Federal Conciliation and Arbitration Court had not been established we should have enjoyed a much larger measure of industrial peace than we have experienced during the last few years. We should have been more likely under the Wages Board system to secure industrial peace than we are under the dual system that now prevails. I fear that if this Bill be passed it will lead to a big crop of new litigation, expensive alike to both employers and employés. It is doubtful, in the first place, whether the amendments of the principal Act for which this Bill provides are constitutional, and we shall probably have litigation at the outset to determine the constitutionality of some, at least, of its provisions. This Bill will enormously increase the power of the Court, although it is only a few months since the people refused to extend the power of this Parliament under the Constitution to pass industrial legislation. I view with alarm the probability of a great deal of litigation following the passing of this measure. Under the Wages Board system, the cost of obtaining a decision is practically nominal; and I think the engine-drivers would be well-advised in giving the State tribunals a trial. Every State has its own set of machinery to deal with industrial questions, and I think it would be far better for the engine-drivers to seek satisfaction at the hands of a State tribunal than that we should introduce, in the shape of this measure, another disconcerting element into our industrial life. The Judges presiding over the State Arbitration Courts have almost unanimously condemned the compulsory arbitration system of settling disputes. In New South Wales, both Judge Heydon and Judge Cohen have condemned the Arbitration system, and it is obvious that the litigation which is sure to follow this attempt to enable one Court to settle the whole of the industrial conditions of a continent must lead to a congestion of business. Complaint is made of the time occupied by a Wages Board in making an award, but it is nothing compared to the time occupied by the Federal Court in dealing with one dispute. If the whole of the industrial disputes of Australia had to be dealt with by one Federal tribunal, I am afraid great difficulties would arise. It would be impossible for it to deal with the business in a common-sense manner.

Mr. WEST.—The President has power to appoint deputies.

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Mr. FAIRBAIRN.—The honorable member must remember that we are passing through a period of prosperity. Wages in all industries have been increased, and are still increasing—the demand for labour being greater than the supply. Under such conditions, industrial peace is more likely to prevail than in seasons of stress and adversity. With bad times, the number of cases coming before the Court must largely increase. It is true that the President has power to appoint deputies, but the class from whom those deputies could be selected is a very small one. If we really desire industrial peace, and I am sure that most honorable members opposite do, we ought to give the Wages Board system a *bonâ fide* trial. So far that has not been done. Workers all over the Commonwealth have been attracted to the Federal Conciliation and Arbitration Court, not because they like the idea of appealing to a Court—because the workers in Victoria have shown a disinclination to appeal against Wages Boards awards to the Victorian Court—but because the Federal tribunal has given decisions a good deal in sympathy with them. A good many cases have been won by the workers in the Federal Court, but careful study of all the facts will show that the expense and delay involved in making these applications largely outweigh any small advantage gained from an appeal to the Federal Conciliation and Arbitration Court rather than to a State Wages Board.

Mr. CHANTER.—Which should be the better Court of Appeal from a Wages Board decision—the State or the Federal Court?

Mr. FAIRBAIRN.—I should have no objection to appeals being allowed from Wages Boards decisions to the Federal Conciliation and Arbitration Court. Industrial disputes ought to be thoroughly sifted by Wages Boards before they go to the Court. A Judge is an expert in the weighing of evidence, but he cannot be expected to be cognisant of the details of every industry, and the thorough sifting of the details by a Wages Board in the first instance would greatly assist the President of the Court in coming to a decision upon an appeal. Matters would then be dealt with in a far easier way by the Commonwealth Arbitration Court than if they were taken straight to that body without being thoroughly looked into through the agency of a Wages Board. The difference is quite obvious. In a Wages Board you have the employer, who thoroughly knows his business, meeting the employé, who also knows his business, and there is no trying to place a favorable construction on a case before a Judge.

Mr. CHANTER.—How will the honorable member get over the difficulty that in a large part of Australia there are no Wages Boards? There will be no uniformity.

Mr. FAIRBAIRN.—There is no difficulty in getting a Wages Board in Victoria. If there was no uniformity, I do not think those cases could come before the Arbitration Court as it at present exists. The only people who can bring a case before the Court are those who have uniformity of occupation. The whole crux of the Bill is contained in the definition of "industry." The Attorney-General hopes, by widening the definition, to make it include various callings, services, employments, and handicrafts. The honorable member for Flinders clearly showed that even this widening of the definition would not greatly affect the case, and expressed the view that, even if this measure were passed, the High Court would still remain of the same opinion, and declare it to be *ultra vires*. I, therefore, do not think it ought to be passed. I am strongly of opinion that one man, even if he delegates his powers, can never deal with all the complicated machinery necessary to carry on the industries of our great Commonwealth.

Mr. RICHARD FOSTER.—One Court cannot.

Mr. FAIRBAIRN.—One Court cannot possibly do it. The Arbitration Court system was tried in New South Wales for a while, but completely broke down for that reason. The Court was clogged with work.

Mr. WEST.—Because we had an unsympathetic Government, who would not appoint sufficient Judges to do the work.

Mr. FAIRBAIRN.—Surely the honorable member cannot be right. At any rate, I have never heard of the Judge who was appointed being cavilled at in any way. I have had a great deal to do with industrial concerns, but not a great deal, except at one time, with industrial disputes, and, in my opinion, it is not possible to do the work of Australia by Arbitration Courts. The expenses are enormous, and the time required to deal with cases will be so lengthy that the system will not work. All disputes ought, first of all, to go before a Wages Board. I have not thoroughly considered where the appeal ought to lie, but if an appeal to the Arbitration Court

would please the workers, I should be inclined to advocate it. At present, in Victoria, an appeal lies from the decision of a Wages Board to a Judge appointed by the Victorian Government. In this case, the appeal would be simply to a Judge appointed by the Commonwealth Government, and, if that would satisfy the workers, I should be thoroughly in favour of it. The great advantage would be that very few cases would go beyond the Wages Boards, and, even where appeals were made, the cases would have been thoroughly sifted by the Wages Boards first. To give any such enormous increase of power to the Arbitration Court as the Government now propose is likely to be destructive of the best interests of Australian industry. I hope, therefore, that the Government will consider the question gravely before they go further with it in the light of the points which have been so ably put by the honorable member for Flinders and others. I feel that in the interests of industrial peace, which we all desire, we had far better settle our affairs in the Wages Boards than so greatly increase the powers of the Arbitration Court.

Mr. J. H. CATTS (Cook) [8.0].—The Attorney-General, in introducing the Bill, played his tune on a single string. The Bill deals with a number of minor machinery matters, but its principle goes to the very base of industrial organization.

We have in Australia, in the last few years, been endeavouring to evolve an industrial law jurisdiction. For a considerable time, as regards industrial disputes of employers and employés, we were living in a state of comparative anarchy, the quarrels being decided according to the brute strength of the parties. We have established our criminal jurisdiction, equity jurisdiction, divorce jurisdiction, and bankruptcy jurisdiction. In each of those cases, Law Courts have been created to do justice between the parties. I believe that one of the greatest problems, if not the greatest problem, before the practical statesman of the present time is the evolving of some permanent means of settling, in a peaceful and constitutional manner, those great disputes which rage between employers and employés as to production and industry, in the same way as we have built up our law jurisdiction with regard to the other conflicting interests of our citizens. In each of those cases, the law has been built up to settle disputes mainly between individuals; but the law with regard to industrial matters has to be built up to deal with aggregations of individuals. The basis for the administration of the law in industrial matters is the very antithesis of the foundation of our other legal jurisdictions. In very rare instances are industrial matters to be decided between two single individuals. We have rather an aggregation of employés on the one side, and an employer or group of employers on the other; and without some scheme of organization to enable those groups of individuals to place a concrete case before the Court, to urge something on the one hand, and to protest against it on the other, the whole machinery of industrial arbitration must break down.

We come, then, to the question of the principles upon which those two conflicting organizations should be reared. There can scarcely be a more important principle in connexion with industrial arbitration than the basis upon which the two contending parties shall be organized, in order that their plaints may be submitted to the Court. It is fundamental.

So far we have progressed comparatively but a very short way in the direction of providing constitutional means for the redress of industrial grievances in Australia. We have framed a mere skeleton of Acts, which have been pitched at the head of our Courts and Wages Boards. Our Presidents of Courts and Chairmen of Wages Boards have been left to grapple, unaided, with the mighty problems presented to them, and to evolve, as best they can, principles by which to settle these tremendous differences between employers and employés.

In no Arbitration Act that I am aware of has there been any effort to establish an organization of employers or employés upon a scientific principle. In that case, the procedure has been practically the same as with the other problem—a mere skeleton Act has been thrown at the head of the Court or Registrar, the Court and the Registrar being compelled to find principles of their own upon which to determine the matter. A kind of limitation is placed in the Federal Arbitration Act upon the lines of organization. In most of the State Acts we have something of the kind. Section 59 of the Act of 1904 as amended by the Act of 1909 says—

> The Registrar shall, unless in all the circumstances he thinks it undesirable so to do, refuse to register any association as an organization if an organization to which the members of the association might conveniently belong has already been registered.

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There is no principle of organization in that section. It says, first, that the Registrar shall refuse to register a second organization if there is one already in existence to which the members might conveniently belong; but it puts in the qualification "unless in all the circumstances he thinks it is undesirable to refuse"; which gives him such wide discretion that it is practically left to him to determine the lines upon which an organization shall be formed. It is a makeshift section entirely.

Mr. JOSEPH COOK.—I think it throws an unfair responsibility upon him.

Mr. J. H. CATTS.—The whole of our Arbitration Acts throw upon the officers of the Court, I will not say an unfair, but a tremendous responsibility, which our legislators do not seem to have the courage to tackle.

We have organizations in Australia based upon almost every conceivable principle between two extremes. We have, to begin with, what is known as the pure craft union of employés. The bricklayers are an instance. There a single craft of workmen is organized into a union. Going a step further, we find another variation. An instance is the Amalgamated Society of Engineers, including, as it does, fitters, turners, machinists, coppersmiths, patternmakers, blacksmiths, and a variety of others connected with the engineering trades. That is not a craft organization, nor is it an industrial organization. It is based upon a hybrid principle, using the word without disrespect. Then we go a step further. We will take, for instance, the Timber Yard and Saw-mill Employés Association. This organization takes in workers in timber yards, whether they be saw-sharpeners, various skilled workers, engine-drivers, or labourers employed in and about the mills. It is not an industrial organization completely; that is, it does not purport to cover the whole of the employés in an industry. We go a stage further, and come to the Australian Workers Union, which provides for the whole of the employés in the pastoral industry. That is a purely industrial organization, the boundaries of which are coterminous with the pastoral industry as a whole. Here we have four different types of organizations between two extremes. The Acts have not sought to settle any basis of organization in connexion with which the jurisdiction of the Courts might be exercised. All the conflicts which arise from overlapping between the various organizations have been, unfairly I think, relegated to the registrars and the Courts, for them, as best they may, to find out some principle on which to grant registration, and thus admit them as part of the machinery for the peaceful conduct of industrial operations.

Mr. GROOM.—That applies to both State and Commonwealth?

Mr. J. H. CATTS.—It applies everywhere; it is typical of every State and of Australia as a whole.

We have recently organized a Citizen Defence Force for Australia. The country has been cut up into various districts, and area officers have been placed in charge. What an absurdity it would be if a mere skeleton of a Defence Act had been passed, and the organization of the districts had been handed over to the officers in the various States for them to rear, perhaps, absolutely conflicting schemes according to their individual opinions. We should be in a state of chaos; and I contend that the question of industrial organization, so far as the Courts are concerned, is as important to us in the industrial sphere as the question of the organization of our forces for defence against a foreign foe is with respect to our Defence Act. In the one case, we are defending ourselves against internal dissension, strife, and violence, and, in the other case, we are protecting ourselves against external violence.

One of the great problems of modern society is the organization of our economic relations. To organize industry and production for various purposes—not only for the settlement of disputes, but for the purpose of dealing with the questions of employment and unemployment—it is absolutely necessary that we should have some scientific principle on which the organization shall proceed. Under the present Act there is a provision for organizations to approach the Court for the purpose of dealing with industries—single industries or groups of industries. The proposal now before us is to extend the principle of organization so as to include what is known as the crafts basis—parts and sections of an industry without regard to any principle of grouping or cohesion. Thus we proceed from comparative order to chaos. This raises the issue of sectional *versus* industrial organization; that is, organization on the basis of a single trade, or organization on the basis of particular industries. This is a question which has caused trouble in all European countries. It has caused

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great trouble in England, and has been the subject of a vast amount of contention amongst workmen's organizations.

It has been dealt with by some of the great writers who have given attention to the subject; and I should like to quote briefly from Webb's *Industrial Democracy*, in which there is a chapter dealing with inter-union relations. Summing up, Webb, who is one of our standard authorities, says this—

Trade union rivalry has, however, a darker side. When the officers of the two organizations have been touting for members, and feeling keenly each other's competition, opportunities for friction and ill-temper can scarcely fail to arise. Accusations will be made on both sides of disloyalty and unfairness, which will be echoed and warmly resented by the rank and file. Presently some dispute occurs between an employer and the members of one of the unions. These workmen may be dismissed by the employer, or withdrawn by order of their own district committee. The officers of the rival union soon hear of the vacancies from the firm in question. Members of their own society are walking the streets in search of work, and drawing out-of-work pay from the funds. To let these take the places left vacant—to "blackleg" the rival society—is to commit the gravest crime against the trade unionist's faith. Unfortunately, in many cases, the temptation is irresistible. The friction between the rival organizations, the personal ill-feeling of their officers, the traditions of past grievances, the temptation of pecuniary gain, both to the workmen and to the union, all co-operate to make the occasion "an exception." At this stage any pretext suffices. The unreasonableness of the other society's demand, the fact that it did not consult its rival before taking action, even the non-arrival of the letter officially announcing the strike, serves as a plausible excuse in the subsequent recriminations. Scarcely a year passes without the Trade Union Congress being made the scene of a heated accusation by one society or another, that some other union has "blacklegged" a dispute in which it was engaged and thereby deprived its members of all the results of their combination.

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An even larger section of the wage-earning world—that engaged in the great industry of transport—has so far failed, from a similar cause, to build up any really effective trade unionism. The millions of labourers, who must, in any case, find it difficult to maintain a common organization, are constantly hampered in their progress by the existence of competing societies which, starting from different industries, quickly pass into general unions, including each other's members. Indeed, with the remarkable exceptions of the coal and cotton industries, and, to a lesser extent, that of house-building, there is hardly a great trade in the country in which the workmen's organizations are not seriously crippled by this fatal dissension.

Now, experience shows that the permanent cause of this competitive rivalry and overlapping between unions is their organization upon bases inconsistent with each other.

. . . . . .

Under these circumstances the tendency to amalgamation is, as we have seen in the preceding chapter, almost irresistible, and is usually delayed only by the natural reluctance of some particular official to abdicate the position of leadership.

That is a very strong summing up of the history of those difficulties in England by one of the standard authorities on industrial matters in the Old World.

There has recently been in England a great strike; and I find a reference to it by such a noted writer as Ellis Barker, in the *Nineteenth Century*, for September, in an article entitled "The Labour Revolt and its Meaning." Mr. Ellis Barker writes, not as sympathizer with workmen's organizations, as does Mr. Webb, but rather as a critic, and, so far as my knowledge goes, as a hostile critic of the aims and inspirations of the Labour movement. He says—

Until recently the trade-unions were sectional in character. In the building industry there were seventy-two unions, in mining eighty-two unions, in the metal industries 207 unions, in the textile industries 271 unions, &c. Altogether there were 1,153 unions for fourteen industries. Many unions were small and weak, and they quarrelled among themselves. At the Rhondda Valley strike the hauling-engine men below and the winding-engine men above belonged to different organizations. They had separate agreements with the owners, and quarrelled among themselves. A few years ago the whole of the engineering and ship-building on the Tyne was laid idle by a dispute between the Fitters' Union and the Plumbers' Union as to which had the right to fit piping 2½ inches in diameter. They were agreed above and below that size, but could not agree as to where the dividing line should be. Instances of this kind could be given by the hundred. The ideal of the reformers of trade unionism, many of whom called themselves industrial unionists, as distinguished from trade unionists, was to have but one single union for every industry, a Cotton Workers' Union, a Woollen Workers' Union, &c., a strike of which would not merely hamper an industry, but bring it immediately to a standstill. "One for all and all for each" was to be the motto. They thought that, pending the amalgamation of trade unions, the solidarity of labour against capital should be practised. They preached that if the men in a sectional trade, let us say the boiler-makers, should strike, the workers in all other unions of the iron industry should strike in sympathy, in order to close the works. If, nevertheless, production should be attempted with outside labour, the miners should stop the coal supply, the railway workers should refuse to transport the strike-breakers and the needed raw materials, in order to vanquish the capitalist.

That is something later than Webb's *Industrial Democracy*.

To bring the matter home to us in Australia, I now wish to quote from an article

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in the *Brisbane Worker* in July last, headed "Union Scabbery." In that article it is stated that—

There are three kinds of scabs—the professional, the amateur, and union scab. The professional scab is usually a high-paid, high-skilled worker in the employ of strike-breaking and detective agencies. His position is that of a special officer's in the regular scab army. The amateur scab brigade is composed of riff-raff, slum dwellers, rubes, imbeciles, college students, and other undesirable citizens. Professional scabs are few and efficient. Amateur scabs are plentiful and deficient, and union scabs both numerous and capable.

. . . . . .

He will take a pattern from a scab pattern-maker, cast it in a union mould, hand the casting to as dirty a scab as ever walked in shoe leather, and then proudly produce a paid-up union card in testimony of his unionism.

The article states that there are fifty-seven varieties. It says—

You see, this is a carriage factory, and it is only the Amalgamated Association of Brimstone and Emery Polishers that are striking. The Brotherhood of Oilrag Wipers, the Fraternal Society of Whitelead Daubers, the Undivided Sons of Varnish Spreaders, the Benevolent Compilation of Woodwork Gluers, the Ironbenders' Sick and Death Benefit Union, the Oakdale Lodge of Coal Shovellers, the Martha Washington Lodge of Ash Wheelers, the Amalgamated Brotherhood of Oilers, the Stationary Firemen, the F.O.O.L., the A.S.S.E.S. Societies have nothing to do with the Amalgamated Association of Brimstone and Emery Polishers.

That was written to caricature the ridiculous lack of unity and overlapping amongst workers' organizations. To continue the quotation—

At the next regular meeting of those societies, ringing resolutions endorsing the strike of the Amalgamated Association of Brimstone and Emery Polishers will be passed. Moral support is pledged and five dollars' worth of tickets are purchased for the dance given by the Ladies' Volunteer and Auxiliary Corps for the benefit of the Amalgamated Association of Brimstone and Emery Polishers. The whole thing is like beating a man's brains out, and then handing him a headache tablet. During a very bitterly-fought moulders' strike in a northern city, the writer noticed one of the prettiest illustrations of the working of plain scabbing and union scabbing.

. . . . . .

Union scabbing is the legitimate offspring of craft organization. It is begotten by ignorance, born of imbecility, and nourished by infamy. My dear brother, I am sorry to be under contract to hang you, but I know it will please you to hear that the scaffold is built by union carpenters, the rope bears the label, and here is my card. This is union scabbery.

The Bill proposes to open the door to craft registration, so that organizations like t' at of the stationary engine-drivers and firemen may be registered. The difficulties due to want of unity are shown by what is taking place in Tasmania. The constitution of the miners' organization provides for the inclusion of all the groups of employés at Mount Lyell, but a dispute with the employers having taken place, the engine-drivers have refused to knock off work to assist the miners who have done so. The striking of the engine-drivers would mean the gaining of an important strategic point. It was stated in the press a few weeks ago that an arrangement had been come to with the engine-drivers, and commenting on this news a Sydney paper said—

It is expected that the trouble will assume a very much more serious phase if the engine-drivers cease work, as the mines will become flooded and unworkable, causing great damage to the workings and considerable delay in resuming work.

If the mine-owners were faced with the possibility of loss of this kind, they would immediately come to terms, and as both parties have resorted to what I may term the methods of violence, although they are not physically injuring each other, there should be no putting on of kid gloves. If the shareholders and managers of the Mount Lyell Company could take any course which would defeat their employés, they would take it, and the miners are legitimately entitled, a state of war having been declared, to demand the assistance of the engine-drivers. The engine-drivers have refused to give this assistance.

Mr. FENTON.—They will give it under certain conditions. The miners have not kept their compact.

Mr. J. H. CATTS.—Mr. Sidney Webb has pointed out that when trouble arises, and there are conflicting organizations in an industry, there will be disagreement. There is always some excuse invented in such circumstances. There have been very few instances in Australia in which, on an industrial dispute occurring, where sectional bodies with conflicting jurisdiction are operating side by side, one organization has not tried to get something by imposing conditions on another organization. In to-day's *Age* it is stated that, at a general meeting of the miners at Zeehan, at which 530 members of the union were present, the following resolution was carried unanimously—

That we, as a union, give members of the Federated Engine-drivers' and Firemen's Association, with the exception of drivers on the railway, forty-eight hours' notice to cease work, as we consider that they are working detrimentally to our interests, and the interests of unionism generally.

Mr. FENTON.—Surely the honorable member does not accept newspaper evidence. There has been great misrepresentation.

Mr. J. H. CATTS.—I do not accept the opinions of the newspapers, but I accept their news items.

Mr. SPEAKER.—I ask the honorable member not to go into too much detail.

Mr. J. H. CATTS.—I shall not deal with the Mount Lyell strike further, because there are some points which have not been settled. The matter is *sub judice*.

Another instance of the difficulties to which I am referring was reported in the Sydney *Worker* of Thursday, 24th August, in an article headed "Engine-drivers and Saw-millers—Who should decide wages claims."

The action of the Saw-mill Employés Union in the matter of making an agreement with employers regarding a scale of wages and conditions for engine-drivers and firemen employed in connexion with their industry was the subject of a complaint to the Labor Council of New South Wales at its meeting last week.

There was no settlement, the matter being referred to the executive for report.

Suggestions have been made for overcoming this difficulty. Broken Hill is regarded as a militant Labour stronghold, and the unions there have decided in conference that no new craft organization shall be formed. There is to be a combination of all the unions, based on industrial lines.

At the Queensland Trade Unions Congress, held on Thursday, 10th August, Mr. Anderson moved—

That the congress, fully realizing the great danger of the trade and craft unions, strongly urges upon workers in every industry to form themselves into industrial unions.

The motion was seconded by Mr. McCormack and carried.

In a short article dealing with industrial unionism, the Western Australia *Worker* says—

Both the leader and ex-leader of the British Parliamentary Labor Party have been writing to the press pointing out that the days of little strikes are over, and that henceforth strikes must be far more widespread and cruel in their results. Quite so. Sectional strife is not only wasteful, it is also futile. With industrial unionism accomplished a strike will become decidedly widespread. It will become universal. But it will not be cruel, as Mr. Ramsay Macdonald states. It will be so irresistible that it will carry all before it, and thus be enabled to fulfil its mission peaceably. The cruelty will appear in the larger and larger strikes which will take place while industrial unionism is being accomplished. The suffering which will be caused will be the cost the workers will pay for their education. If they could learn NOW that their salvation lies in industrial unionism the suffering could be largely dispensed with.

A leading article in the New South Wales *Worker* of the 17th August, headed, "The Need of the Hour," says—

. . . . . .

The multiplicity of isolated unions is a source of weakness. That is no new discovery. But it is a truth which we have to keep on discovering, and insisting upon, in order to counteract the tendency to split up into little trade organizations, and segregate in crafts. . . .

Labour's industrial organization lags behind its political organization. It must be brought into line with it. Industrially it has not risen to the level of Inter-State Federation, which the people of Australia attained ten years ago. It must be brought abreast with the community.

The best efforts to overcome this trouble have been made in Victoria, where a committee of the Trades Hall Council was appointed to recommend a scheme of organization, to which I shall again refer a little later, because it offers a suggestion which may be of great assistance in dealing with the Bill. This is the report of a special committee of the Trades Hall Council, which was made an Order of the Day for 17th August, to be taken immediately after the Council's minutes—

(1) That the Trades Hall Council Laws be amended (and Unions be urged to make the necessary alterations to their Rules) to empower the Council to control and finance strikes, and to secure a more efficient consolidation of unionism by grouping the unions into families of allied trades or occupations.

(2) The grouping is as follows:—

CLASS A.—PRIMARY INDUSTRIES.

Group 1.—Agricultural, horticultural, pastoral.

Group 2.—Mining and quarrying.

CLASS B.—MANUFACTURING INDUSTRIES.

Group 1.—Metal trades: comprising engineers, blacksmiths, ironfounders, ironmoulders, engine-drivers, boilermakers, brass workers, coppersmiths, tinsmiths, agricultural implement makers, bolt, nut, and barb wire workers, oven, stove and range makers, bedstead and fender makers, electro-plate workers, wire workers, lead workers, glass workers, farriers, bicycle trade employés.

Group 2.—Building trades: including carpenters and joiners, masons and stone workers, brick, tile, and pottery makers, bricklayers, lathers and plasterers, slaters and tilers, plumbers, painters and decorators, tuckpointers, electricians, builders' labourers, sewerage and general labourers, asphalters and tar pavers.

Group 3.—Wood workers: comprising saw-mill and timber yard employés, furniture trades, coachbuilders and wheelwrights, coopers, brushmakers, wicker workers, match-factory employés, picture framers, millet-broom makers.

Group 4.—Textile: Woollen mill, cotton mill, and flock-mill employés, tailoring trade, hatters, dress and mantle makers, shirt and collar makers, whiteworkers, knitting and hosiery workers, tie, cap, glove, and umbrella makers, dyers and feather dressers, tent, flag, and sail makers.

Group 5.—Providoring: Millers, bakers, pastrycooks, and biscuit makers, butchers and meat workers, butter and cheese makers, food preserving and condiment workers, sugar refiners, confectioners, hotel and caterers' employés, soap, starch, and candle makers, ice and cold storage employés.

Group 6.—Licensed trades, &c.: Tobacco, cigar, and cigarette workers, brewery employés, spirit distillers, aerated water manufacturers.

Group 7.—Printing and allied trades: Typographical, lithographers, bookbinders and paper rulers, process engravers, commercial artists, stationery makers, &c., cardboard box and carton makers, printing trades general workers, paper makers, ink makers, journalists.

Group 8.—Leather and rubber workers: Fellmongers, tanners and curriers, leather dressers, boot and shoe makers, saddle and harness makers, leather goods workers, rubber workers, furriers.

Group 9.—Chemical industries, &c.: manufacturing druggists, ammunition and cordite workers, salt refiners, artificial manure workers, gas workers, fireworks manufacturers.

CLASS C.—General Service.

Group 1.—Commercial: Shop assistants and warehouse employés, clerks, bookkeepers, &c., travellers and canvassers, packers and sorters, licensed collectors, hawkers and dealers, bill posters, hairdressers.

Group 2.—Transportation (A) (Land Section): Carters and drivers, railway service, tramway service, cab-owners and drivers, bread carters, Wood, Coal, Hay and Chaff Union, lift attendants, motor-car drivers, undertakers.

(B) (Sea Section): Seamen, waterside workers, timber sorters and stackers, marine engineers, stevedores, shipwright and ships' joiners, stokers.

Group 3.—Public servants: Civil service, fire brigade, municipal employés.

Group 4.—Domestic: Household workers, laundry workers, coachmen, office cleaners, hospital attendants.

Group 5.—Recreative: Musicians, stage employés, supernumeraries, vaudeville artists, general sports employés.

3. Should a dispute arise as to the group a union should be attached to, the union shall decide, after hearing the representatives from the union and the groups concerned.

That was the scheme formulated by the Melbourne Trades Hall Council. It was proposed that representation on the Trades Hall Council should be upon the basis of industrial groups, or, in other words, that it should be in respect of industries, and not separate trades or callings.

I have not been referring to these difficulties as between the unions without having a purpose in view. Tremendous difficulties have arisen between organizations based upon different principles, and in some cases Trades Councils and representative labour bodies have been compelled to face the issues, although they have refrained from doing so where it was possible to avoid them. They have had to try, in some cases, to find a means of overcoming the troubles; but, without laying down any definite plan, we are proposing to transfer the whole of these inter-union disputes to the jurisdiction of the Court. The President of the Court has, no doubt, had some experience of union organization, but we are simply proposing to hand over to him a bald Act of Parliament, and to say to him that these organizations, for the purposes of the Court, shall be registered and become part of the machinery of the Act. We are casting upon him the onus of deciding the serious problems that arise as between these organizations. It will be for him to deal with the overlapping that takes place. He will have to determine, for instance, what union shall cover the engine-drivers in the saw-milling trade, and the engine-drivers employed in shearing sheds. We have stationary engine-drivers employed in shearing sheds, saw-mills, and engineering shops. All these are already provided for by unions registered under the Act, and it is now proposed that another union, based upon an entirely different system, shall be registered side by side with them. The result will be a repetition of the experience of State industrial tribunals throughout Australia. The bitter struggles that have taken place from time to time will be transferred to the legal arena presided over by the President of the Conciliation and Arbitration Court, and he will have to take up the task of solving these problems without having any policy laid down by the Legislature of the Commonwealth.

I shall give honorable members an illustration of some of the difficulties with which the Court will have to contend by quoting a statement made by Judge Heydon in the Industrial Court of New South Wales in connexion with a case in which I was interested. It is only one of a number of the same kind. Application was made by one of the railway unions for a Wages Board, and opposition was offered by another union to the constitution of that Board. The presiding Judge, in that case, heard Mr. Warton, for the Tramway Union, Mr. Black, secretary of the Electrical Trades Union, Mr. Sullivan, secretary of the Moulders Union, Mr. Irons, secretary of the Bricklayers Union, and Mr. Millard, secretary of the Labourers Union. They all appeared to object to the constitution of the Board to deal with certain groups of tramway men, and His Honour said—

I must seek out some simpler road with regard to Boards than has been followed hitherto. I was in great hopes that the measure submitted

by Mr. Beeby to the House would have resulted in relieving me of this, but the mass of Boards, the overlapping, the dovetailing, the variety of interests that are put before me when applications are made—the thing is becoming overwhelming altogether. This very thing is an example. I have two unions, first of all, to deal with, a thing which is really quite outside my proper duties, dealing with the claims of different unions in the same industry. Then a number of different industries appear, and there are a number of existing awards, some have expired, some have not; some Boards have expired and their awards are in existence; some Boards have expired and their awards have expired also. The thing is becoming a mass of confusion. I shall have to devise some scheme, which I shall inform the industrial world of, by which the thing shall be simplified; it is getting too troublesome and complicated.

The learned Judge spoke at much greater length, but it is not necessary for me to make a further quotation from the report of his remarks.

Some of the State Legislatures appear to be making an effort to overcome these difficulties. The Parliament of New South Wales, for instance, is seeking to get rid of these troubles in a way that is in direct opposition to what we are endeavouring to do here. The New South Wales Industrial Disputes Act of 1908 contained a schedule setting forth the different groups of employés which should become the units of organization for determining the conditions of the various industries, and the Boards for these groups are as follow :—

Baking, boot trade, brewery, bricklayers, brickmakers, Broken Hill mines, butchering, cigar trade, clothing, coachmaking, cold storage, confectioners, coopers; copper, silver, and gold mines; Council of the City of Sydney, dressmaking and millinery, electrical trades, farriers, fellmongering, furniture trade, gasworks employés, glassworks, Government railways and tramways, hairdressers; hotels, clubs, and restaurant employés; Hunter River District Board of Water Supply and Sewerage, iron trades, jam industry, laundries (public), Maitland collieries, Metropolitan Water and Sewerage Board, milk industry, musicians, Newcastle collieries, painting trades, printing, pastrycooks, plasterers, plumbers and gasfitters, saddlery, saw-mill employés, shearers, shipping, shipbuilding, Southern collieries, shop assistants, stone cutters, storemen and packers, Sydney Harbor Trust, tanning, tip-carters, tobacco industry, trolley draymen, undertakers, unskilled labourers, waterside workers, Western collieries and shale miners, wire mattress makers, wire netting, woodworkers.

By an amending Act passed in the same year the following groups were added :—

Aerated waters, bag and sack making, biscuit and cake making, boiling-down, bone-mills and manure works, cardboard box making, coke workers, dredging, engine-driving and firing, hatmaking, ice manufacturers, laundry, milling, packing, paper mills, rope making, smelting, soap and candle making, wine and spirit stores.

There is also a drag-net section, and clerical workers, I think, have been added recently to this list, which comprises some eighty or ninety groups. It will be noted that engine-driving and firing is referred to in the schedule which I have just read. The honorable member for Werriwa alluded to it last night as indicating a reason why a similar provision should be made in the Bill now before us. The difficulties to which Judge Heydon referred have come before the Industrial Court of New South Wales over and over again with respect to engine-drivers and firemen. The general position is becoming absolutely intolerable. Its seriousness was recognised by the Government of New South Wales in an amending Bill which it introduced on the 21st May last.

Mr. GROOM.—Was that Bill passed?

Mr. J. H. CATTS.—Owing to certain difficulties that arose in the New South Wales Parliament, it was not passed. But it represents the considered views of the New South Wales Labour Cabinet. The schedule reduced the number of groups from about ninety to twenty-three. The Boards are designated as follow :—

Iron trades, building trades, wood workers, clothing trades, printing trades, food supply and distribution, leather trades, shipping, transport, manufacturing, coal mining, metalliferous mining, engine-drivers and firemen, clerical workers, unskilled workers, shop assistants, warehouse employés and storemen, furniture manufacturing trades, railway and tramway workers, hotel, club, restaurant, and domestic workers, iron and steel manufacturing, rural workers, pastoral workers, and general workers.

In the case of engine-drivers there will probably be some amendment when the Bill is dealt with in Committee in the State House. I am, however, dealing with the principle of organization rather than an individual case. Remember that that is an effort on behalf of organized labour in New South Wales to remedy some of the difficulties of overlapping organizations.

The whole scheme of that Bill is organization for the purposes of the Act upon industrial, and not upon craft, lines. There is going to be no interference with the craft unions, but there is to be a series of industrial Boards. There will be a permanent chairman appointed for each of those industrial groups, who shall hold office for three years. He will be a District Court Judge or a barrister, and all claims in connexion with disputes in that industry will be referred to that Board. There might be a number of different unions in the industry, but that Judge would have jurisdiction

over the whole industry. Consequently, when he is hearing a dispute, even if it is in regard to a section of an industry, he is to have some general knowledge, and keep in his mind the necessities and conditions of the industry as one complete unit. That proposal shows that these difficulties are being recognised in the union movement itself, and that an effort is being made to overcome them. In this respect it is the most advanced measure yet placed before any Parliament.

If you could get a meeting of the workmen themselves, you would find very little dissent from the idea of the organization of workmen upon industrial lines, that is, upon lines coterminous with the industry. But the trouble is that vested interests have grown up around those craft organizations, and the interests of officials have to be considered. During my investigation of this matter for a number of years, I have found that one of the great stumbling-blocks to grouping on industrial lines is the necessity for providing for those officials who, through many years of service, have, no doubt, considerable claims upon the employés in an industry. I addressed a mass meeting of a craft union on this question a little while ago, and, with about three dissentients, they carried a resolution to accept the industrial form of organization. The meeting was 300 or 400 strong, and comprised all but a very few of the men concerned; but the idea was never carried out, for the simple reason that the executive officers refused to carry it out. From that day to this that organization has gone along on craft lines.

Mr. RILEY.—Is the honorable member referring to the Railway Men's Union?

Mr. J. H. CATTS.—I do not wish to refer to the particular union, because if I did my remarks might be regarded as an attack on some person or other. I wish to avoid all personalities in this matter. I am not so much blaming individuals.

Very great difficulties have arisen. Aggregations of capital and the modernized organizations of employers in the last few years have transformed the whole basis of the organization of production, and the trouble has been that the old craft idea has not yet been able to adapt itself to the changed conditions which the practical business-minded men of the community have adopted for the more effective control of industries and manufactures.

I contend that the industrial, as against the craft, basis is the more effective, from the view-point of an Arbitration Court.

I wish to refer to some of the difficulties of the craft idea. Let us take the very case of the engine-drivers. They are associated with industries from Cape York to the furthermost point of Tasmania, and from Sydney to Perth. We have them in the sugar mills of Queensland, in the mines of Tasmania, and in every little industry throughout the Commonwealth. They are to become a unit for the settlement of industrial disputes between employers and employés. I do not think it is within the range of practicability to organize the engine-drivers of Australia. You may organize 30 per cent. of them, and that 30 per cent. may be able to submit a case to the Court, and have an award made which may or may not govern themselves or the whole of the engine-drivers of Australia.

Mr. FENTON.—If that organization goes on as it is at present, they will soon be all in.

Mr. J. H. CATTS.—If the honorable member could ascertain the actual number of stationary engine-drivers in Australia, and of those in the organization, he would find that they did not represent a very large proportion of the whole. I am well acquainted with the organization, and on terms of personal friendship with its officers, and have been watching its progress very closely for a long time. It has been to me a very interesting study.

Mr. FENTON.—It has only just been started.

Mr. J. H. CATTS.—I admit that, as a Federal organization, it has not been long established; but I can see that it is going to be the source of tremendous trouble to a number of organizations already in existence, and I have been watching for those troubles to eventuate.

Having got an organization of engine-drivers, let us suppose that the case is placed before the Court. There are very few stationary drivers employed in any one industry. They are employed only in twos and threes, and, if the employers are to have any representation in the Court, all those who employ engine-drivers will have to organize on the same basis. There are 30,000 employés in the New South Wales railways and tramways. I suppose out of that number there are only twenty stationary engine-drivers. If it were possible for State employés to come under the Commonwealth Arbitration Act, the New South Wales Railways Commissioners, and other employers, would be compelled, on this basis, to be in fifty or sixty

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different employers' organizations. In regard to the engine-drivers, the employers would have to form an Engine-drivers' Employers Association in order to present their case to the Court. There are engine-drivers in the pastoral industry, and, therefore, the squatters would have to join that body; so would all the sugar-growers and owners. These employers would have to become members of a separate organization for every craft or section represented in their industry.

Mr. FENTON.—Could not one man represent the whole of those in Court?

Mr. J. H. CATTS.—If a case in which I am interested is going to be presented to a Court, I want to have a say in it, and to call evidence, if necessary. Upon the basis I have described, all those employers who employ engine-drivers singly or in twos or threes, in different industries, would have to be organized into an organization of employers of engine-drivers. Similarly, all the employers in different industries would have to be organized into an association of employers of carpenters; and, in short, into employers' associations representing every craft, vocation, or avocation in their industries. I am not profoundly concerned with the difficulties of the employers, except that I wish to be fair, but I simply use their case as an apt illustration.

The same difficulty applies to the employés. With an organization scattered throughout the length and breadth of a great continent, it will be an absolute impossibility for the employés belonging to it to meet together to decide questions. How can they ever meet? All that can be done is for two or three to come to a conclusion as to what they want, put it on paper, and send it to head-quarters. That immediately throws the whole of the conduct of that industrial organization into the hands of one or two executive officers. The interests of the men may be represented or they may not. I do not know any instance which illustrates so vividly the difficulties of the purely craft idea as that of the stationary engine-drivers.

We come to another point. They have a case to submit to the Court. It is said that the same conditions ought to be laid down for stationary engine-drivers in all the industries of Australia. We take, first, the question of wages. Some of the industries which employ engine-drivers are prosperous, and can afford to pay excellent wages. Perhaps, in those cases, the employers, rather than go to the Court, would be prepared to concede certain wages; but when the case comes before the Court, the employer in some little tin-pot industry employing only one or two engine-drivers may come to Mr. Justice Higgins and say, "If you lay down that rate, you absolutely cripple my industry, and drive me out of business. I can produce my books to show that what I am saying is true." The consequence will be that the Judge will say, as has been said before, "I am not here to lay down a rate which will cripple an industry. I must lay down a rate which will enable it to carry on." That will mean that the rate for all engine-drivers will be laid down on the basis of the least prosperous industry. There is no getting away from that position. That rate will then become the standard wage for engine-drivers throughout Australia.

I am for uniformity, so long as uniformity means levelling up; but I am not for uniformity which means levelling down. We are not dealing now with the old days of guilds and crafts, when employés and employers were organized on purely sectional lines. We are dealing with conditions in which the great captains of industry have organized themselves into all-embracing and conglomerate undertakings. In face of the organization of employers in that way, we are to have the employés organized on this little worn-out idea of craft organization! It is like facing the up-to-date British Navy with the stink-pots of China.

Mr. JOSEPH COOK.—Hear, hear!

Mr. FENTON.—When the cheers come from that side, it is very suspicious.

Mr. J. H. CATTS.—I am not interested whether the cheers come from that side or this. Some honorable members have noticed my attitude in this matter in New South Wales for a number of years past. It has brought me into conflict with large numbers of people in that State. I am urging my convictions rather than seeking any cheap popularity.

I know that the leading minds in trade unionism throughout the world favour the more scientific organization as against the craft idea, and not one of them could be found to advocate the latter. I might except Mr. Samuel Gompers, of America, whose precise views I have not been able to determine. Industrial organization is favoured by such writers as Webb, Ramsay MacDonald, and all the great European, including the German and French leaders, in the industrial world.

As to hours, in some industries it is necessary to work men in shifts. Men

may work six days of eight hours each, or forty-eight hours in the week, of eight and three-quarters for five days, and four and a quarter on the Saturday. I know of some cases where the forty-eight hours are worked in five days, Saturday and Sunday being days of rest. Under the circumstances, a Judge would not lay down special hours for the engine-drivers employed in the jam-making industry, for instance; we could not expect him to find a basis for the hours out of step with the rest of the industry in which they were engaged.

This means that the greatest difficulty would be experienced in dealing, perhaps, not so much with hours, as with general conditions. The general conditions are very often irritating to the employés, but the Court would not deal with them, because the Judge would say, in the case of engine-drivers, for instance, that so few of them were engaged in so many varying industries that he could only attempt to deal with the larger question of wages, and, perhaps, of hours. The great mass of industrial regulations, which are regarded as important by the employés, the Judge could not deal with, because they affect so many different industries in which the engine-drivers employed are only a small part.

If, however, the industry is the unit of the organization, these problems are simplified, as far as they can be. In the pastoral industry, for instance, the whole of the employers and employés can organize, and, as an industry, submit their case to the Court, both sides being completely represented. One award can be given covering the whole of the industry, completely regulating its working conditions, for a given number of years.

In connexion with the New South Wales railways and tramways, there are between fifty and sixty different awards with different sets of wages and a multitude of conditions. As one connected with the organizations of the men for a number of years, I could never tell them what the conditions were in regard to a particular section without consulting the awards. A similar difficulty is experienced by the officers who have to carry out the awards; and all over New South Wales complaints are being made that awards are being broken. An amusing instance occurred, which showed me that the officers of the Department are anxious to carry out the directions of the Court. In connexion with the paper with which I am associated, so many questions were asked that it was necessary to start a consultation and advice column; and a prominent railway official told me to send on three copies each week, so that the questions and answers might be cut out and forwarded to the Departments affected. He further informed me that the foremen were not waiting for instructions; but that the very moment they saw a question answered in the newspaper they carried out the advice there given. That means they said that we are placing our own interpretation on the awards, and in many cases men are paid more than they think they are entitled to. There is no disposition on the part of the officers not to carry out the awards, but amongst the fifty or sixty, they get muddled up.

With the industry as a unit, the whole of the general conditions—hours, wages, disadvantages, and dangers—can be considered, and a proper allowance made for them. There would be a periodical settlement and a minimum of friction. The employers would not be haled to a Court every other week; and the industry would, as far as is possible with our present machinery, go on in peace and quiet, thus enabling production to be much more efficiently conducted than under the other principle.

Another important point is the basis on which the reward of labour shall be allocated; and this is one of the difficulties of modern times. The *Age*, in a leading article on Tuesday last, stated that one of the great problems before statesmen to-day was the question of the reward of workmen's labour—on what basis it ought to be fixed. The article went on to say—

> Amidst a chaos of strikes and lockouts, heart-burnings and factory burnings, workers' riots, broken heads and flaming houses, one question is constantly recurring to the minds of thoughtful men—"What is Labor's just share of the national income?" So far, the accepted answer to this has not emerged. There are many answers, as there are many parties to the controversy. There are the extreme claims on one side that Labor has a right to the whole, and on the other equally extreme claims that capital has a right to as much as it can squeeze out of the deal.
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> The cause of our present troubles lies in the fact that so far the economic world has found no answers to those questions. The capitalist has always claimed that his share is as much as he can get. . . . . This makes good in a quite independent way the contention of Mr. Chiozza Money that "the prices of commodities have risen, while wages have remained stationary; a rise of wages is overdue all round." In a dim and undefined manner the wage-earner has come to feel this. He is getting a smaller proportion of the national income than he formerly got. A rise in wages is due to

him. But when he gets it that will not settle the problem. It will be a palliative, not a remedy.

This is the crux of the whole question. By our skeleton Act we practically leave the Court to find out some principles on which to act; and some palliative principles are being slowly evolved.

The first was laid down by Mr. Justice Higgins with regard to the lowest grade of labour, usually called unskilled labour. He held that the unskilled labourer should get a basic living wage according to the needs of the average family under conditions such as those of the workmen in a country like Australia. That, of course, is the bare living wage—the wage paid to the man animal, as it were—and the special disadvantages, difficulties, and dangers of the industry have to be taken into consideration. This having been done, the Court arrives at the rates of wages for the lowest grade of labour.

As to the skilled operative, it has to be ascertained what is the relative difference between his reward and that of the unskilled labourer. If a bricklayer's labourer, for instance, is receiving 7s. and a bricklayer 11s., the recognised difference is 4s.; and Mr. Justice Higgins, having laid down the rate for the lowest class of labour, takes the recognised difference into account and arrives at the reward of skilled labour. If the pay for bricklayer's labour rose to 9s., the difference of 4s. would make the rate of pay for the bricklayer 13s.; and that is as far as we have got in laying down a principle. It is not a principle evolved by this or any other Parliament, but one evolved by Mr. Justice Higgins out of the necessities of the case, because the Act presented to him is practically a skeleton or framework of a machine left for him to put into proper working order.

We now come again to the question of industry *versus* craft. To arrive at the rate of wage, the living wage is taken into consideration together with the special disadvantages and dangers of the industry. If employés are segregated into crafts, the peculiar difficulties of an industry as a whole cannot be taken into consideration; there cannot be separate awards for engine-drivers engaged, some in flour mills, some in sugar mills, some by mining companies, and so on. This means that the dangers and difficulties of those particular industries cannot be taken into account. Then, as it has been laid down by Mr. Justice Higgins that the living rate for the lowest scale of unskilled labour is to be the basis, is it not shown immediately that the skilled worker has a tremendous interest in the lowest rate awarded in his industry? Suppose the unskilled worker were to insist on having craft organization, the skilled worker, if he realized his own interest, would say that he could not afford to let the unskilled man settle the living wage by means of his own organization, and would insist on combining their strength, because the pay of the lowest scale of labour is the starting point for arriving at the pay of skilled labour. As the rate for unskilled labour is a most material factor in deciding the pay for skilled labour, it is necessary that skilled labour should take part with the unskilled labour in fixing the basic living wage. If we have engine-drivers or any other particular craft formed into an organization by themselves, they will not take any notice of what is done by unskilled labourers, who are left to state their own case. When an organization is weak, its case is badly stated. A skilled worker may find that his wages are not assessed as high as they should be, but that he is compelled to accept, for three years, an award giving him a low rate of pay, because he did not assist earlier in increasing the living wage for unskilled labour.

The Attorney-General referred to the difficulty caused by the employment of engine-drivers in a large number of industries, who are being paid at various rates. He said that the engine-drivers in one industry would not be content so long as the engine-drivers in another were being more highly paid. No doubt that is so; but the engine-drivers as a whole would not be content if their wages were fixed on the basis of what the least prosperous industry employing engine-drivers could afford. The engine-drivers would be more content as a whole if some were getting 9s. and others 11s., than if all were reduced to 9s. During the course of the honorable gentleman's speech, I made this interjection—

> If the same class of employés in different industries are to be paid at the same rate, does it not mean that the least successful industry will lay down the conditions for the whole?

I do not think that he successfully dealt with that point.

I also asked—

> Should not the value of the product of an industry determine what the labour employed therein shall get?

The honorable gentleman adroitly evaded that question. The workers in any industry will never be satisfied until they know that

they are getting the value of their work, which, at the present time, it is impossible to determine. For instance, no one can say that the value of work of bricklayers is worth £1, or 30s., or £2 a day. The wages fixed by the Courts have nothing to do with the value of the work of those receiving them. No principle for determining that value has been ascertained. We cannot be satisfied with this state of things; and I have more faith in human nature than to believe that the present unsatisfactory condition of affairs will continue for ever. I think that industry will be organized on both sides, and the value of its products, and of the labour employed to obtain them, determined. When that happens, an equitable distribution of the results can be made. This equitable distribution would be impossible with industries organized on the basis of crafts. Some engine-drivers, for instance, are employed in the sugar industry, others in jam factories, and others in many other industries. If they presented a case to Mr. Justice Higgins, it would be impossible to fix a wage in accordance with the value of their work, I mean according to their contribution to the value of the product, because it would vary according to the industry in which they were engaged. We hope that, in years to come, the workmen will be equitably paid for their labour by the application of scientific principles which will determine its value.

Mr. DEAKIN.—Who would assess the actual value of work done?

Mr. J. H. CATTS.—Some kind of tribunal must be appointed. I do not know whether we can improve our present arrangements in this respect.

Mr. GROOM.—Could we use the New South Wales Boards to which the honorable member has referred?

Mr. J. H. CATTS.—It would not matter whether the work were done by an Arbitration Court or a Wages Board, so long as it was intrusted to a competent body possessing ample powers, and operating upon scientific and equitable principles. I hope that in the near future a principle will be evolved for the guidance of the Courts in making awards in relation to wages. At present we are experimenting; and, after ten years, have made practically no progress in regard to the permanent settlement of disputes.

The honorable member for Darling suggests that this is due to the limitations of the Constitution. I say that it is not. The constitution empowers us to provide for the settlement of disputes, either by craft or industrial organization, and we have the right to say, within certain limits, what principle shall be observed. We have not exhausted these powers.

As prizes and honours are given to those who invent labour-saving appliances and improved mechanical methods, why should not premiums be offered for political ideas to stimulate the discovery of principles which will settle the great problems now confronting the civilized world? Politicians might well use whatever ingenuity and inventive genius they have in attempting to discover such legislative devices. The settlement of industrial disputes and the prevention of international quarrels by arbitration are the two greatest problems confronting the statesmen of Christendom to-day, and to these problems the great intellects are devoting themselves.

There are two clauses in the Labour objective. It provides, first, for the cultivation of Australian sentiment, and, second, "for securing the full results of their industry to all producers by the nationalization of monopolies, and the extension of the economic and industrial functions of the State and municipalities." Monopolies are usually concrete industries. The sugar monopoly and the shipping monopoly each covers an industry. The proposal is to nationalize monopolies. Industries are the units on which the operation is to be made. If the workmen and employers in an industry are organized on the same lines, the nationalization of that industry when it becomes a monopoly will be facilitated, and the transfer from private enterprise to State control will become easy. The shareholders can be paid off, and there will remain all the machinery for controlling and carrying on the industry.

In the nationalizing of a monopoly—I refer only to the question of employment—the condition of the employés in an industry must be improved. If it is not improved, and if that improvement is not made evident, employés in other industries will not be convinced that nationalization is necessary for the proper reconstruction of society. The improvement I speak of must be made patent to the employés in other industries, and to the public. The State must prove itself to be the ideal employer. Conditions in State-controlled monopolies must be better than those in industries controlled by private enterprise. Now, if you have men organized according to crafts, you will have some artisans

employed by the State under particularly good conditions, and others doing the same work in industries governed by private enterprise in which the conditions will not be so good. These will be members of the same craft organization. This will create a state of things such as the Attorney-General says should be avoided.

Craft organization cuts across the Labour objective. In this connexion let me quote from the work of a gentleman who attracted a great deal of attention while he was in Australia, Professor Mills, a great student of industrial problems. At page 230 of his book, *The Struggle for Existence*, which is one of the best works I have had an opportunity to read, and others like myself look upon the professor as one of the foremost exponents of economic questions, the following passage occurs—

> Some years ago the problem of the transition from capitalism to Socialism was regarded as a most difficult one, because of the great number of private owners who would be opposed, on account of private interests, to the establishment of the co-operative Commonwealth. But capitalism has not only been perfecting and extending the equipment of industry and the knowledge of the wide world's resources; it has also been effecting the concentration which leaves an ever-lessening number of people personally interested in the perpetuation of capitalism, while it increases, by the same ratio, the number of those personally interested, because of personal benefits, in the establishment of Socialism.
>
> Again, this concentration in the ownership of the means of production is perfecting the completest possible organization of the great industries. The capitalist owner can now hire, not only the labour to do the lifting and carrying, but the superintendence of production and the marketing of the products have also become the functions of the "hired man." Under complete capitalism, the capitalist renders no service whatever. Even his service in management at last becomes a hired service. He simply appropriates the lion's share of the products in consideration of having given his consent that the workers may use the earth and the machines in the necessary work of producing the means of life.

Another heading is—

> Labour Organizes According to Industries, not Tools.

By "tools" he means really the sectional idea of organizing on the crafts basis—

> But this is not all. The organizations of Labour which formerly were effected along the lines of the trades are taking shape now along the lines of the industries. Formerly all organized working men who used the same tools belonged to the same labour organizations without regard to the nature of the industry in which they were employed. The present movement is in the direction of effecting an organization of all working men engaged in any industry, regardless of the tools used by the individual workers so employed. By this is meant that all the men in any way connected with transportation are coming rapidly into a single organization; all those engaged in any way in the building trades, into a single organization; all those engaged in any way in the distribution of goods through the great department stores, in to another great single organization. All this is brought about by the necessity of all those who work for the same employers belonging to the same organization, in order most effectively to deal with their own common employer or association of employers with interests in common.

Then, at page 494, he deals with industrial organization—

> The employers now employ at the same time men working in many trades. Carpenters, masons, plumbers, all working for the same employer, are rapidly coming to understand the advantages of a labour organization of all those engaged in the building industry. This is what is meant by the industrial organization of the Labour Unions. The Western Federation of Miners includes all workers in any way engaged in or about the mines. This is unquestionably the strongest form of labour organization for effective work in dealing with the masters. It is, further, an advantage inasmuch as the development of Labour Unions along the line of the great industries is making the beginnings under capitalism of the very organizations most likely to constitute both the industrial and political subdivisions in the actual administration of affairs in the beginning of the co-operative Commonwealth. The International Machinists' Union, the Brotherhood of Railway Employés, the American Labour Union, and many Trades Councils and State Federations allied with the American Federation of Labour, have declared for industrial unions.

I fully realize the difficulty that confronts us in regard to this matter. I have a conviction, born of many years of close investigation, that if there is any law by which these disputes can be settled according to constitutional means, the industry unit is that through which success might best be achieved. In the absence of such a scheme we have unions played off one against the other, in friendly negotiation and in the Courts, as is being done to-day in connexion with the Mount Lyell strike. If we are to submit these great disputes to tribunals of one kind or another, the industry basis certainly offers a scientific method of organizing both employers and employés. By scientific organization only can the value of the product of the industry be computed and a scheme of distribution be formulated in connexion therewith. That is the basis of organization most likely to create such an atmosphere as will assist in the evolution of great principles upon which disputes between employers and employés in the future may equitably be adjusted.

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We are, however, confronted by serious difficulties. As a party, we do not come into this House representing only the industrial unions. We, as a Labour party, come here representing industrial and sectional unions alike. They are based on varying degrees of craft and industry, and, perhaps, no advantage is to be gained by catching them, so to speak, by the scruff of the neck, and saying to them, "You shall organize on these lines, without regard to your old associations and organizations upon craft lines." No matter how they overlap, how unscientific their method of grouping, they must be educated, rather than coerced, into the adoption of more up-to-date and logical principles.

I think that the unit of organization for the purposes of the Court ought to be the industrial unit.

Mr. DEAKIN.—As at present.

Mr. J. H. CATTS.—Yes. The position might be met, however, by a suggestion I have to make later on. The honorable member for Flinders delivered last night an extremely powerful speech on this question. I may say in passing that I always listen with the greatest pleasure to the honorable member when he is dealing with such matters, because of the ability that he brings to bear upon their elucidation. I do not always agree with his political conclusions, but upon questions of constitutional law the honorable member is certainly a very great authority. He pointed out last night that the whole scheme of the existing Act is based upon the industry as the unit of organization for both employers and employés. It is not for me to say whether or not his argument can be answered. It seemed to me to be unanswerable, but he pointed out that we were now making an effort to fit a definition of craft and industry into the whole scheme of an Act every section of which deals with the industrial unit as an organization. He pointed out that the High Court in the engine-drivers' case took the Act as a whole. The learned Justices said, in effect, "We are dealing, not with the definition section, not with section 7, section 39, or section 55, but with the Act as a whole. We have to look at the construction of the Act as a whole to find out what was the intention of the Legislature; to ascertain whether the unit, for the purpose of the Court, was to be the industrial unit or the craft and industrial unit running side by side." The honorable member has shown that the proposed alteration of the definition section at the commencement of the Act will not overcome the judgment of the High Court. It will be necessary, he says, to frame the Act on totally different lines. In other words, the Act, as a whole, will have to be recast so as to fit in with and become the complement, as it were, of the new definition now proposed.

I think that if effect were given to my proposal, we could combine the Attorney-General's scheme with that at which the honorable member for Flinders is aiming. In other words, we need not interfere with the registration of these unions. So far as the Court is concerned let the industry be the unit of organization, and let the award of the Court cover the industry. Let the industries be dealt with one at a time, and then let all the unions in an industry interested in a dispute, and in the laying down of awards for that industry, be brought together. Let them agree among themselves as to the submission of a case to, and its conduct before, the Court, and let the award cover the industry. Such a system would enable the engine-drivers to have their own separate craft organizations to thresh out matters peculiarly relating to them if they so desired, but if they wished to go to the Court they would have to go before it together with the other unions interested in the industry.

Mr. WEST.—Does the honorable member desire that there should be two decisions in respect to the one industry?

Mr. J. H. CATTS.—No. One award one industry. I say that this could be done without interfering with the unions in their present organization. We could allow them to have their craft organizations with their varying degrees as between the craft and the industry. But all the unions concerned in an industry would have to agree upon a joint representation of their case before the Court.

I should like to see inserted in the Bill a clause providing that the Registrar shall act as a Conciliation Commissioner. The Registrar should be given power to call together organizations interested in a dispute relating to a particular industry, or the conditions of that industry. The representatives of these organizations would come before him, and I feel sure that they could meet round the table in a conciliatory spirit and arrive at a determination that would enable them to go unitedly before the Court. They would be able to appoint some one to represent them, and pay him to carry

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out the one single object of securing the best conditions for the whole of the employés in the industry concerned.

I am not advocating in this respect a procedure that is entirely new. As a matter of fact, it has already been followed. As I have pointed out, Judge Heydon has been for years confronted with these difficulties. He has had one union applying for a claim to be heard, and some twenty unions objecting. He has had representatives of twenty unions sitting at a table, and jumping up, one after the other, saying "I appear for this or for that union."

Mr. Riley.—That is on account of the Wages Board system.

Mr. J. H. CATTS.—The position was the same in the Arbitration Court.

Mr. Riley.—In nothing like the same degree.

Mr. J. H. CATTS.—It was certainly not so acute; but I have appeared in the Arbitration Court in a case in which there have been probably twenty different unions represented.

Mr. Riley.—The honorable member has not.

Mr. J. H. CATTS.—The honorable member will allow that I am able to speak on this phase of the subject with as much authority as any other honorable member. I was in charge of cases before he became associated with that Court. For the last ten years I have had charge of more cases before the Industrial Court and Wages Boards than I could readily count up, and I have been particularly interested in the difficulties that have arisen, based upon the varying degrees of the trade and the industrial organizations.

Mr. Groom.—Did the Judge invite the parties to confer, or had he power under the Act to deal with them?

Mr. J. H. CATTS.—The Judge of the Industrial Court of New South Wales had placed in his hands what was practically a skeleton Act. He had no guiding principles before him, and he has found the position intolerable. He complained that it has taken him as long to settle the difficulties between unions as it would have taken him to hear the case itself. He has said that the greater part of his time is occupied in threshing out difficulties between the unions, and that he must find some way out of the trouble.

The Amalgamated Engineers and the Australasian Engineers are two overlapping unions organized on the same basis. They are registered under the Commonwealth Act.

Mr. Riley.—But the Arbitration Court can make an award covering the two unions.

Mr. J. H. CATTS.—I am now referring to the Federal Court, while the honorable member has in his mind the State Act. The position is the same in the New South Wales Court. There the two unions are registered, and the difficulties that have occurred in the State Court will arise in the Commonwealth Court.

Mr. Groom.—They will be intensified by this amendment of the principal Act.

Mr. J. H. CATTS.—The two unions are already on the register. We have in the existing Act a section which provides that the Registrar may refuse to register any association as an organization if an organization to which the members might conveniently belong, has already been registered. That is an illogical and unscientific provision. Many of these powerful unions will not fight each other on the question of registration. It is only when a question arises as to which union should cover the working conditions of a particular set of men that trouble occurs. In New South Wales, this very case has arisen. Two engineering societies, claiming to exercise jurisdiction over the engineers, go to the Arbitration Court. The Amalgamated Engineers object to work with the Australian Engineers. Judge Heydon said, "I must find some way out of this interminable difficulty. I shall appoint a Board, on which each of those societies shall have one representative." He prescribed the way in which the representatives of the two employés' organizations should be elected; but he left it to the employers to appoint two representatives for themselves. The Australian Engineers had a long list of claims for wages and conditions, and the Amalgamated Engineers had another. They could not agree as to the claims to be put before the Court. The Judge said, "If you cannot agree, refer it back to me, and I will settle that point also. The matter has to be referred to another tribunal, and I will set myself up in this case as representing only the interests of the engineers, and settle what claims are to come before the Court from them. I will not consider myself as concerned with the interests of the employers for this purpose. If you two unions cannot agree, I will take the claims myself and settle the matter after hearing what you have to say." The next

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question was who was to conduct the dispute. The Australian Engineers wanted their man, and the Amalgamated Engineers wanted theirs. The Judge told them to agree amongst themselves on one person, and, if they could not, to refer it back to him, when he would decide.

In another case in which I was interested, two unions had been competing against one another for the last ten years, and the same conflict arose. This was a case in which it was thought that the interests of the men were diametrically opposed. In fact, the union officers had for a long time preached the absolute necessity of the men dividing into separate organizations on the ground that their interests could not be adequately maintained if there was unity among them. We went to Court, and the case of the engineers was quoted. The Judge said, "We will do the same in this case." There was a conference between two officers of these organizations, and although it had been thought a vital necessity for the interests of the men for those two bodies to stand up against one another to the last ditch, it was discovered at the very first joint sitting that out of 100 different claims there was an amicable agreement on all except two. Those two points, I believe, will be amicably settled also. This shows that those two organizations could have worked all along in agreement, under one set of rules. Then the question of who was to conduct the case arose. The very moment one gentleman's name was mentioned both unions agreed to put their consolidated claims into his hands, and leave it to his discretion to decide what evidence to put before the Court. The award will be given covering the employés in the two organizations as one unit.

I believe that many of these union difficulties are imaginary. These craft organizations have been standing off, fighting each other at arms length for so long that they have never got into the same room to talk things over. They have imagined difficulties between them which did not really exist. I should like to suggest, in the hope that it may point to a way out of this great difficulty, that the Registrar of the Arbitration Court should be appointed as a Conciliation Commissioner to deal with cases of that kind.

Mr. GROOM.—The same power might be given to the Deputy Registrars in the various States.

Mr. J. H. CATTS.—That is really a matter of machinery, but some authority is wanted. In the New South Wales Arbitration Court, the Judge himself does not hear the case, and consequently these disputes requiring settlement in the preliminary stages can be safely referred to him. In the Commonwealth Court, however, we could not have these union difficulties thrashed out before the Industrial Judge. He hears and decides the disputes between employers and employés. I want to avoid that. If honorable members who represent Labour in politics want to do a service to the industrial organizations of this country they will try to prevent these union difficulties being fought out before Mr. Justice Higgins. In that fight, some of the salient points in the union's case will be given away, and its weaknesses exposed, so that when the real issue between employers and employés comes before him for trial the Judge's mind will have been prejudiced by the arguments used by the unions in competing against one another. I should like some other authority to settle these inter-union difficulties, and, for the moment, the Arbitration Registrar comes into my mind. I believe he is a capable man. I want an absolutely capable and fair man, who will take no end of pains to see that justice is done between the various conflicting bodies.

I feel sure that we can concede the question of the registration of these different crafts and sections, and give them legal recognition as to all other purposes. Outside the work of the Industrial Court, we can leave them free to follow their own lines of organization, but we can tell them, "When you come before the Court, the Court will deal with industries, and lay down awards for industries. Where you overlap and have a conflict of jurisdiction, your difficulties must go before the Registrar or Conciliation Commissioner. Settle them there first, so that when you go before the Arbitration Court itself you may present a united case in response to the unity of the employers."

Mr. ROBERTS.—That will necessitate many men being in two unions. A man will have to be a unionist as engineer, and a unionist according to the industry in which he is engaged.

Mr. J. H. CATTS.—Not at all. Take the shearers case which has just been before the Arbitration Court. There are a number of stationary engine-drivers in the pastoral industry. A case has to be presented to the Court dealing with the pastoral industry as a whole. Mr. Mitchell, the president, or Mr. Pearce, the general

secretary, of the Engine-drivers Union, can confer with the Australian Workers Union as to the claim to be put forward for engine-drivers. If there is any dispute between the two, the Conciliation Commissioner will bring them together in order that their case may be fought out jointly. There is no compulsion there for men to be in two unions. They can be in whichever they like. We could adopt groupings such as the Melbourne Trades Hall Council Committee recommended. By that means we should not interfere with their method of organization, and yet we would not interfere with the value of the industrial unit as the organized basis for the settlement of the industrial conditions of the industry. We should be able to have an award laid down on the basis of the industrial unit. We should be able, following Mr. Justice Higgins' plan, to decide the living wage for the lowest grade of skilled worker in the industry. We should have the whole of the unions concerned in that industry putting up a united battle in the Court to lift up the rate of wage for the lowest grade of unskilled worker in it. That would give an opportunity to all the skilled workers to assist in the fight. That wage would be the basis on which we should arrive at the wage of the skilled workers. Their rates would be apportioned to them on the principles laid down by Mr. Justice Higgins, by finding out the difference which originally was determined in the rates for skilled and unskilled work amongst the workmen and their employers. Thus, in the case of the bricklayer and the bricklayer's labourer, the difference being 4s., when the lowest rate for the labourer is lifted up to 9s. the rate for the bricklayer is automatically fixed at 13s. Skilled and unskilled workers would thus have an interest in each other's case, and each would be fighting to lift up the rates for the other. These principles would operate until a more perfect scheme emerged from our experiments.

I hope that, in the near future, there will be laid down some scientific and equitable method of apportioning the results of their industry to the various classes of workers, having some actual relation to the value of their work and of their production. We can never be satisfied until some such basis is reached. In providing for the industry as a unit upon which the Court shall operate, we shall be assisting in the evolution of those great principles which will enable us, in the future, to accomplish what is set out in the labour objective—to secure to the producer the full result of his industry—but also in the meantime to settle one of the greatest immediate problems confronting modern society, namely, the arrangement of some equitable plan upon which the differences of employers and employés can be amicably determined in their industrial relationships.

Debate (on motion by Mr. GROOM) adjourned.

POST AND TELEGRAPH RATES BILL.

Bill recommitted for the reconsideration of clause 2.

In Committee (Recommittal):

Clause 2—

The First Schedule to the Principal Act is amended—

. . . . . .

(ii.) by omitting from Part II. the definition of and rates of postage for "Magazines" and inserting in their stead the following definition and rates of postage:—

"Magazines—that is to say,

(*a*) Magazines, reviews, and other similar publications, wholly set up, printed and published in Australia for sale in numbers at intervals not exceeding three months and consisting of writings or articles on current topics, fiction, religious, technical, scientific, or practical subjects, for each magazine, ½d. per 8 ounces or part of 8 ounces;

(*b*) Magazines, reviews, and other similar publications (including newspapers), printed and published outside Australia for sale in numbers at intervals not exceeding three months and consisting of writings or articles on current topics, fiction, religious, technical, scientific, or practical subjects, for each magazine, ½d. per 4 ounces or part of 4 ounces;

(*c*) Catalogues wholly set up and printed in Australia, ½d. per 4 ounces or part of 4 ounces."

Amendment (by Mr. THOMAS) agreed to—

That the word "definition," line 3, be left out, with a view to insert in lieu thereof the word "definitions."

Amendment (by Mr. THOMAS) proposed—

That the words "wholly set up, printed and published in Australia for sale" (paragraph *a*), be left out, with a view to insert in lieu thereof the words "wholly set up and printed in Australia and published for sale."

Mr. GROOM (Darling Downs) [10.10].—Has the Minister considered the point raised by the honorable member for Angas with respect to the restrictive nature of this definition? In the original Act, the

definition is a wide one; but here the meaning is specific, and magazines will have to come within the limited terms here given.

Mr. THOMAS (Barrier—Minister of External Affairs) [10.11].—I can only repeat what I said the other evening, namely, that if honorable members think this definition is restrictive, I am quite prepared to omit all the words after "three months." I do not think that the words ought to be struck out; but there is no intention on the part of the postal authorities to prevent the circulation of legitimate magazines.

Mr. PAGE (Maranoa) [10.12].—I desire to move an amendment to provide that the paper used shall be of Australian manufacture. This is a real protectionist Bill; and the honorable member for Maribyrnong might have gone a step further, and stipulated for Australian paper. There are, I believe, paper mills in both Victoria and New South Wales.

Mr. KELLY.—I should like to know, Mr. Chairman, what authority we have for dealing with amendments other than those for the consideration of which the Bill was recommitted? Mr. Speaker definitely asked the Minister to state for what amendment it was proposed to recommit; and if authority was given to recommit for these two amendments only, are we not exceeding it by going into these other matters?

The CHAIRMAN.—By the recommittal of clause 2, the whole schedule is before the Committee, and any amendment in the schedule is in order.

Question—That the words proposed to be left out be left out—resolved in the affirmative.

Mr. JOSEPH COOK (Parramatta) [10.15].—Definition is necessarily a limitation, as applied to articles going through the post. Heretofore there has been no such definition.

Mr. THOMAS (Barrier—Minister of External Affairs) [10.16].—I am prepared to move that all the words after "three months" be omitted. Before I accept the suggested amendment of the honorable member for Maranoa, I should like to hear the honorable member for Maribyrnong and other honorable members who support the idea of the magazines being wholly set up and printed in Australia. The suggested amendment is logical; but I am rather against it, because I think it would handicap magazines we desire to see published here.

Mr. FENTON (Maribyrnong) [10.17].—I shall be glad to accept the assistance of the honorable member for Maranoa in obtaining a higher duty on paper when the Tariff is under discussion. In this particular instance, without accusing the honorable member of ulterior motives, I think he is submitting this amendment in order to defeat other desirable provisions in the Bill. I shall therefore not be able to cross the floor with him.

Question—That the words proposed to be inserted be so inserted—resolved in the affirmative.

Amendment (by Mr. PAGE) proposed—

That after the word "sale," line 10, the words "and upon paper made in Australia" be inserted.

Mr. THOMAS (Barrier—Minister of External Affairs) [10.21].—I trust the Committee will not accept the amendment. As I said the other evening, the amendment would be desirable from a Post Office point of view, because the rate is very low, and magazines printed in Australia are carried at a loss. The amendment would mean that no magazines would be printed and published in Australia.

Mr. PAGE.—The paper industry is "languishing" in Victoria.

Mr. THOMAS.—We are anxious to develop the Australian magazine; and I hope the day is not far distant when the necessary paper will be made in Australia.

Mr. PAGE.—It is made here now.

Mr. THOMAS.—At the same time, it would be unwise to accept the amendment.

Mr. JOSEPH COOK (Parramatta) [10.23].—I think the constituents of the honorable member for Maranoa will be very much obliged to him for trying to raise the price of their magazines.

Mr. PAGE.—They read only *Hansard* in my constituency.

Mr. JOSEPH COOK.—It is perfectly obvious, from the conduct of honorable members opposite, that a proportion of the people in Australia do not read as much serious literature as they should. If people could only be induced to read more seriously——

The CHAIRMAN.—Will the honorable member deal with the amendment?

Mr. JOSEPH COOK.—I protest that I am dealing with the amendment. The honorable member for Maranoa wishes to make it infinitely more difficult for the reading public of Australia to obtain the best literature; and I hardly think he can be quite serious.

Mr. PAGE.—I am serious enough; this is a "languishing industry."

Mr. JOSEPH COOK.—Then I am sorry to hear it.

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Mr. J. H. CATTS (Cook) [10.25].—The desire to encourage the making of paper in Australia is a very laudable one, but I do not think that the honorable member for Maranoa can show that either magazine or newspaper can be economically made in Australia. The adoption of this proposal, if applied to newspaper, would make it impossible to publish the *Worker*. It would merely increase the price of magazines without giving any advantage to paper manufacturers in Australia.

Mr. KELLY (Wentworth) [10.27].—I understand that the honorable member for Maribyrnong will be willing to support the honorable member for Maranoa if, when the Tariff is under discussion, he makes a proposal similar to that now before the Committee, but I would point out that the whole provision before us was framed with a view to protecting and fostering Australian industries. It would be ridiculous to suggest that it costs the Post Office any less to carry a magazine, review, or publication set up and printed in Australia than to carry a similar production published in any other part of the world. We may make the interesting discovery, if the matter is pressed, that the *Lone Hand* magazine, whilst decrying the foreign manufacturer, does not bother to help the local paper manufacturer by using Australian paper. It will be remembered that the *Bulletin* and *Lone Hand* proprietary succeeded in escaping a duty of 15 per cent. on the British-made, and 20 per cent. on the foreign-made, super-calendered paper used by it by getting the Minister to "deem" that paper ordinary newspaper, and admit it "free" accordingly.

Mr. PAGE (Maranoa) [10.30].—The high priest of Protection in Victoria, the Melbourne *Age*, published some time ago a list of industries which it declared to be languishing, and among them was the paper-making industry. My amendment has been moved with a view to helping this industry. It will be remembered that when we were dealing with the iron-bounty proposals an attempt was made to extend the bounty to wire-netting made from wire manufactured from German iron. I claim the support of the Protectionists. If they do not stand by me to-night, God help them to-morrow when the *Age* comes out!

Mr. KELLY.—Why not apply the amendment to newspaper?

Mr. PAGE.—I should be glad to do it if it were possible. When the Tariff is again under discussion, I hope that I shall have the honorable member's support to the proposition.

Amendment negatived.

Amendments (by Mr. THOMAS) agreed to—

That the words "printed and published outside Australia for sale," lines 19 and 20, be left out, with a view to insert in lieu thereof the words "not wholly set up and printed in Australia and published for sale."

That the letter "*c*" be left out.

That in line 28, the words "for each catalogue" be inserted.

The CHAIRMAN.—I suggest to Ministers that more than one copy of amendments like these should be provided. The officer on my right and the officer on my left have to depend on the copy in front of me, which is not fair to them or to me.

Bill reported with further amendments, and again recommitted for the further consideration of clause 2.

In Committee (Second recommittal):

Clause 2. (*Vide* page 1663.)

Amendment (by Mr. THOMAS) agreed to—

That after the word "months," in paragraphs *a* and *b*, the words "and consisting of writings or articles on current topics, fiction, religious, technical, scientific, or practical subjects" be left out.

Bill reported with further amendments, and, by leave, passed through its remaining stages.

ADJOURNMENT.

ARMED FOREIGN MERCHANT-SHIPS.

Motion (by Mr. HUGHES) proposed—

That the House do now adjourn.

Mr. KELLY (Wentworth) [10.43].—This afternoon the Prime Minister made a statement with regard to a motion that I had before the House, dealing with the question of armed foreign merchantmen. By the courtesy of the right honorable gentleman I have been given a proof of the *Hansard* report of his speech, in which I find the following words—

We do say most emphatically—shall I say determinedly?—that those who control ships of other nations trading in these waters must not presume too much on our good nature, and equip their vessels in such a way that they may not only be ships of commerce but instruments of war.

In view of that statement I take advantage of this the first opportunity open to me of signifying my intention of withdrawing from the notice-paper, with the consent of the House, the motion standing in my name. The Prime Minister's statement meets completely my wishes in the matter, and I am very gratified to hear that the Government have arrived at this conclusion.

Question resolved in the affirmative.

House adjourned at 10.45 p.m.

Senate.

Friday, 20 October, 1911.

The PRESIDENT took the chair at 10.30 a.m., and read prayers.

DR. BASEDOW.

Senator VARDON.—Some time ago the Vice-President of the Executive Council, in answer to a question, promised to lay on the table of the Library the documents relating to the appointment and resignation of Dr. Basedow, in connexion with the Northern Territory. That has not yet been done, and I should like to know when it will be done.

Senator McGREGOR.—I shall remind the Minister of External Affairs that my promise has not yet been kept, and ask him to hurry up the production of the papers.

PORT DARWIN FARES.

Senator WALKER asked the Minister representing the Minister of External Affairs, *upon notice*—

1. Has he noticed a paragraph in the *Age* of 17th October, 1911, referring to the prospective increase of passenger fares between other Australian ports and Port Darwin?
2. If so, what practical steps will the Government take to increase the facilities for persons to proceed to Port Darwin, and thus assist in attracting population to the Northern Territory?

Senator McGREGOR.—The answers to the honorable senator's questions are—

1. Yes.
2. Inquiries in regard to the matter are being made, but the Minister is not yet in a position to indicate what form action will take. The importance of the question is fully recognised.

Senator MILLEN.—Has the Minister seen a further paragraph, dealing with the same subject, but giving fuller information? And, if not, will he take steps to bring under the notice of his colleague the paragraph to which I refer, and which appears under the head of "Telegrams from Sydney" in to-day's newspaper?

Senator McGREGOR.—I shall call the attention of my honorable colleague to the paragraph.

OFFICE CLEANERS: HOLIDAYS.

Senator KEATING (for Senator READY) asked the Minister representing the Postmaster-General, *upon notice*—

1. Is he aware that the female office-cleaners at the General Post Office, Hobart, Tasmania, only receive 25s. per week, and that they are only allowed one week's holiday every year, whereas other postal employés are allowed three weeks?
2. Does not the provision that all postal employés over the age of twenty-one should receive £110 per annum apply to these cleaners, one of whom has four years' service?
3. Considering the nature of the work of these employés, will the Minister recommend an improvement in their conditions?

Senator FINDLEY.—The answers to the honorable senator's questions are—

1. Yes; the rate having been increased from 20s. per week in November last. Some are allowed one week's leave and some two weeks' leave per annum, according to the length of time they have been employed. They are not permanent officials, and therefore the provisions of the Public Service Act do not apply to them.
2. No. These employés do not come under the provisions of the Public Service Act, and do not work as many hours as permanent employés.
3. In view of all the circumstances, the conditions are considered reasonable.

TELEPHONE EXCHANGE.

Senator RAE asked the Minister representing the Postmaster-General, *upon notice*—

1. Has he received a petition and several communications from the people of Collarenebri in the north-west portion of New South Wales, asking for a telephone exchange?
2. Has the Postal Department received many requests to establish telegraphic or telephonic communication between the town of Collarenebri and the nearest railway station at Collarenebri East, some ten or twelve miles distant?

Senator FINDLEY.—The answers to the honorable senator's questions are—

1. No.
2. Yes; and the terms under which the erection of the line could be proceeded with have been communicated to all concerned.

NAVAL AND MILITARY DECORATIONS BILL.

Motion (by Senator PEARCE) proposed—

That this Bill be now read a third time.

Question put. The Senate divided.

Ayes	...	...	...	16
Noes	...	...	...	7
Majority		...	...	9

AYES.

Blakey, A. E. H.	Pearce, G. F.
Buzacott, R.	Rae, A.
de Largie, H.	Russell, E. J.
Findley, E.	Russell, W.
Henderson, G.	Turley, H.
Keating, J. H.	Walker, J. T.
McDougall, A.	
McGregor, G.	*Teller:*
O'Keefe, D. J.	Story, W. H.

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NOES.

Chataway, T. D.	Sayers, R. J.
Gardiner, A.	Vardon, J.
Long, J. J.	*Teller:*
Millen, E. D.	St. Ledger, A. J

Question so resolved in the affirmative.

Bill read a third time.

TRADE UNIONS.

Motion (by Senator ST. LEDGER) agreed to—

That there be laid on the table of the Senate a return showing—

(1) (*a*) The number of trade unions registered under the State laws in the respective States. (*b*) The number of individuals coming within the jurisdiction of such legislation. (*c*) The occupations or industries in connexion with which such registration is made.

(2) The number of registered industrial organizations (*a*) of employers, (*b*) of employés registered under the State Industrial Arbitration and Conciliation Acts, and (*c*) the industries in connexion with which such registration is made.

(3) The number of organizations (*a*) of employers, (*b*) of employés registered in pursuance of the Commonwealth Conciliation and Arbitration Act of 1904 and Acts amending the same, and (*c*) the industries in connexion with which such registration is made.

POST AND TELEGRAPH RATES BILL.

Bill received from the House of Representatives, and (on motion by Senator FINDLEY), read a first time.

KALGOORLIE TO PORT AUGUSTA RAILWAY BILL.

SECOND READING.

Senator PEARCE (Western Australia—Minister of Defence) [10.44].—I move—

That this Bill be now read a second time.

I experience a special pleasure in introducing to the Senate this very important Bill, from the fact that I am a representative of Western Australia, and that, as an Australian, I am associated with one of the biggest works which this Parliament has yet been asked to approach, and one which, I venture to say, will inaugurate a vigorous policy of development of our vast interior, which is at present lying idle and unpopulated. When one looks at a map of our vast continent and realizes that, unlike most continents, it is not bisected with waterways which will allow vessels to carry commerce, one is forced to the conclusion that the only means of developing that country and making it available is by a vigorous policy of railway development. I have recently had an opportunity of crossing the vast continent of Asia. The portion which I crossed resembles very much our continent, except in one important particular, and that is that, every 50 or 100 miles, one crosses a river capable of carrying ships and rafts of timber, and therefore capable of being used in the development of the country. Even in Asia, bisected as it is with vast rivers, railways have been found a necessity, and the Government of Russia have planned and carried out that vast work, the trans-Siberian railway. Not content with a single track, they are duplicating the railway from one end to the other. It is reported that the railway has so far justified itself; it has opened up country which previously lay idle, and which was thought to be unusable, to such an extent that a duplication of the line was called for, and the work is now proceeding.

Senator WALKER.—What is the gauge?

Senator PEARCE.—The gauge is 5 feet.

Senator MILLEN.—Do you say that the development of the country rendered necessary a duplication of the railway, or is it undertaken in aid of the defence scheme?

Senator PEARCE.—For both reasons. Undoubtedly defence had a good deal to do with the construction of the railway in the first place, and also with the decision to duplicate the track. Both for development and defence, a duplication of the line became necessary, and the work is being carried out. The great continent of America, blessed as it is with vast water supplies, has found the same necessity, and has not been content with a single track. In Canada, although it is comparatively narrow north and south, they have seen the necessity of constructing not one, but three transcontinental lines, and a branch is now being constructed of such length and character as to be almost worthy of being called a fourth transcontinental line. When one contrasts the comparatively restricted area of Canada, that is, north and south, with our vast continent, one can see how modest, after all, is the start which we propose to make. When we compare Australia with other lands, and notice our lack of navigable waters, it must be obvious that we need more railways for developmental purposes than does any other country. At the end of 1910 Canada had 24,731 miles of railway mostly transcontinental lines, while Australia,

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counting in private and Government lines, possessed only 17,431 miles.

Senator WALKER.—Do the railways in Canada belong to a private company, or to the Government?

Senator PEARCE.—They belong to a private company, although they have been paid for by the people of Canada. When we remember that, side by side with a vast railway system in Canada is the finest river system in the world, a chain of lakes which allows navigation for thousands of miles; when we remember the noble St. Lawrence and all the other rivers, and add these conveniences to the railways, we see how far behind Australia lags. Surely it is time that we started to show that we have some faith in the continent which we have inherited. The railway which is the subject of this Bill is one which, I venture to say, can only be carried out by the National Parliament. It is too huge a task for the comparatively small communities of Western Australia and South Australia to take up on their own responsibility. When we think of that vast area of Western Australia, peopled by just about 300,000 inhabitants, and remember that they have the responsibility of developing and opening up their own territory, we must realize what a huge task they have in hand already. When we turn to South Australia, the case is very little better. There we certainly have a somewhat larger community, but one which is heavily burdened with the task of developing the country under its control. If we consider the aspect of defence—a Federal matter—we must realize that unless we have this railway, Federation means nothing from a defensive point of view to the Western Australian people. For what, after all, can the Commonwealth give to Western Australia in the matter of defence unless this railway be built? Western Australia has a right to look to the Commonwealth to make available for her defence the forces of the other portions of this continent, just as the whole Commonwealth has a right to expect that the forces of Western Australia shall be made available for the defence of the other portions of the continent if they are threatened. The movement for the construction of this line has had a somewhat long career. I venture to say that few railways in Australia have been so much discussed, so much inquired into, so much thought over, as this particular line; all the advantages, and the disadvantages, all the benefit, and all the evil, that can flow from its construction, are thoroughly well known, and have been thoroughly well canvassed and investigated. So far as public action is concerned, the first move was set on foot in 1901 by the late Mr. C. Y. O'Connor, engineer-in-chief of Western Australian railways, who prepared a report on the proposed line, and who estimated the cost of construction at £4,400,000. In 1903, as the result of Federal action, the engineers-in-chief of the various State railways met in Melbourne. After going into the subject very fully, they recommended the construction of a line on a 4-ft. 8½-in. gauge, and estimated the cost at £4,559,000. In 1907, after a Bill had been previously introduced on two occasions—it was once defeated, and once talked out in the Senate—a measure to provide for a survey was finally passed, appropriating £20,000 for the purpose.

Senator W. RUSSELL.—Who was Prime Minister then?

Senator PEARCE.—The Prime Minister at the time the Bill was introduced was Mr. Watson, and I think that Mr. Fisher was Prime Minister at the time the Bill was passed.

Senator W. RUSSELL.—The Labour party again!

Senator PEARCE.—Several Ministries were associated with the question at various times in its history—because it has had a very protracted history. In 1909, the survey having been completed, a report upon it was drawn up and submitted to the engineers-in-chief of South Australia and Western Australia, in conjunction with Mr. Deane, the consulting engineer of the Commonwealth. As the result of the data collected, and the consideration of the reports submitted, the estimate of cost was reduced by the engineers to £3,988,000. I may mention that the only previous survey was that by Mr. Muir, the Government surveyor of Western Australia.

Senator WALKER.—Can the honorable senator remember the cost of that flying survey?

Senator PEARCE.—The cost was borne by the State Government, and I do not know what it amounted to. It was comparatively inexpensive, and, of course, was not of very much value for the purpose of estimating the cost of the railway. After the engineers-in-chief had reduced the estimate, in consequence of the detailed examination of the country, the taking of

levels, and other necessary investigations, working drawings were ordered to be prepared. A vote of £5,000 was passed on the Estimates last year for the payment of a staff to work up the details collected by the survey party. That material has been to a large extent worked through, and the task almost completed. A plan of the line has been plotted to a scale of 4 chains to the inch, and the longitudinal section to the horizontal of 4 chains to the inch, and vertical scale of 20 feet to an inch. The sharpest curves are of a 20-chain radius, and the steepest grade is one in eighty. As to the route of the line, I wish to quote from a report of the railway construction branch of the Department of Home Affairs, founded upon the surveyors' report. On page 4, it is stated—

Commencing at Kalgoorlie the line follows the existing railway to Kanowna as far as Kurramia Siding, a little over 6 miles from Kalgoorlie; but as the grades of the existing line are steeper than that decided upon as a ruling grade for the transcontinental railway, some cutting down will have to be undertaken. After leaving the Kalgoorlie-Kanowna railway the line follows practically for a distance of some 40 miles the Westralia Timber Company's tramway, bearing generally south-easterly for that length, and passing through the township of Bulong, about 23 miles from Kalgoorlie; thence the line runs almost due east, adjacent to the 31st parallel of latitude to about 357 miles; thence it runs on a bearing of north 79 degrees east until the South Australian border is reached, at a mileage of 461 miles 77 chains 89 links in latitude 30 degrees 45 minutes south —boundary to Tarcoola. From the end of the Western Australian division, in latitude 30.45 degrees south the line runs in the direction of 10 degrees north of east across the Nullabor Plain, cutting Cornish's line in latitude 30 degrees 28 minutes south, and strikes the sandhill country about 170 miles east of the Western Australian border, passing 3¾ miles south of Ooldea well.

I draw attention to the fact that from Nullabor Plain absolutely no sand hills exist at all. It is all good loam country.

Through the sandhills, about 100 miles, the general direction is easterly, and the line passes about a quarter of a mile south of Wynbring rock, 63 miles west of Tarcoola, and from there runs in a fairly direct course to Kychering, 23 miles west of Tarcoola, passing along the north side of Kychering hills, and continuing in a straight line to the western boundary of the Wylgena station, which is crossed at a point 3½ miles north of Pinding rock hole. After crossing the vermin-proof fence the line runs in an easterly direction to Tarcoola, 802 miles from Kalgoorlie, skirting the southern slope of the range on which the gold mines are situated. From Tarcoola to Port Augusta, about 262 miles by railway survey, the line runs through occupied pastoral country, including the Wilgena, Coondambo, Wirraminna, Pines, Oakden Hills, and Yudnapinna stations. The line starting from Tarcoola runs easterly to near Wilgena Hill, and continuing in a south-easterly direction over easy country, passes about 1 mile north of the Wilgena head station, 12 miles from Tarcoola. Running easterly from Wilgena the line skirts the south-west end of Lake Moolkra, and passing along the north side of the hill near Earea dam, where some gold mining has been done, leaving Kingoonya head station 1 mile to the north at 850¼ miles, traverses easy country to 885 miles, half a mile south of Coondambo head station. After leaving Coondambo the line runs south of Lake Boomerang and north of Wirraminna head station to the south end of Lake Hart, with easy earthworks and light grades. From there to Eucolo Creek the line goes through country, including some swamps, sand rises, and gypsum banks.

I draw attention to the fact that that is the only point along the route where the sand is drifting sand. There is a mile and a half of it.

At Eucolo Creek it is subject to a sand drift for about 1½ miles between 931½ miles and 933 miles. From Eucolo Creek to Lake Windabout the line crosses an open stony tableland.

The report on this point concludes—

The line runs through sand which is light and mostly free from drift.

I wish now to direct especial attention to this question from the defence point of view. That is a very important phase of it. There is no doubt that a country like Australia is subject to attacks from sea. We have no land frontier. Therefore, we have to be in a position to direct our troops to any point in Australia that may be threatened from the sea. With the advent of wireless telegraphy, and with the increased speed of steam-ships, it is quite possible that we shall receive a very much longer warning of a threatened attack than was hitherto possible. As honorable senators are aware, one of the proposals agreed upon at the recent Imperial Conference related to the extension of wireless telegraphy throughout the Pacific, and by means of a chain of stations lying to the north and north-west. By such means any movements of foreign ships coming to Australia would almost certainly be known to us by warnings communicated from elsewhere, and we should have information as to the point of our coast for which they were making. It is very essential that by means of internal lines we should be able to concentrate our forces at any point that might be threatened, to prevent a landing. The report from which I have been quoting, dealing with this aspect of the matter, says—

It has more than once been suggested that the line opposite Eucla, at the head of the Bight,

is too near the coast. The actual distance is about 60 miles, through country which, although carrying sufficient vegetation for stock, is of an unhospitable character, because there is no water to be obtained until the line is reached.

It will be seen from the map hanging upon the wall that the nearest approach of the line to the coast is 60 to 80 miles.

It would probably take a boat's crew three days from the coast to reach the line. It is very doubtful whether there is the slightest danger of attack being made in the neighbourhood of Eucla. The character of the coast does not permit of ships lying close in in all weathers. Consequently, if heavy weather set in they would have to head right out into the Bight for safety, so that a boat's crew which had landed might be cut off completely without doing damage of any consequence. It seems, therefore, extremely unlikely that an enemy would make any attempt to land.

One of the chief objections that has been raised to this line from a defence point of view is that at one point it comes so close to the coast that it might be possible for an enemy to cut the connexion.

Senator MILLEN. — Does that objection come from professional military men?

Senator PEARCE.—I have not heard the objection voiced by military men.

Senator MILLEN.—It would add to the importance of the point if it were so.

Senator PEARCE.—I have never heard any opinion to that effect expressed in my Department; in fact, I have not heard an opinion about it one way or the other. But when one looks at the map one is forced to remember that the great bulk of the population of Western Australia is concentrated in the south-west corner, of which the line from Kalgoorlie towards the coast would form the northern boundary. On the South Australian side, a line from the head of Spencer's Gulf constitutes the country which carries the bulk of the population of the State. As we have to join up those two points, it follows that the result of the construction of the railway from a defence point of view will be to form a link between these two populations. If we are to take the line further away from the coast we should have to make a tremendous detour, thereby adding immensely to the cost of construction and maintenance. Still considering this question from the point of view of defence, I may remind the Senate that we recently had a visit from a great military strategist, Lord Kitchener, and I am going to quote from a speech which he delivered in Western Australia on the 24th January, 1910.

Senator GIVENS. — An after-dinner speech?

Senator PEARCE.—It was, but I can assure the honorable senator that the dinner did not prompt the speech. This speech was delivered after Lord Kitchener had had the opportunity of travelling all round Australia. It was made at the conclusion of his tour during which his mind had been concentrated for the whole time on the problems of Australian defence. Therefore, I should say he was never in a better position to deliver an opinion on the subject than he was when he uttered these words. He said—

In order to reach Western Australia we have just had a four days' sea voyage. I only wish we could have come here by train, for your present isolation must be not only a great commercial and political disadvantage, but also might at any time become a serious source of military weakness. Your distinguished fellow citizen, Sir John Forrest, has, I know, often pointed this out, and he has advocated the construction of a trunk line on the 4-ft. 8½-in. gauge to join Western Australia with the eastern States. I understand that this project is shortly to be taken seriously in hand, and I only wish to say how thoroughly I indorse Sir John's opinion on the subject. It seems to me, gentlemen, that one of the greatest needs of Australia is systematic, statesmanlike, and comprehensive railway extension.

Senator GIVENS.—Is Sir John Forrest to get all the honour and glory in connexion with the whole thing?

Senator PEARCE.—I do not care who gets the honour and glory so long as the line is constructed. I am satisfied that the people of Western Australia sufficiently showed recently that they possess an extraordinary amount of discrimination. Lord Kitchener went on to say—

Trunk lines opening up communication and developing the fertile districts in the interior of this vast country would undoubtedly stimulate more than anything else the growth of your population, as well as foster trade, and considerably increase your means of defence. At present Australia's expenditure on railway construction appears to be often spasmodic as well as unduly influenced by purely local conditions, instead of being guided by a steady policy based on national requirements, organized and directed under a central controlling authority.

That sounds almost like heresy in view of the referenda results.

While your efforts are naturally and quite rightly in the first place directed towards obtaining communication with the east, I hope that the possibilities of extension to the north, as well as the development of the rich hinterlands of Queensland and New South Wales will not be overlooked whenever comprehensive schemes of railway development, dealing with the country as a whole, are under consideration.

Senator O'KEEFE.—All that can only follow from the federalization of the railways.

Senator PEARCE.—Whether it follows or precedes the federalization of the railways, there is a splendid national policy mapped out in those remarks.

Senator O'KEEFE.—Hear, hear; it will come.

Senator PEARCE.—While I think that we should consider in the light of these reports the character of the country to be served by the railway, I shall show that there is sufficient to justify the construction of the line even if there were no country worthy of development at all in the space intervening between the two terminal points. A railway can be justified in crossing a desert provided you have at each end sufficient reasons why two populated centres should be linked up. It is an undoubted fact that one of the great American overland lines crosses 400 miles of absolutely sterile desert which is of no use, and apparently will never be of any use to anybody.

Senator BARKER.—We already have lines running through vast areas of unoccupied country.

Senator PEARCE.—That is so; it can be said of the line to Broken Hill. On the question of the character of the country, Mr. Deane's report, from which I am quoting, says—

> The first 70 miles of the railway traverses the main auriferous green-stone belt in which the gold-fields of Kalgoorlie is situated. From this point on for about 100 miles the country is granite, mostly covered with alluvial gravels and loam. At 175 miles from Kalgoorlie limestone is met with, and this continues to about 640 miles, where the sand-hills of South Australia are encountered.

Honorable senators will see that 810 miles of the country has absolutely no sand.

> The sand-hill region is traversed for about 100 miles. This consists of sand ridges with flats of varying widths lying between, and the soil on these flats is generally excellent, and carries grass and saltbush, and other useful vegetation. The sandhills themselves, which seem to have, in all cases, a solid core, and are not mere sand-dunes, are mostly covered with mallee and acacia scrub, with spinifex. Near Wynbring, 740 miles from Kalgoorlie, granite is again reached, and there is here an area of bare rock, from which water can be collected.

I may say that these bare rocks are an important feature of the interior of Western Australia. Before the Kalgoorlie water scheme was constructed, the whole of the water supply was collected from these bare rocks.

Senator GIVENS.—They were the origin of the soaks.

Senator PEARCE.—That is so; the Government made dams at the foot of the rocks, and the rocks acted as a roof and a catchment area for filling the dams. It would seem that, prior to the construction of the Kalgoorlie water supply, the drought experienced in Western Australia was practically the same as that which at the same time was being experienced in the east, because since the water was taken to Kalgoorlie the rainfall has never been so low as it was in those years. Since then there has been on the eastern gold-fields a rainfall of 16 inches, and the dams have never been empty, though many of them have been used for railway purposes. I mention this as indicating the importance of these rocks in providing a water supply for the railway.

Senator MILLEN.—They indicate also a very shallow soil.

Senator PEARCE.—They outcrop above the soil, but in the gold-fields districts of Western Australia, at a little distance from outcrops of rock, there is to be found from 30 to 40 feet of rich alluvial soil. The report continues—

> At Kychering, 20 miles further on, there is a large extent of bare rock, amounting to about 40 acres. At about 802 miles from Kalgoorlie Tarcoola is reached. Here the quartzite bands contain gold, and gold mining is becoming fairly prosperous. To the east of this, at Glenloth, some distance south of the railway, there is another promising gold-field. From a point west of Tarcoola to Port Augusta the country is occupied, having been taken up for sheep runs. The character of it generally is pastoral and of good quality. Around the salt lake beds which are encountered in this district there are low sandhills, which, however, after wet weather become covered with vegetation. Tablelands rising 200 or 300 feet above the rest of the country are also met with. On the top and sides of these nutritious herbage, chiefly saltbush, grows. The tablelands consist of a sandstone formation, more or less denuded, the surface of the land being covered with very hard sandstone fragments.

I omit a technical paragraph referring to various elevations, and the report goes on to say—

> The soil of the country, extending from Kalgoorlie to Spencer's Gulf, is for the most part good, and covered with vegetation consisting of various saltbushes, bluebush, grass, and other shrubs mostly edible, and trees of various kinds, such as mulga, blackoak, myall, mallee, and myoporum, with frequent bushes of sandalwood and quandong. The great drawback is the low average rainfall, which, except in a certain portion of the country to the east of Kalgoorlie, extending from about 40 miles to 105 miles, which evidently is more abundantly provided, does not exceed 7 inches, or at most 8 inches.

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Where water, however, is obtainable by boring or can be stored up in depressions or behind dams, and provided the country is not afterwards overstocked, its permanent suitability for occupation is undoubted.

Between Kalgoorlie and the edge of the Nullarbor plain shallow bores have been put down, but in all cases the bed rock has been reached without sign of water. Over this area, catchment dams can be built, or artificial catchments prepared. At Cardunia, 82 miles, and the granite ridge at 107 miles east of Kalgoorlie, there are good rock catches.

On the Nullarbor plain the State Government of Western Australia have carried out boring operations with success. At No. 3 bore, on the railway route, 344 miles from Kalgoorlie, water was struck between 1,270 and 1,344 feet in beds of fine and coarse sand with hard bands and granite boulders, with hard granite at the bottom. The water stands in the bore about 420 feet from the surface; there is a large supply, and it is of good quality, no salt, a little hard, but it is considered that it would be good water for boiler purposes.

Senator MILLEN.—The statement is made that there is a good supply. Has there ever been a pump on it to test it?

Senator PEARCE.—The fact that the water rises 700 feet seems to indicate that this bore is within the artesian basin. It is well known that the basin extends in that direction, and the south-eastern edge of it has never yet been definitely located. As this water rises, it is an indication of pressure, and probably the pressure is due to the water rising to the level of the artesian basin which extends over a great part of Australia. If this be so, this bore should supply a great deal of water before it is exhausted. There is evidence that the artesian basin receives a permanent supply from somewhere, but where it comes from is yet a matter of debate amongst geologists. The report continues—

No. 4 bore, at 419 miles 73 chains, was bottomed on granite at a depth of 907 feet. After drawing 30,000 gallons, water stands at 402 feet from the surface; quality slightly brackish.

Among the sandhills artificial catchments alone seem possible; but beyond this area the rock catchments of Wynbring and Kychering offer opportunities—the latter is very extensive, and the former is capable of great improvement by stripping. From Tarcoola east there seems little difficulty of conserving water. Where well water cannot be obtained sites for dams can be found.

Between Kalgoorlie and Tarcoola the country is remarkable for the absence of defined water-courses, and it is evident that the rain rarely comes in heavy falls. On the other hand, from Tarcoola eastward water frequently runs in well-marked channels, and although there are no very large water-courses, yet they are sufficiently defined in many cases to require bridges consisting of two or more 10-ft. openings.

Whilst that is a description of the water supply, and the quality of the country, the following from the same report is an indication of what might be possible in the way of agricultural and horticultural development:—

Between Bulong and the western boundary of Wilgena run, which is 11 miles west of Tarcoola, the country is unoccupied. The only operations that are taking place are the collection of sandalwood for export and salmon-gum timber for the Kalgoorlie mines. These extend to about 40 to 50 miles along the line.

I think that refers to the wood line running from Kalgoorlie.

If water can be stored or otherwise provided, there is no doubt about the suitability of the country between Kalgoorlie and Tarcoola for carrying stock.

At this point I should like to say that if honorable senators will consult the map, they will notice a line running north of Kalgoorlie towards Leonora. A remarkable feature of the country through which that line goes is that whilst at Kalgoorlie bores have been put down for a thousand feet without tapping any fresh water, before Leonora is reached, and in the country near the elbow formed where the line going north turns to the east, fresh water can be obtained in ample supply in some places at a depth of only 20 feet. The country is flat, with a gradual rise towards Leonora. In apparently the same class of country as that line, to the north of Leonora, and running away up to the Murchison, there is splendid underground supply of water. Geologists have not yet been able to say where that water comes from, but the district has a lesser rainfall than the Kalgoorlie goldfield, so that it is not a local supply. However, there it is in a vast area to the north of Kalgoorlie. I mention this here because of the existence of that water supply, although the country and grass is poorer than the Kalgoorlie country it has been taken up for pastoral purposes, and to-day is stocked. It follows that if the country lying south of Kalgoorlie, which is better grass country, could be furnished with a water supply, it would undoubtedly be settled for pastoral purposes.

Senator MILLEN.—Surely the Leonora rainfall does not drop to 7 inches?

Senator PEARCE.—Yes; it has a lesser rainfall than Kalgoorlie.

Senator MILLEN.—I did not think it was as low as 7 inches.

Senator PEARCE.—Yes; the Murchison rainfall is lower than the Kalgoorlie rainfall. The rainfall decreases as one goes north from Kalgoorlie. The country and grass are poorer, and the timber is poorer;

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so much poorer, in fact, that on the Murchison gold-fields considerable difficulty is experienced in obtaining a supply of timber for mining purposes, whereas round Kalgoorlie there is plenty of timber. The report continues—

Dams can be made at selected spots, while in the centre of the Nullarbor or limestone plain sub-artesian water has been obtained by boring. Hitherto one great objection to occupation has been the impossibility of getting stock away when feed becomes scarce and water gone.

The Nullarbor plains are of vast extent. They extend for about 200 miles in Western Australia right into South Australia for 100 miles, and from the coast to about 80 miles north of the railway. All the Nullarbor plain country is splendidly grassed. It is on the Nullarbor plains that the bore to which I have referred has been sunk, and it may well be urged that, in view of such a water supply, it is probable, if not certain, that this area could be thrown open for pastoral purposes. But, as the report goes on to say, if it were thrown open for pastoral purposes, some means would have to be provided to get the stock and produce to market, and this railway would provide that means.

This condition will be entirely changed by the construction of the railway, as stock fattened in the winter, spring, and early summer can be taken to market, and the reduced flocks could then easily be kept in condition over the summer.

Between Tarcoola and Port Augusta conditions will also very much improve by the construction of the line, and the pastoral industry already established will grow, and become much more profitable. It would be a wise provision if leaseholders were compelled to limit the number of stock, as otherwise the tendency will be to eat out the country.

Those who have any knowledge of pastoral occupations in Australia will know that there is a tendency in good seasons to overstock our pastoral country. The report goes on to say—

Whether anything can be done in the way of agriculture remains to be seen. It has not yet been shown how small a rainfall will suffice for the nourishment of wheat and other crops. More rainfall observations are imperative, and it is of vital importance to determine at what time of the year the rainfall occurs. It would appear that falls amounting in the aggregate to seven inches while the crops are growing are sufficient to insure success, and if, as Mr. Hunt, the Commonwealth Meteorologist, tells me, there are parts of Western Australia where 90 per cent. of the year's rainfall occurs in the months from April to October, there is considerable hope that some districts, with an extremely scanty rainfall, may prove quite suitable for agriculture.

The mineral producing area is not extensive. From Kalgoorlie the gold-bearing area extends about 60 miles in an easterly direction.

I refer honorable senators again to the map, and, if they will look at the line running east from Kalgoorlie, they will notice a short line running north to a place called Bullfinch. Most honorable senators have heard of it, and, perhaps, some of them may have heard of it to their sorrow. Within a few miles from Southern Cross, farming is to-day being carried on. If honorable senators will look at the transcontinental line, they will see that it runs very much nearer to the southern coast than Southern Cross is to the western coast, and if they refer to Mr. Hunt's rainfall maps, they will notice that, although the rainfall does not go as far inland from the southern coast as from the western coast, it does extend sufficiently inland from the southern coast to warrant the assumption that agriculture will be possible on the Nullarbor plains. I know it will be urged that no data has been collected, and that is true as regards the Nullarbor plains; but, if honorable senators will look to the west of the Nullarbor plains, where some salt lakes are shown near Norseman, I may inform them that rainfall records have been taken for twelve years for that district; and a little to the east of south of Norseman a station owned by a Mr. Dempster has been occupied for forty or fifty years. Mr. Dempster has kept records during that time, and they show that in that country lying a little to the east and south of Norseman, there has been an average rainfall of over 12 inches per annum. It is reasonable to assume, therefore, that the country lying along the Great Australian Bight has a rainfall equal to that which Mr. Dempster has proved in the country lying north of Norseman, and directly to the south of Kalgoorlie.

Senator MILLEN.—That must be qualified by a consideration of the direction from which the rain clouds come.

Senator PEARCE.—There are many things which would qualify the statement, but I am saying that it is a reasonable assumption. Farming is carried on immediately south of Kalgoorlie, and within 60 miles south of Kalgoorlie. One of the arguments put forward for the construction of a railway from Esperance to Norseman is that it would throw open 140,000 acres of agricultural land with a proved rainfall, and capable of carrying farms. And, for the information of Senator Givens, I may state, that the Labour Government of Western Australia have

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announced their intention of constructing a railway from Kalgoorlie to Esperance. So much for the agricultural and pastoral possibilities. The report continues—

The mineral producing area is not extensive. From Kalgoorlie the gold-bearing area extends about 60 miles in an easterly direction.

After this the country, as far as minerals are concerned, is barren until the neighbourhood of Tarcoola is reached. Here, and at Glenloth, it is possible that considerable development will take place when the railway is there to encourage it. At Mount Gunsen copper ores are found, but there has not been much progress so far.

I believe that there is an immense body of low grade ore at that point. The water supply is a very important feature, and, as the result of a survey, Mr. Deane reported on that subject in the following terms :—

In the Estimate of Cost furnished with the Report of the 11th October, 1909, the sum of £609,000 was quoted for water supply. This was figured out on the assumption that steam locomotives would be used for hauling trains over the line. This item of the estimate has been further looked into, and I have found it possible to make a considerable reduction, partly owing to the fact that water of good quality has been proved by boring to exist below the surface at a point 344 miles from Kalgoorlie, as mentioned previously in this Report, and partly by adopting a cheaper method of conveying water to distances along the line, namely, by using wooden stave pipes instead of steel. I may call attention to a fact that is probably well known, namely, that the Mundaring water has in the past acted in a most prejudicial manner on the steel mains conveying it to the gold-fields. Not only has the asphalt coating of the inner surface of the pipes been penetrated, but the metal of the pipes has been attacked, causing so much corrosion and growth as to enormously reduce the sectional area, and consequently the carrying capacity.

I may mention that the State Government brought out two scientists, from Germany I think, to report on the best method to overcome this difficulty, and that, by some chemical properties which are now put in the water, they can overcome the corrosion.

Senator MILLEN.—Was it corrosion or a growth inside?

Senator PEARCE.—Both corrosion and growth, caused apparently by some chemical properties collected in the water in the hills at Mundaring. Mr. Deane continues—

The wooden stave pipes as now manufactured by the Australian Wood Pipe Company, in Sydney, are not liable to this deleterious action, and the cost per foot run is besides much cheaper than that for steel pipes of the same diameter. The economy thus works in a double way. In estimating the size required for steel pipes an allowance was originally made for the lessening of capacity through corrosion—that is to say, larger pipes than actually required when in their original clean condition had to be provided—but when timber is the material selected this extra size is not necessary, as the wooden pipe retains its carrying capacity through its life—and then there is the lower cost of the material.

The scheme now proposed is to take water from the Mount Charlotte tank at Kalgoorlie, convey it along the line in pipes of suitable size, delivering it for the use of the steam locomotives in water tanks about 50 miles apart, till the tank at about 257 miles from Kalgoorlie is reached. Then making use of the water at No. 3 bore at 344 miles, pump and deliver this back towards Kalgoorlie as far as 295 miles, where a tank would be placed, and sending it along the line in the direction of Port Augusta as far as the end of the limestone plain where the sandhills are entered at about 632 miles from Kalgoorlie, which is the lowest point on this part of the line, viz., about 327 feet above sea-level. Between No. 3 bore and this point tanks erected at intervals of about 50 miles would be supplied from the same main.

From the commencement of the sandhills to Port Augusta water would have to be conserved as originally proposed, that is, by making artificial catchments, by utilizing rock catchments where available, and storing in reservoirs or where water-courses with sufficient catchment area occur, by building dams, and impounding the water which occasionally runs in large volume.

By the above scheme sufficient water for engine purposes can be secured, at a total estimated cost of £456,000, thus showing a saving of £155,000 on the estimate of October, 1909.

If the Internal Combustion principle can be applied to the locomotives used on the railway, the provision for water can be much reduced, and it might be safe to reckon on bringing the cost down to, say, £250,000, as the water requirements would then be confined to station purposes and household use.

The question of using the internal combustion engine is being closely inquired into by Mr. Deane, who believes that at present the outlook is very promising, and that he will be able to recommend the use of the engine on this railway. If that is so, there will be very important developments in railway construction in the dry areas of Australia. I confess that, until recently, I knew little or nothing about the internal combustion engine, but possibly what I have learned may be of information to some honorable senators. It seems that it is an engine which uses oil, and the explosion caused by the ignition of the oil supplies the driving force. It does not use water for steam power as in the case of an ordinary locomotive. It only requires water for the cooling of the cylinder in which the explosion takes place. It is really an oil engine applied to a locomotive, and as the water for cooling the cylinder can be used over and over again, a locomotive will have to carry only a small quantity, and therefore the question of water supply

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will be a very simple proposition. Previously the difficulty has been that they have never been able to get in one engine more than 200 horse-power. On an ordinary train that would not be sufficient, because some of our trains require 1,400 horse-power. But in America they are carrying out an experiment; they attach an internal combustion engine to each truck or carriage, and therefore get a multiplication of 200 horse-power. By employing five vehicles you would therefore get 1,000 horse-power, and by using ten vehicles you would obtain 2,000 horse-power, and so on.

Senator RAE.—Would not that multiplication of engines be much more expensive?

Senator PEARCE.—Yes, it would be much more expensive than ordinary rolling-stock, but not much more expensive than locomotives of similar power. I am speaking of trains, and not of locomotives. This, of course, will be a line primarily for the conveyance of passengers, mails, and at certain times freight. If the experiments in progress are successful, as the reports lead us to expect, it is quite possible that, by the time the railway is constructed, the use of the internal combustion engine will be adopted, and then the question of water supply will be a very simple problem indeed.

Senator WALKER.—Has Mr. Deane said anything about the mono-rail?

Senator PEARCE.—Yes, I have had conversations with Mr. Deane about the mono-rail, but the difficulty is that it is in the experimental stage. I think honorable senators will agree with me that we would not be justified in constructing this as an experimental line. In the Commonwealth there are plenty of places where railways are needed, and where it might pay to make experiments.

Senator BARKER.—Yes, a line, for instance, to the Government House in the new Territory.

Senator PEARCE.—There is plenty of room for making an experiment there. I wish now to refer to the estimates of revenue and expenditure. In his report Mr. Deane says that it is very difficult, if not impossible, to give an estimate of the revenue and expenditure which can be seriously backed up. In developing a new country an estimate of revenue and expenditure must be problematical. In an official report on the proposed transcontinental railway, which was laid before the Senate in 1903, the State Engineers-in-Chief say—

Our statement of estimated Revenue and Expenditure is as follows:—

Revenue		£205,860
Working expenses ...	£114,400	
Interest at 3½ per cent. ...	159,566	
		273,966
Deficiency		£68,106

Ten years after opening of Line:—

Revenue		£411,720
Working expenses ...	£210,000	
Interest on orginal capital plus 15 per cent. for improvements at 3½ per cent.	183,501	
		393,501
Net profit over and above working expenses and interest		£18,219

I have quoted the deliberate statement of the six Engineers-in-Chief, but I am inclined to agree with Mr. Deane that it is very difficult to forecast the revenue and expenditure in connexion with such a line. I ask honorable senators to accept the quotation in the spirit in which it is submitted. I hold, however, that, even if the line should be run at a loss for some years, the indirect benefits which will accrue to Australia will justify that loss. Since this proposition was first put forward certain things have happened which make it more justifiable to-day than ever it was before. In the first place, the importance of Western Australia as a State of the Commonwealth has increased enormously.

Senator GARDINER.—Especially since the last State elections.

Senator PEARCE.—Yes, in our eyes. The population of the State is now nearly 300,000, having increased by over 100,000 persons in the last ten years. The number of horses has increased from 74,000 to 134,000, whilst the number of cattle has increased from 400,000 to 800,000. The number of sheep has doubled. The number at the end of 1910 was given in the monthly statistical abstract as 5,157,699. The production of wool has consequently doubled since 1900, and at the end of 1910 the State exported 26,197,212 lbs. The greatest development has taken place in agriculture. The area under wheat has increased from 94,709 acres to 581,482 acres in 1911. The area under oats has increased from 9,751 acres to 61,918 acres, and the area under orchards from 6,076 acres to 16,721 acres. The total area under crop has increased from 217,441 acres to 854,837 acres. It is, I am sure,

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a source of satisfaction to every honorable senator, no matter on which side he sits, that the State is making such splendid progress. The argument that that part of the Commonwealth has a right to be linked up with the eastern States is now more powerful than it was in the years gone by. Whilst we may not make any arbitrary statements as to what the revenue will be, I think it is only right to state what those sources of revenue may be. On page 19 of his report, Mr. Deane says—

> It appears from the returns that the passengers to and fro between east and west amount to about 55,000 per annum. This shows the extent of the passenger traffic between these two parts of Australia. There can be little doubt that were land communication established a great many people who now have a horror of the sea voyage would take advantage of the railway, and that many more who do business between the east and the west would actually make the journey themselves rather than trust to letter-writing. The time of the journey between Melbourne and Perth would be reduced from nearly five days to practically two and a-half days; the same proportionate saving of time would certainly be effected between Sydney and Brisbane and Perth when proper routes have been established.
>
> The example of the United States of America shows how enormously traffic increases with the means of communication. Practically the eastern States are independent of the States on the Pacific Slope, just the same as the States on the Pacific Slope are independent of the eastern States, but an enormous traffic goes on between them, and when Canada is reckoned in, it is worthy of note that there are seven lines of railway crossing the continent between the Atlantic and the Pacific, and it can only be concluded that when the east and west of Australia are linked up a similar traffic in proportion to its population will result. With regard to what has been said as to the uncomfortable travelling over the hot interior of Australia, it may be pointed out that very great improvements have been made in the fitting up of railway carriages. A journey in the interior of Australia is certainly not worse than one over the Arizona Desert, and yet I can testify that travelling is quite comfortable even in summer. Carriages are fitted up with double windows, which are closed to keep the dust out, ventilation being secured by the fanlights in the roof; a minimum of dust comes in to distress the traveller, and the intense heat is also kept out.

I propose to relate my experience in travelling across Siberia. I used to be considerably impressed with the argument that, if we had a railway from Port Augusta to Kalgoorlie, persons would be deterred from using it by the fact that they would be in the same train two and a-half days. Recently I have travelled across a country where I was continuously in trains for ten days; that is, I was in one train for six days, and then I only walked across the platform into another train, in which I travelled for four days. From the time I left Moscow until I landed at Vladivostock, I was not out of a train at any one time for twenty minutes. Yet I was never wearied of the train journey.

Senator MILLEN.—Perhaps you were in a hurry to get out of the country?

Senator LONG.—What were you playing?

Senator PEARCE.—I bought a pack of cards at Moscow, but it was not opened.

Senator WALKER.—Could you walk from one end of the train to the other?

Senator PEARCE.—Yes. There was a continuous train journey of ten days, and each train was full of passengers. A berth has to be booked a month beforehand. We were told that we would have to book a long time beforehand in order to get a berth on the train, because it is what is called an international express. An ordinary express takes fourteen days to do the same journey. We passed three ordinary expresses on our journey. One of them we passed during the night, and so I did not see it, but the other two I did see, and they were also crammed full of passengers. In addition, a large goods traffic is going on, and immigrant trains, some of which, I was told, take twenty days to do the journey, are run.

Senator MILLEN.—How often do they run?

Sentor PEARCE.—I do not know, but we passed trains. At almost every station we passed either an immigrant or a goods train waiting for us to go through.

Senator WALKER.—Have you any idea of the through fare in British money?

Senator PEARCE.—As I was booked right through, I cannot say.

Senator WALKER.—What did they charge for booking you right through?

Senator PEARCE.—I will tell my honorable friend privately.

Senator W. RUSSELL.—What distance did you travel?

Senator PEARCE.—Six thousand miles. Whilst Siberia is a cold country in winter, it is a very hot country in the middle of summer. It has the extremes of heat and cold. After Manchuria is passed, one has to cross 350 miles of desert as bad as the Sahara—rolling sand plains without a vestige of tree or shrub of any kind on them. Although we passed through the Gobi Desert in the middle of summer, yet we experienced no more than the ordinary discomfort of a hot day when travelling in any part of Australia, because the train is

well fitted up, having been built specially to combat the discomfort of heat and dust. It is made up of large carriages, which are well ventilated in the roofs. All the appointments are good, and are well carried out. I experienced less discomfort on that train journey of ten days than I have done on many a journey I have made by steamer across the Great Australian Bight. As to the estimated cost, this report, on page 20, says—

All the items of the estimate have been under revision. Most of them remain approximately the same, except that the rates of labour having been increased, it is necessary to allow for this fact. The item water supply can now be reduced from £609,000 to £456,000, steam locomotives being used, or say to £250,000 if internal combustion engines are used instead.

The price of rails has risen since the last estimate was made, but as import duty is not now to be included, there will be very little difference—only about £7,000 extra.

Details are given, amounting to a total of £4,045,000, or, if internal combustion engines are used, £3,839,000.

These figures include 5 per cent. contingencies except in the case of rails and fastenings, and the estimate is based as before on the understanding that the best modern methods and mechanical appliances are to be used in carrying out all parts of the work.

Senator MILLEN.—Does that include the cost of rolling-stock?

Senator PEARCE.—Yes, it includes clearing, fencing, earthworks, bridges and culverts, rails and fastenings, sleepers and ballast, plate-laying, water supply, station yards, including telegraph equipment, terminal accommodation at both ends, and work-shops and machinery, maintenance for twelve months, rolling-stock, land purchase and engineering and supervision.

Senator WALKER.—How long will it take to complete the railway?

Senator PEARCE.—I cannot say offhand, but I think the estimate is about two years. Now I come to the question of gauge. The opinion of the Government on the matter is that we should have in Australia a uniform gauge, at all events as far as Commonwealth lines are concerned; and we have no doubt that, whatever gauge is adopted for this railway, the States will, sooner or later, follow our example. The policy of developing the Northern Territory will mean that another railway will have to be constructed there. The Government had to face this question of gauge and settle it; and, after giving full consideration to the various reports and to the experience of other countries, we decided on the adoption of the 4-ft. 8½-in. gauge.

Senator W. RUSSELL.—The Government made a mistake.

Senator PEARCE.—I hope the honorable senator has an open mind, and will be prepared to consider the evidence. One great advantage from having a uniform gauge railway running through all the Capital cities of Australia would be this: that one set of rolling-stock would serve for all parts of Australia. That would be an enormous advantage in the event of war, and also in the event of drought or famine for the purpose of conveying stock, food, and material from one part of Australia to another. Uniformity of gauge would enable rolling-stock to be concentrated in any district where it was most required. It could be brought from any part of Australia where there was not so much need for it to any other part where there was an urgent need, at the shortest possible notice. At present, one State cannot come to the assistance of another State with surplus rolling-stock.

Senator MILLEN.—Is there not unanimity of opinion as to the desirableness of uniformity of gauge?

Senator PEARCE.—I believe there is; but I am now dealing with the reasons which induced the Government to adopt the 4-ft. 8½-in. gauge for this railway. On this subject, Lord Kitchener says—

I would also mention that railway construction has, while developing the country, resulted in lines that would appear to be more favorable to an enemy invading Australia than to the defence of the country. Different gauges in most of the States isolate each system, and the want of systematic interior connexion makes the present lines running inland of little use for defence, though, possibly, of considerable value to an enemy, who would have temporary command of the sea.

We have been accused of not having taken the necessary action to induce the States to adopt uniformity of gauge.

Senator W. RUSSELL.—I think that is correct.

Senator PEARCE.—The honorable senator might hear me before passing judgment. I tabled yesterday papers containing the correspondence which the Government have had with the States on this question. Before the honorable senator speaks next week, I trust that he will peruse these papers. He will then be able to see whether the Government have not taken prompt action in the matter.

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Senator W. RUSSELL.—We might have had those papers a month ago.

Senator PEARCE.—That was not possible, because some of the States had not replied a month ago.

Senator RAE.—I see from the documents that no reasons in favour of the 4-ft. 8½-in. gauge are given.

Senator PEARCE.—I will give the reasons presently. On the 24th June, 1911, the Acting Prime Minister wrote to the Premiers of the various States suggesting a Conference of Engineers-in-Chief relating to the unification of railway gauges. Victoria did not concur for the reason that—

> The question will be listed for consideration at the next Conference of the State Premiers and Ministers.

On that communication I have to make only this comment. Is this a question for Premiers to consider? Surely it is a question for engineers. It seems to me to be a strange method of dealing with a proposal with regard to unification of gauge, to notify that it will be dealt with at a Conference of Premiers! Surely it ought to be settled apart from any political considerations. It ought to be determined by the technical knowledge of men qualified to discuss it and given a free hand to determine according to the merits. However, the Victorian Government said that they would not send their Engineer-in-Chief of Railways to a Conference of experts, but would send their Premier to a Conference of Ministers.

Senator MILLEN.—The answer is—is the Commonwealth to wait and tie up legislation until the Conference of Premiers meet?

Senator BARKER.—The present Premier may not be Premier after the next election.

Senator PEARCE,—That is quite possible. The States of South Australia, New South Wales, Queensland, and Western Australia, however, agreed. Tasmania did not concur, as, of course, was quite reasonable, because she is not affected. The following is the letter which the Acting Prime Minister sent to the various State Premiers in June:—

> At the instance of my colleague, the Minister for Home Affairs, who has been giving special consideration to the important question of the unification of the railway gauge throughout Australia, I desire to point out that the present seems to be an opportune time for proceeding further with the matter, especially as there appears to be unanimity of opinion in favour of the adoption of the standard gauge of 4 ft. 8½ in.
>
> 2. I shall be glad if you will be so good as to concur in the suggestion that there should be an early Conference of Engineers-in-Chief for Railways, under the presidency of Mr. Henry Deane, M.Inst.C.E., acting as the Consulting Railway Engineer for the Commonwealth, to consider and report as to the probable expense involved in the conversion of the trunk lines to the 4-ft. 8½-in. gauge, the time which will probably be occupied in carrying the proposal into effect with the least possible disturbance of existing arrangements and traffic, and generally.
>
> 3. If this Conference can be arranged within a month from date, it is expected that at least a preliminary report on this important subject will be available for presentation to Parliament in September.

Owing to the action of Victoria we have not been able to arrange for the Conference of experts which we desired. I wish to point out, however—and I especially direct Senator W. Russell's attention to these facts—that prior to Federation in 1897 a Conference of State Railways Commissioners, representing New South Wales, Victoria, and South Australia, declared in favour of the 4-ft. 8½-in. gauge as the uniform gauge for the country. They pointed out that that gauge would be less costly than any other. Again, after Federation, in 1903, the Engineers-in-Chief of five States—Tasmania standing out—under the presidency of Mr. Deane, once more considered the question. They unanimously recommended the 4-ft. 8½-in. gauge for this particular railway. At that Conference Victoria was represented by her Engineer-in-Chief, South Australia was represented by Mr. Moncrieff, and all the other States, with the exception of Tasmania, were represented by their Engineers-in-Chief, all of whom signed the report.

Senator W. RUSSELL.—Mr. Montcrieff condemns the 4-ft. 8½-in. gauge now.

Senator PEARCE.—He did not condemn it then. In February, 1911, a War Railway Council was constituted, which consisted of, amongst others, all the Chief Commissioners of Railways, presided over by Mr. Deane, representing the Commonwealth. They discussed the question of uniform gauge and also that of the gauge for the railway under consideration. They passed two resolutions—one that the Government should adopt as the uniform gauge on railways between capitals a gauge of 4 ft. 8½ in., and also that in constructing the railway to Western Australia the Commonwealth should adopt the same gauge. The Railways Commissioner for South Australia was a member of that Council, as was also the Commissioner for

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Both of them signed those recommendations.

Senator O'KEEFE.—Were they unanimous recommendations?

Senator PEARCE.—They were. Let me point out some of the reasons why we should adopt the 4-ft. 8½-in. gauge in preference to the 5-ft. 3-in. In the first place, to alter the 5-ft. 3-in. gauge to 4-ft. 8½-in. would involve no alteration of tunnels, embankments, bridges, and stations. But, on the other hand, to alter a 4-ft. 8½-in. gauge railway to 5 ft. 3 in. would necessitate enlarging every tunnel, every bridge, and, later on, every station, leaving out of consideration for the moment the rolling-stock.

Senator RAE.—With the exception of the stations, I do not think that the statement is a fact, because many of the tunnels and embankments are wide enough to allow of the alteration.

Senator PEARCE.—But in every one of these tunnels a recognised engineering margin of safety is allowed. That margin is the same whether the gauge be 4 ft. 8½ in or 5 ft. 3 in. If you put wider rolling-stock on a railway constructed on a narrower gauge you reduce the margin of safety of tunnels and embankments; and no railway engineer will recommend you to run 5-ft. 3-in. rolling-stock through a 4-ft. 8-in. tunnel. Let us see what these alterations of tunnels would mean. Do honorable senators realize that it would involve either the complete cessation of traffic on certain lines while tunnels were being altered, or the diversion of traffic by building other lines temporarily? You cannot have traffic going through a tunnel which is in course of structural alteration. That is absolutely impossible. Either you must build another line while you are altering the tunnels or you must stop the traffic altogether until the alterations are completed. On the railway, between Melbourne and Adelaide there are sixteen tunnels. I ask honorable senators to think of the dislocation that would be involved on that line if the width of the tunnels had to be extended. But by converting a 5-ft. 3-in. gauge railway to 4 ft. 8½ in. there need be no such dislocation. There are railways in Australia where tunnels have been constructed on the 4-ft. 8½-in. gauge. There are such tunnels on the Hawkesbury line in New South Wales.

Senator W. RUSSELL.—Is that the reason why the honorable senator has the support of the Opposition?

Senator PEARCE.—This is not a party question, and there is no need to appeal to party considerations. I want to adopt the method which will be cheapest, most efficient, and most expeditious. There is another point which honorable senators may not have considered. You can put a third rail on a 5-ft. 3-in. gauge line to bring it to a 4-ft. 8½-in. gauge, because you can put it conveniently inside the existing rails. But you cannot put a third rail on to a 4-ft. 8½-in. gauge line to bring it up to 5 ft. 3 in., for the simple and obvious reason that by so doing you would get too near to the end of the sleepers. While the sleepers on a 5-ft. 3-in. track could possibly be used for a 4-ft. 8½-in. track, you would have to take up both rails and sleepers to convert a 4-ft. 8½-in. gauge line to 5 ft. 3 in. When you come to take all these elements into consideration, it must be admitted that they materially affect one's judgment on the question. We have at our back with reference to the adoption of the 4-ft. 8½-in. gauge all the Engineers-in-Chief, and the Railway Commissioners, of Australia, so far as they have committed themselves as to public recommendations. We have at our back also the experience of the great transcontinental railways of Canada and the United States. In Canada, the first great transcontinental railway was built on the 4-ft. 8½-in. gauge. The railways there are private companies conducting their business purely for the sake of gain, not troubling about defence considerations or national considerations. Profit was their one idea in entering upon their construction policy. If their experience has proved to them that they could work with a better profit with a 5-ft. 3-in. gauge, or even with a 6-ft. or 7-ft. gauge, do honorable senators think that they would not have adopted it? They had complete knowledge as to what had been done in other parts of the world, in addition to their own railway experience. Yet they have built a second and a third line on the 4-ft. 8½-in. gauge. In the United States there are four, and in Canada there are three, transcontinental railways, all of them on the 4-ft. 8½-in. gauge.

Senator RAE.—Does not the honorable senator think that the first gauge adopted influenced to a great extent the remainder?

Senator PEARCE.—Not in the slightest degree, because the lines in America are independent. In many cases they were built by opposing companies, not running over each other's lines, and not junctioning with

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the other lines in any way. I think that with all that experience of these private companies, and with the expert advice obtainable in Australia, behind us, had we refused to adopt the 4-ft. 8½-in. gauge we should have been branded as unworthy to deal with this great project. We came to the conclusion that the evidence was overwhelming in favour of the gauge which we have adopted. I do not propose to say any more on this subject. I have already taken up more time than I had intended. But the subject is of such importance that it warranted a full explanation. I unhesitatingly commend the Bill to the Senate, and trust that whatever criticism may be directed towards it will be of a national character. I earnestly hope that we shall have no parochialism introduced, but that the proposal will be judged upon its merits. I have no doubt that if that be done, honorable senators will resolve that we ought to be prepared to shoulder the responsibility of doing something to develop the vast unpopulated interior of Australia.

Senator WALKER.—Will the Minister tell us whether any proposal has been made with regard to land grants?

Senator PEARCE.—That is rather a question for Committee, but I will say this: The Government do not propose to ask either Western Australia or South Australia to give us any grants of land beyond the area that is necessary for railway purposes. We do not think that we should approach this question in the same way as a private company would do. If the States concerned had cared to construct a railway on the land-grant system, it could have been constructed years ago.

Senator RAE.—When an offer is made to the Commonwealth.

Senator PEARCE.—I do not think that offers were actually made.

Senator O'KEEFE.—I thought an offer was made by Western Australia to hand over an area of land on each side of the railway to the Commonwealth.

Senator PEARCE.—A statement was, I think, made by Sir Walter James, the former Premier of Western Australia, that the Government of that State would sustain any loss that might accrue on Western Australia's part of the line. But no such offer was formally communicated to the Federal Government. It was a statement made in a public speech, and was not conveyed to us officially.

Senator O'KEEFE.—Has the Federal Government asked the Governments of Western Australia and South Australia to make up any loss on the line?

Senator PEARCE.—No, they have not, because they did not think that a fair proposition to make. But I can tell the honorable senator what the State of Western Australia has undertaken to do. The late Premier of the State indorsed it, and I have no doubt the present Premier also indorses it. The State Parliament passed an Act providing that as soon as the transcontinental railway is commenced, Western Australia will undertake to construct the railway from Fremantle to Kalgoorlie on the 4-ft. 8½-in. gauge at her own expense. That is an undertaking embodied in an Act of Parliament, and I have not the slightest doubt that it will be honored by the present Government of Western Australia. On the question of a land grant, I contend that that is not a fair proposition to make to the State Governments. The land is owned by the States, and I have no doubt that, with a Labour Government in each of those States, we can rely that whatever unearned increment may attach to the land from the construction of this line will be preserved by them for the people rather than for private individuals.

Senator MILLEN.—Not the people, but a section of the people.

Senator PEARCE.—I ask honorable senators further to consider whether, if such a condition is to be attached to the construction of this railway, it will not be fair to attach a similar condition to the construction of all railways which the Commonwealth may build. If the Commonwealth is to be given 25 miles of country on each side of this line by the States of Western Australia and South Australia, a similar demand for 25 miles on each side of the line may be made when it is proposed to construct a railway from the Federal Capital to Jervis Bay. I am disposed to think that if such a demand were made in that case, some of those who are enthusiastically in favour of the principle to-day would be found to have altered their tune.

Senator WALKER.—Is it intended, in the event of a unification of gauge, that the cost involved shall be borne by the Federal Government?

Senator PEARCE.—That is a question for future arrangement. The Prime Minister has made a public statement on the matter. He has said that in this connexion the Federal Government have an open mind, and will be prepared to favorably

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consider any proposition which the State Premiers have to make in that regard.

Debate (on motion by Senator Millen) adjourned.

ELECTORAL BILL.

Second Reading.

Debate resumed from 19th October (*vide* page 1603), on motion by Senator Pearce—

That this Bill be now read a second time.

Senator HENDERSON (Western Australia) [12.14].—I desire at the outset to say that I heartily indorse the action of the Government in introducing this measure for the amendment of the electoral machinery of the Commonwealth. I go further, and compliment them on some of the provisions submitted for that purpose. Every one will, I think, agree that it is the first duty of the Parliament and the people to secure that parliamentary elections shall be as pure as possible. I, personally, regard this measure as the only effort made up to the present time in that direction. I think there have hitherto been greater efforts made to prevent the exercise of a pure franchise than to encourage it. There is strong evidence of that in the history of past elections in Australia. Time and again we know that efforts have been made to place on our electoral rolls the names of people qualified to vote, and those who have been led to believe that they were enrolled have subsequntly found that, by political engineering, they have been prevented from the exercise of their right of citizenship. I do not intend to follow Senator Millen, in going through this amending Bill from A to Z, but I shall give my candid opinion on three or four of the most important amendments of the existing Act proposed with the object of securing something like purity of elections.

Senator St. Ledger.—Does the honorable senator not think that we have it at present?

Senator HENDERSON.—I am positively certain that we have not. I am satisfied that up to the introduction of this Bill every effort possible has been made to prevent it.

Senator St. Ledger.—By whom?

Senator HENDERSON.—If the honorable senator will restrain his impetuosity, I shall relieve his great anxiety in this matter. The first attempt to really secure purity of elections is made in this Bill by the introduction of a system of compulsory enrolment. This proposal should be supported by every fair-minded man, because it should be agreed that it is the duty of every citizen of the Commonwealth to recognise his responsibilities to the State. In my opinion the greatest responsibility resting on the shoulders of any citizen is to have his name placed on the electoral roll in order that he may be able to exercise the right to select the men who will be called upon to make the laws of the country.

Senator St. Ledger.—Is not that futile unless electors are compelled to record their votes?

Senator HENDERSON.—There is a great deal of difference between compelling men to record their votes and compelling them to shoulder the responsibility of seeing that they are enrolled. I have asserted that hitherto purity of elections has apparently been the very last thing considered or attempted, and, on the contrary, every effort has been made to prevent the proper exercise of citizen rights rather than to compel it. I invite honorable senators to consider what took place at the last Federal elections. Before those elections took place, although the rolls were said to have been made up with the greatest care, it was discovered in the State of Western Australia that the names of a very considerable percentage of the qualified electors of the State were left off the rolls.

Senator St. Ledger.—Was not that their own fault?

Senator HENDERSON.—I am not saying whose fault it was.

Senator St. Ledger.—Then it is not a question of the purity of elections.

Senator HENDERSON.—Perhaps the honorable senator will permit me to make my point. The result was that a supplementary roll had to be prepared to place those whose names had been left off the rolls in a position to record their votes. A number of men and women were then found running all over the State of Western Australia collecting the names of those who were not on the original rolls, ostensibly for the purpose of having them placed on the supplementary rolls. Numberless application forms were filled in, and these people who were collecting the names carried these applications away. I cannot directly charge any one, but it is very strange that when the supplementary rolls came out, a considerable number of names that had been collected by these canvassers were not to be found upon them.

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Senator CHATAWAY.—We lost a lot of votes in that way.

Senator HENDERSON.—I am sure the honorable senator's party did, but I am also sure that they profited more than they lost by the proceedings to which I refer. This is why I think every one should recognise the honest attempt made by the Government in this measure to render that kind of thing impossible in the future. That can only be done by adopting a system of compulsory enrolment, making each and every individual recognise his own responsibility to be enrolled. Men and women have for years past been canvassing the country, not with a view to getting names on the rolls, but with a view to sorting out the names of those who would be likely to vote against their cause, and carefully leaving them off the rolls. This has been an experience common to all the States of the Commonwealth, and the Government are very wise in adopting a system of compulsory enrolment. Once the people are enrolled, we need have no fear about their exercising their votes. Yesterday afternoon Senator McColl was crying out for purity of elections. He wants a big vote every time. That is exactly what I want. I am sure that on the day when that big vote is recorded, and when we find 80 per cent. of the electors on the rolls exercising their right to vote, we shall see the last shreds of the weakly Fusion-Liberal party wiped entirely out of the political life of Australia.

Senator ST. LEDGER.—The honorable senator is charging past Administrations with actual corruption.

Senator HENDERSON.—I am simply stating facts. Let honorable senators consider the election which recently took place in Western Australia. It is one of the brightest examples of the truth of what I say. The State roll had been very carefully looked after, and at the election the percentage of votes polled was the highest ever recorded at an election in that State. The result has been that there are only a few shreds of so-called Liberalism and an impossible Opposition left as a sort of relic of bygone days.

Senator WALKER.—Was not Western Australia the only State that accepted the referenda?

Senator HENDERSON.—Western Australia is the only State that takes an independent and sensible view on all national matters. I am, therefore, not surprised that it should have decided in favour of the referenda.

Senator FINDLEY.—Western Australians are pioneers in the path of political progress.

Senator HENDERSON.—That is so. I wish now to refer to another matter in connexion with which Senators Millen and McColl expressed feelings of soreness.

Senator NEEDHAM.—Where are they now?

Senator FINDLEY.—They have laid their eggs and gone away.

Senator HENDERSON.—They are not here now. Those honorable senators evidently feel very sore about the proposed abolition of postal voting. Ever since I entered the Senate I have battled against postal voting, and have consistently and strongly opposed it whenever the question came up for discussion. On the first opportunity afforded me here to raise my voice in opposition to the postal voting system, when I found I was beaten, I tried to make the Senate realize the ridiculous nature of the system by suggesting provisions to enable any member of the general public to witness applications for postal ballot-papers. However, that was not done. The Government now recognise the absurdity of the postal voting system, and propose its abolition. In very sympathetic tones Senator McColl tried to make out a great case for the poor sick woman who will not be able to record her vote by any means when postal voting is abolished. That, to my mind, is a hypocritical form of argument, and I have no hesitation in emphasizing the fact.

Senator NEEDHAM.—Is Senator McColl a hypocrite?

Senator HENDERSON.—I do not know what he is, but the argument which he used was undoubtedly hypocritical.

Senator ST. LEDGER.—That is not the point. You said that some of the women who used the postal vote were hypocrites.

Senator HENDERSON.—I said nothing of the kind. I said that the man who opposed the Bill on the assumption that it would prevent a sick woman from registering her vote was using knowingly an intensely hypocritical argument. Senator McColl vouchsafed some information which he had gathered showing the number of men and also of women who voted by post at the last election in Victoria. He did not go beyond the confines of his own State, but he fell into a sad error in merely stating the total in each case. If

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he had wanted to prove clearly his point, which I am satisfied he did not desire to do, he would have stated the percentage of sick women who were included in the total of postal voters. I venture to say that the experience of most persons in this respect is similar to mine, and that is that the postal vote has never been used very largely in the interest of sick persons. On the contrary, it has been used by the healthy, the strong, and the vigorous, at the instigation of the agents who travelled the country to try to prevent persons from having their names placed on the rolls.

Senator ST. LEDGER.—You are letting a number of cats out of the bag.

Senator HENDERSON.—I am letting the honorable senator know what I have seen and what I think. I rejoice that we now have an opportunity to remove from our law a provision which is useless for any purpose other than that of corrupting the elections from time to time. There is no honorable senator on this side who would be wanting in sympathy for sick women or sick men. I regret that afflictions do come to prevent either men or women from exercising the suffrage. The abolition of the postal vote will compel a good many persons, whatever else they may do, to vote cleanly and not corruptly.

Senator ST. LEDGER.—What provision does the Bill make for enabling a man or a woman who is sick to vote?

Senator HENDERSON.—I do not know that it makes any provision, but I think that the percentage in that respect is very low indeed. Even if no provision is made, it is much better to prevent a small percentage from doing a thing which they ought to have the right to do than to leave a licence to those who are continually studying how they may effect wrongdoing. The Bill makes another amendment of the Electoral Act, and that is in respect to newspapers. I do not know that my honorable friends on the other side need be very sorry about this amendment. It is one which ought to meet with the direct approval of every member of the Senate. We should all rejoice at the opportunity to enact an amendment of this character. It will render a very great service to my honorable friends on the other side, as well as to our party. It will prevent injustices from being perpetrated at the eleventh hour, or probably on the very morning of polling day.

Senator ST. LEDGER.—Will you kindly indicate the injustices which it will prevent?

Senator HENDERSON.—It will, for instance, prevent a lot of misrepresentations, and, in this respect, it may affect the honorable senator. It will prevent misrepresentations from being laid before the public gaze on the morning of an election.

Senator ST. LEDGER.—It does not touch that at all.

Senator HENDERSON.—It touches not only that, but several other things. It deals, for instance, with the question of expenses. The provision on that subject will probably save the honorable senator a few pounds, and consequently, to that extent, he ought to be very glad that the Bill has been introduced. I also heartily compliment the Government on their attempt, in proposed new section 181 c, to prevent the possibility of paid canvassers being sent out. It ought to save the friends of Senator St. Ledger a considerable amount of money, because, at previous elections, the country has been flooded with paid canvassers. The alteration, if adopted, will prevent my honorable friends from sending men round—and women too—for five or six weeks prior to an election, with a pocket full of money in order to do the best they can in the interest of the candidate by whom they are employed.

Senator MCGREGOR.—What about addressing the Women's National League?

Senator HENDERSON.—I have no objection to an honorable senator addressing the Women's National League, in fact, I have no objection to any legitimate organization. Let our opponents do all they possible can by honest organization. I have no complaint to make in that respect, but I do object to the persons whom they have sent out for weeks and weeks together, and who, in many instances, told the most audacious untruths. I believe that many women belonging to the Women's National League have gone so far that, on Resurrection Day, God Almighty will deny that ever he had a place in His house for them. In that respect Ananias and Sapphira were gentle folks in comparison with some of these women. The suppression of these canvassers will have a wonderful moral influence upon the community. It will prevent persons from going to such excesses as have been resorted to. To that extent, I think we can safely claim that

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the Government are proposing a change which every one ought to applaud. If we wish to secure purity of elections we shall have to shut out those influences for evil which have been so rampant hitherto. Last night a great deal of trouble was occasioned to Senators Millen and McColl by the proposed amendment, which will practically compel the retention of the ballot-papers used at an election for a period of three years, that is, from election to election. They suggested that, if the provision were enacted, a man might hold over the head of a member of Parliament for three years a threat to bring a case before the Court—which might lead to the loss of his seat—and, on the eve of an election, pounce down upon him. Can any honorable senator say for a moment that there is any strength in a statement of that kind? It is the most ridiculous stuff to which I think a man could listen. It may be taken for granted that, if a candidate were elected on grounds which were questionable, the man who wanted him put out would not wait for three years, but would try to have him put out in three days if he could.

Senator ST. LEDGER.—If that is sufficient, why adopt the period of three years?

Senator HENDERSON.—Because, at times it takes a little longer than the prescribed time to collect the evidence which is required. In the case of a member of this Parliament, for instance, there was a very strong suspicion that something was wrong. In fact, the events of the subsequent election showed clearly that something was wrong. There was strong evidence that, indictable offences might have been charged against several persons. What happened when an inquiry was made in another place? When the question was asked whether the ballot-papers used at the election, and so forth, would be forthcoming, the answer was that they had been destroyed. The evidence which might have been used to punish severely those who had been guilty of very questionable practices had been destroyed, and therefore the perpetrators of the offences went scot free.

Senator ST. LEDGER.—This Bill will prevent that evidence from being produced in time.

Senator HENDERSON.—It is only right that the evidence should be preserved from one election to another, so that those who sin may always be liable to suffer a just penalty. I do not desire to debate the Bill at greater length. I am pleased that it has been submitted, and I hope that it will have a speedy and safe passage.

Senator WALKER (New South Wales) [12.49].—I think that most honorable senators will admit that a Bill of this kind especially should be above party. Its framers should consider the whole community, and not that section which is supposed to be on their side.

Senator O'KEEFE.—That is exactly what they did.

Senator WALKER.—I am afraid that the Bill will introduce, if that has not already been done, the policy of "Spoils to the victors." The first clause to which I wish to refer is that dealing with voting by post. Senator Millen commented yesterday upon the very large number of persons who will lose their opportunities for voting if this provision be carried. It will press very hardly on men and women who are in delicate health, and who are unable to leave their homes. It will especially affect women. Since yesterday, I have looked into the figures relating to the population of Australia, and I find that, roughly speaking, there are 120,000 births in this country annually. We may say that, on an average, a mother is compelled to keep to her house about one-eighth of the year preceding and following the birth of a child. Consequently, one-eighth of the mothers of this country would be disfranchised by the abolition of the right to vote by post. In other words, out of 120,000 mothers 15,000 will be disfranchised under this Bill. Senator Henderson kindly drew my attention to a newspaper entitled the *Labour Call*. I propose to read a short extract from it headed "A tribute to woman." When I have finished, I shall ask honorable senators opposite whether they are paying a proper tribute to women by depriving 15,000 women, at every election, of the right to vote by post. The passage, which I commend to my honorable friends opposite, reads as follows—

> It takes a hundred men to make an encampment, but one woman can make a home. I not only admire woman as the most beautiful creature that was ever created, but I reverence her as the most redeeming glory of humanity, the sanctuary of all virtues, the pledge of all perfect qualities of heart and head. It is not just nor right to lay sins of men at the feet of women. It is because women are so much better than men, that their faults are considered greater. A man's desire is the foundation of love, but a woman's desire is born of her love. The one thing in this world that is constant, the one peak that arises above all clouds, the

one window in which the light forever burns, the one star that darkness cannot quench, is woman's love. It rises to the greatest height, it sinks to the lowest depths, it forgives the worst injuries. It is perennial of life and grows in every climate. Neither coldness nor neglect, harshness nor cruelty, can extinguish it. A woman's love is the perfume of the heart. This is the real love that subdues the earth; the love that has wrought all miracles of art, that gives us music all the way from the cradle song to the grand closing symphony that bears the soul away on wings of fire. A love that is greater than power, sweeter than life, and stronger than death.

The PRESIDENT.—Order! I must ask the honorable senator what the extract which he has quoted has to do with the question before the Senate?

Senator WALKER.—It has a great deal to do with the question, sir. This Bill is going to disfranchise 15,000 women at every election. They will be deprived of their right to vote by post, a right which they have hitherto enjoyed. Honorable senators opposite profess to believe these fine things about women, and yet they think they are unworthy to be afforded an opportunity to vote. The next clause to which I wish to direct attention is that with relation to fixing Saturdays for election purposes, and closing the poll at 8 o'clock. The Sabbath of our Hebrew fellow-countrymen ends at sunset on Saturdays. The sunset in some parts of Australia is as late as a quarter past 7. The hour mentioned in the Bill is 8 o'clock. I suggest that if elections are to take place on Saturdays, the time be extended to 9 o'clock. Another section of the community which should be considered is that of the Seventh Day Baptists, who also observe Saturday as their Sabbath. That denomination has increased extensively in New South Wales. For their sake, too, I think we should make some allowance. In fact, I cannot see that it is altogether wise to choose Saturday as election day on all occasions. The next matter which I propose to mention has regard to canvassers. Senator Millen proved pretty clearly last night that the large industrial unions of this country have organizers who are practically paid political canvassers. I hope the Government will see their way to introduce a definition clause by which an organizer, whether of an industrial association or otherwise, shall be considered at the time of an election to be a paid canvasser. Otherwise, a great advantage will be conferred upon one section of the community over another.

Senator McGREGOR.—Would it not be better to say that the canvasser of an organization shall not be considered an election canvasser?

Senator WALKER.—The last remark that I have to make is that there is a broad distinction between a politician and a statesman. By the time this Bill gets through Parliament, people will be able to make up their minds whether the authors of it are statesmen or mere politicians. I propose to quote definitions of "Statesman" and "Politician" from *Webster's* and *Chambers'* dictionaries. *Chambers'* definition of a statesman is—

> A man acquainted with the affairs of government; one skilled in government.

Webster gives the following definition—

> A man versed in the principles and art of government; especially one who shows unusual wisdom in treating or directing great public matters; also, a man actually occupied with the affairs of Government and influential in shaping its policy.

Chambers' defines a politician as—

> One versed in or devoted to politics; a man of artifice and cunning.

Webster defines a politician as follows—

> A politic person; a schemer; an intriguer. One versed or experienced in the science of government; one devoted to politics; a statesman. One addicted to, or actively engaged in, politics as managed by parties; often more or less disparagingly, one primarily interested in political offices or their profits; as, *a mere politician*. In modern usage politician commonly implies activity in party politics, especially with a suggestion of artifice or intrigue; statesman now usually suggests broad-minded and far-seeing sagacity in affairs of State; as, "What makes Burke stand out so splendidly among *politicians* is that he treats politics with his thought and imagination." "He has . . . a loose, shifty expression of face, and one which gives you the impression of a thorough politician in the bad sense of the word." "The ideas which began the new Germany were due to this quiet, strong, faithful, persistent, self-respecting *statesman*."

When this Bill becomes law, the public of Australia will be able to judge whether it is the work of politicians or of statesmen.

Sitting suspended from 1 to 2.30 p.m.

Senator WALKER.—I was saying before the suspension of the sitting that the people of Australia will be able to judge shortly whether this measure is one of a statesmanlike character or rather one tinged—not to say honeycombed—with party bias. If the Bill proves to be of the latter character, it will be the bounden duty of the successors of the present Government in office to amend

such provisions as display an absence of statesmanship, and to place a more liberal measure upon the statute-book. I think I have proved pretty clearly that, with the birthrate at present prevailing in Australia, about 15,000 women will be disfranchised by the abolition of voting by post.

Senator GIVENS.—15,000 in one week!

Senator WALKER.—Certainly. I maintain that the mother of a new-born child ought to remain in her house at least a fortnight before, and a month or six weeks after, the event takes place. A great many women are ill from other causes. I calculate that at least 15,000 women are ill at any one time in Australia. I, therefore, believe I am within the mark in saying that at least that number will be deprived of the exercise of the franchise in consequence of the abolition of postal voting.

Senator GIVENS.—If the honorable senator's crowd had not so shamefully misused the practice in the past it would not have been taken away.

Senator WALKER.—The question arises in my mind as to whether it would not be well to reconsider the advisableness of issuing electors' rights.

Senator RAE.—No New South Wales representative would agree to reinstate the elector's right system.

Senator WALKER.—I understand that the principal objection to it is that people often lost their elector's right. Nevertheless the system has much to be said for it. It is all very well to say that irregularities have occurred under the postal voting system, but then there will always be some irregularities whatever system is in operation. I stand for the principle of every adult person being entitled to vote, and being given the opportunity to do so, whether he or she be ill or well. As to the woman's vote, I have always supported the extension of the franchise to that sex, my opinion being that persons who pay taxes have the right to be represented in the Parliament that imposes them. My leader, Senator Millen, so ably and exhaustively criticised this Bill in detail last night that I need say no more than that I cordially coincide in the views which he expressed.

Senator O'KEEFE (Tasmania) [2.35].—There are only three points in the measure before the Senate which appeal to me as being of very great importance. Senator Millen, who launched an exceedingly severe criticism of the measure yesterday, has dealt with the question of compulsory voting. Other honorable senators opposite have shown, by interjection, that they have the idea that compulsory enrolment is of no use without compulsory voting. I cannot understand why that objection should be urged. If there is the slightest chance of compulsory enrolment conducing to a larger percentage of votes being recorded at an election, it will certainly have a beneficial effect; and I am convinced that the proposed amendment of the law will tend in that direction. I should like to think that we could, by legislation, make compulsory voting effective. But I do not think for a moment that any measure passed with that object in view would be effective. There is an old saying that you can take a horse to the water, but you cannot make him drink. In the same way you might, by law, compel people to go to the polling booth, even against their inclinations, but many who were so compelled might, out of a sheer spirit of obstinacy, spoil their ballot-papers. The question of compulsory enrolment, however, rests upon an entirely different basis. There are hundreds of men and women in the large centres of Australia who, at election time, find that their names have been left off the roll. Many will admit that they are themselves to blame, and they express regret for their negligence. Others are omitted through some dereliction of duty on the part of officials responsible for the compilation of the roll. If we institute compulsory enrolment, we shall do away with a great deal of that kind of thing. Therefore, this is a step in the right direction. I cannot understand my honorable friends opposite objecting if there is the slightest chance of bringing about, by this means, the casting of a larger percentage of votes at Federal elections.

Senator ST. LEDGER.—Who made that objection?

Senator O'KEEFE.—After every election, the newspapers which support my honorable friends opposite contain letters complaining that people have been left off the rolls, and the journals themselves claim that a result adverse to them is due to the fact that a large number of electors have not voted.

Senator MILLEN.—That is what Mr. Hughes said in connexion with the referenda.

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Senator SAYERS.—Is any one on this side against compulsory enrolment?

Senator O'KEEFE.—I have not said so, but a number of honorable senators opposite have said, by interjection, "What is the use of compulsory enrolment without compulsory voting?" I am trying to show that compulsory enrolment will probably tend to a greater percentage of votes being cast, whereas compulsory voting would probably be ineffective, because many persons who were driven to the polling-booth, against their inclinations, would spoil their votes. At one time I thought that compulsory voting could be made effective, and if I could be satisfied on that point now, I should vote for such a proposal with both hands up.

Senator MILLEN.—Does the honorable senator think that compulsory enrolment can be made effective?

Senator O'KEEFE.—I think compulsory enrolment can be made effective.

Senator MILLEN.—The honorable senator would have a policeman going after every elector to see that he was enrolled.

Senator O'KEEFE.—I am satisfied that it would tend to a larger percentage of votes being cast at elections in the future. Honorable senators are aware that all the powerful daily journals of Australia supporting the party opposite have invariably claimed, after every political contest, that if 75 or 80 instead of 50 per cent. of the electors enrolled had recorded their votes the party opposite would have won.

Senator MILLEN.—The honorable senator never heard me make that statement, because I have always contended, as I did yesterday, that the rolls are inflated, and the percentage of votes polled is much greater than appears from the figures.

Senator O'KEEFE.—I have always urged the same contention. I am satisfied that, because of the neglect in making transfers of names from one roll to another, when people have moved from one electoral district to another, there are many names on every roll which ought not to be there. It is difficult to believe that the people of Australia, who are so keenly interested in politics, do not, to a greater extent than 50 per cent. of those enrolled, exercise the right to record their votes. That does not affect my argument, and, if honorable senators opposite really believe that the greater proportion of the big unpolled vote would be cast in their favour, they should welcome the adoption of a system which would tend to increase the percentage of votes polled.

Senator MILLEN.—But the Government do not propose to do anything to make the electors go to the poll.

Senator O'KEEFE.—They propose to introduce compulsory enrolment in the belief that that will tend to bring a larger number of electors to the poll. It is obvious that that will be the effect when we consider that at every election there are thousands of people who complain that they have been unable to vote because their names have not appeared on the rolls. The Leader of the Opposition in the Senate was apparently more concerned about another proposal in this Bill than about the whole of the rest of the measure. In his destructive speech yesterday afternoon, he denounced the proposal to abolish postal voting. The honorable senator did not hide his belief that it has been introduced from a party point of view.

Senator MILLEN.—One could not hide it if he tried.

Senator O'KEEFE.—The honorable senator is entitled to his own opinion on the subject, but if postal voting has been honestly carried out in the past, how will its abolition affect one party in politics more than another? The system was introduced largely for the convenience of invalids, but experience has shown that it lends itself to corruption.

Senator VARDON.—Surely the real point is as to the justice of the matter?

Senator O'KEEFE.—Senator Millen, and also Senator McColl, in dealing with the matter made the charge that the Government propose to abolish postal voting because they believe that the greater number of postal votes polled are recorded for their opponents.

Senator MILLEN.—The point is, are honorable senators opposite prepared to disfranchise 29,000 electors?

Senator O'KEEFE.—It is absurd to say that the Government propose to abolish postal voting in order to disfranchise 29,000 electors. Why does Senator Millen say 29,000?

Senator MILLEN.—Because it is shown that 29,000 electors used the postal vote.

Senator O'KEEFE.—Is my honorable friend so innocent as to believe that 29,000 electors were, at the last elections, too ill to go to the poll?

Senator MILLEN.—It is not merely a question of illness. It is a question also of remoteness from a polling place.

Senator O'KEEFE.—I have every sympathy for those who may be at some distance from a polling place.

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Senator Lt.-Colonel CAMERON. — The electors do not want the honorable senator's sympathy; they want their rights.

Senator O'KEEFE.—They will get their rights. There is nothing in this Bill which will take away any of the electoral rights of any person in Australia. It will always be more convenient for some people to exercise their right to vote than for others, and there never was an Act of Parliament passed which placed every one on the same footing. Senator Cameron will recollect the rumours prevalent in Tasmania at the time of the last Federal election, and, doubtless, he will know that the postal voting provisions of the existing Act were largely taken advantage of by those who were able to run motor cars to remote portions of the State, carrying with them persons authorized to witness postal vote certificates, and so to secure votes that otherwise would not have been recorded. The facts about postal voting could hardly be stated without doing some persons great injury, but, without mentioning names, I can refer to cases that came under my own observation. I know of instances occurring in Tasmania where the postal voting provisions were availed of by domestic servants, who could easily have gone to a polling booth had they been allowed to do so. I will not say that they were absolutely prevented from doing so, but they were given a pretty broad hint that they might much more easily vote by post, and certain people came round and collected their postal votes, and these were nearly always cast on one side of the fence in politics.

Senator SAYERS.—The same old yarn, without any proof.

Senator O'KEEFE.—Senator Sayers comes from a State which has had a very significant experience of postal voting. Perhaps the honorable senator will be able to explain how it was that after a trial of a system which extended, I think, over only one election in Queensland, the Government that introduced the system subsequently abolished it.

Senator RAE.—And not a Labour Government either.

Senator O'KEEFE.—I understand that it was not a Labour Government.

Senator SAYERS.—If the honorable senator will mention the Government to whom he refers, we shall know what we have to deal with.

Senator MILLEN.—The honorable senator should make a candid admission that he knows of the matter only from Senator Rae's interjection.

Senator O'KEEFE.—I beg Senator Millen's pardon. The matter is one which has been frequently discussed in the Senate between representatives of Queensland and of the other States. There must have been some good reason why the Government that introduced the system in Queensland subsequently did away with it. We have heard all sorts of rumours on the subject, and, doubtless, some honorable senator from Queensland will be able to tell us how much truth there is in these rumours. The postal voting provisions were inserted in the Commonwealth Electoral Act as an experiment. Many members of this Parliament agreed to the proposal as an experiment.

Senator SAYERS.—Did not Senator O'Keefe support it? I have been looking up *Hansard*.

Senator O'KEEFE.—I believe I did, and the honorable senator will probably find that if I spoke upon the matter at all I supported the proposal because I believed it would extend the facilities for voting. I did not believe at the time that it would increase the opportunities for corruption, but, so far as I can gather, it has operated in that direction. It has been contended that the majority of the postal votes have hitherto been cast against the present Government party, and that that is the reason why the Government are proposing to abolish the system.

Senator ST. LEDGER.—That must be mere conjecture.

Senator O'KEEFE.—I am glad to have that admission from Senator St. Ledger. He will, no doubt, remember that Senator Millen made the charge more than once. He said that the proposal to abolish the system was a party move, and Senator McColl went further and described it as politically dishonest and corrupt, because the majority of the postal votes were recorded against the party now in power.

Senator ST. LEDGER.—I think they were myself.

Senator O'KEEFE.—Has it struck honorable senators who take that view that it is a trifle suspicious that at the last Federal election, when, for all practical purposes, there were only two parties before the country, one party should get a substantial majority of the votes personally recorded, and the other such a large majority of the votes recorded by post?

Senator SAYERS.—It is all coming out now.

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Senator O'KEEFE.—I am using the argument which was used by my honorable friends opposite.

Senator ST. LEDGER.—What is the honorable senator's inference from it?

Senator O'KEEFE.—My inference is that there must have been some peculiar work going on in connexion with the postal voting, because, in the case of votes personally recorded, there are no opportunities for corruption.

Senator SAYERS.—Yes, there are.

Senator O'KEEFE.—No, there are too many safeguards provided under the Act to permit of corruption in the case of personal voting. Our friends opposite do not like the proposal to abolish postal voting, because, in their view, the majority of postal votes has hitherto been cast against the Labour party. I say that this appears strange in view of the fact that a very big majority of the personal votes were cast for that party.

Senator VARDON.—A very large majority.

Senator O'KEEFE.—Yes, a considerable majority. A considerable majority of Labour members were returned for another place, and at the last Senate election there was, apparently, no room in the Senate for a single honorable senator representing the other side. Out of eighteen seats contested, not one honorable senator representing the party opposite was returned. It would be interesting if we could find out how many of the postal votes recorded were due to sickness or remoteness from the nearest polling place. I have many friends in the back-blocks of Tasmania, who reside miles from a polling booth, but I say it is not too much to ask people who are interested in the government of the country to travel 7 or 8 miles to a polling booth once in three years to record their votes.

Senator SAYERS.—They may have to travel 50 or 60 miles in Queensland to do so.

Senator O'KEEFE.—The pioneers, for whom Senator Millen expressed so much sympathy yesterday, are usually men who will not let the loss of a day's work or the travel of a few miles prevent them from recording their votes. Many of my friends have walked 15 miles in bad weather to record their votes for myself and other candidates on the same side. Whether their views on politics be right or wrong, it is clear that they value their political rights so highly that they are prepared, if necessary, to make a little sacrifice once in three years in order that they may record their votes. If it could be shown that more than half of the postal votes were recorded because of sickness, or because people could not get to the nearest polling booth, I am satisfied that the Government would not have introduced a proposal to abolish postal voting. The experience of honorable senators on this side has been the same in every instance, though honorable senators opposite appear not to have had a similar experience. Our experience of the operation of the postal voting provisions of the present Act is that very many of the 29,000 referred to by Senator Millen could have gone to a polling booth, and those who were employed in canvassing for such votes might have been saved some little trouble, and, perhaps, expense. The Electoral Act was not framed to suit these people, but to suit those who place some value upon their political privileges and rights. The system was introduced as an experiment, and it is because its tendency has been to corruption that it is now proposed to abolish it. I do not think that my honorable friends on the other side would make such a great song about the postal voting system if they were not satisfied in their minds that it has been of service to them. They will find that, in the future, it will not assist either party. I am sure that they want the elections to be conducted cleanly, and free from anything which might conduce towards corruption. That being so, they ought to welcome, as we do, the proposal to abolish postal voting.

Senator ST. LEDGER.—We do not want to disfranchise anybody.

Senator O'KEEFE.—It is not a question of disfranchising any person. Every man or woman in Australia who is above the age of twenty-one years, and outside the walls of a gaol or lunatic asylum, can get enfranchised.

Senator ST. LEDGER.—Yes, but they cannot vote.

Senator O'KEEFE.—Every adult person who is qualified for enrolment can be enrolled; but, for various reasons, some persons are not able to record their votes on polling-day.

Senator ST. LEDGER.—What are you going to do for them?

Senator O'KEEFE.—We can do nothing for these persons, except by opening the door to corruption such as was practised at the last election.

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Senator VARDON.—Why do you not prove that charge?

Senator O'KEEFE.—The honorable senator must know of cases where some women have had postal votes taken away by a bit of chicanery or smart electioneering practice, when they might easily have gone to the polling-booth. Would he attempt to bring up these persons, although he knows them, and got votes from them, and make them prove a case at the expense of losing their billets? He knows that their positions would not be worth an hour's purchase if they came and gave evidence.

Senator ST. LEDGER.—An invalided woman to come here and give evidence!

Senator O'KEEFE.—I am not speaking of an invalided woman, but of probably more than one-half of the 29,000 persons who obtained postal votes at the last election. I am referring to those who used the system when they had no need to do so. That is why it is to be abolished. When our honorable friends on the other side get into power, probably they will revive the system; but I am very pleased to think that, in the meantime, the old system will be tried again. I honestly believe that the abolition of the postal vote will do away with corruption. I do not believe in corrupt practices at elections. I do not claim for a moment that the corrupt practices come from one side only. I know that some supporters of myself and the party I belong to are not above resorting to corrupt practices. It would be absurd for any one to claim that political corruption is only practised on one side at an election. I know that the provision for the postal vote has been used corruptly by both parties, and certainly in a way which was not intended when it was enacted. The system was introduced in order to assist two classes only, viz., the invalid and the elector who would be too far away on election day to go to the polling-booth except at great loss and trouble. The postal vote has been abused to such an extent that its abolition is now proposed, and I think it is a good proposal, too. The only other provision of the Bill in which I take any great interest is the one curtailing the licence of the press in printing or publishing political matter. I do not believe in trying to muzzle the press too much, because, after all, unfairness on the part of a newspaper will, in the end, react against the party which it is attempting to assist. In Melbourne, for instance, we have had instances of the grossest unfairness in politics, and I do not believe that any of my honorable friends who are most bitterly opposed to the Labour party will indorse the actions or the tactics of the Melbourne newspapers on those occasions. Will they, for instance, indorse the action of a big journal here which, a few years ago, tried its hardest to keep a certain man out of the Senate? To use an every-day expression, it had the knife into this gentleman for a long time, politically speaking. Amongst other causes, perhaps, was a very big lawsuit which he had with the newspaper. It went to this unfair length that, although this gentleman addressed some thousands of persons in Melbourne on the night before the election, there was not one line about his address in its columns next morning, whilst opposing candidates, who only addressed a few hundred persons, received long notices. That is party warfare.

Senator SAYERS.—No, it is personal warfare.

Senator ST LEDGER.—What has that to do with the franchise?

Senator O'KEEFE.—It has not anything to do with the franchise, but it certainly has something to do with a clause of this Bill which seeks to control to some extent the unfair tactics which big newspapers have been guilty of. I have cited that case merely as an illustration of the extreme lengths to which big journals are prepared to go, and I suppose will continue to go, in support of their party.

Senator SAYERS.—You admit that it was a personal affair?

Senator O'KEEFE.—It was perhaps more personal than political. My honorable friends know that this journal is most unscrupulous in its methods. It does not care what kind of methods it uses to kill a party or a candidate, and to advance the interest of the candidate whom it is supporting. It is a case of party warfare, which, in the end, I believe, reacts in favour of the person whom it tries to hit.

Senator ST. LEDGER.—It was helping the Labour party not long ago.

Senator O'KEEFE.—It had a very short spell of political sanity, and then it dropped back into a state of political aberration. It must not be forgotten that, in past elections, State and Commonwealth, the Labour party have suffered to a greater extent from press unfairness than has the other side in politics. But a time may come—and I believe that it will come within a very few years—when the other

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side may be subjected to the same kind of unfair treatment by newspapers which are engaged in fighting the battles of this side. The time has gone by in Australia, I think, when there will be only one class of newspaper literature. In both Hobart and Adelaide we have a daily newspaper which is a recognised and straight-out supporter of the Labour party, and I hope that, within the space of about a year, we shall have a Labour newspaper in Sydney, and that it will be followed quickly by the establishment of a Labour newspaper in Melbourne, Brisbane, and Perth.

Senator WALKER.—Do not forget that you have a very strong weekly advocate—the *Bulletin*.

Senator O'KEEFE.—My honorable friend knows that, in electioneering, a weekly advocate is not of any use compared with a daily advocate, because the daily liar can get in six lies to the weekly liar's one lie. In the very near future I believe we shall have, on each side of politics, powerful journals, largely supported, and with an immense circulation, instead of, as at present, the newspapers being mostly on one side. Will not a provision of the kind I am discussing act fairly to both sides in politics? If honorable senators opposite are not going to openly champion the cause of unfair criticism or unfair tactics by newspapers, what objection have they to our trying to make the newspapers a little fairer than they have been?

Senator ST. LEDGER.—Because the provision does not cut both ways.

Senator O'KEEFE. — Undoubtedly it does. Will it not cover any newspaper which may happen to be supporting our side? Will it not, for instance, cover the *Daily Post*, in Hobart, or the *Herald*, in Adelaide—two straight-out supporters of the Labour party—just the same as it will cover the *Age* and the *Argus*, in Melbourne, or the *Herald* and the *Telegraph*, in Sydney, or the *Register* and the *Advertiser*, in Adelaide?

Senator ST. LEDGER.—No.

Senator O'KEEFE.—Why not?

Senator ST. LEDGER.—Oh, you know why.

Senator O'KEEFE.—There is no word in the provision which relates to a particular newspaper. At present there are some newspapers on the Labour side, and many newspapers on the anti-Labour side; very probably in the near future, there will be more newspapers on the Labour side. But even now this provision covers all newspapers alike. Do my honorable friends intend to openly support anything in the shape of unfair tactics such as we charge against the newspapers which have been fighting us so bitterly but ineffectively, as the results have shown, during the last quarter of a century? We have thriven on this kind of abuse.

Senator SAYERS.—And you will fall on it, too.

Senator O'KEEFE.—We may fall some day; but, so far, all this fighting has only helped us. The Labour party has not attained its present prominence in Commonwealth and State politics by reason of the assistance of daily newspapers. It has progressed in the teeth of their opposition, and that fact is perfectly well known. When, in the course of a few years, we have large daily journals supporting the Labour party in the big cities of Australia, as well as in the State capitals, this provision will be a very useful safeguard for my honorable friends. At all events, it aims at only one thing, and that is to keep unfairness out of newspaper control or tactics or policy as much as possible.

Senator ST. LEDGER.—How will it keep unfairness out of newspapers?

Senator O'KEEFE.—It will curb, as far as we can, the power which newspapers have used in an unscrupulous way, not for any particular party, but for all parties. My honorable friends opposite ought to welcome these proposals, as we do. I have occupied quite enough time. I welcome this amending Bill, and, most particularly, the three provisions which I think are, after all, its crux.

Senator VARDON (South Australia) [3.15].—I do not intend to occupy the attention of the Senate very long after the very able and exhaustive speech of the Leader of the Opposition yesterday—a speech to which the Ministry, so far, have not thought fit to make a reply, probably because there is really no reply to be made to his criticisms. I wish to emphasize one or two points, and to suggest an amendment which I think will do away with a good deal of the necessity for some of the amendments which are proposed in the measure. On looking round, I found out the origin of this Bill. It seems to me to have emanated largely from the Electoral Department. The final paragraph of the

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report on the measure, signed by Mr. Oldham, reads—

> A scheme of compulsory enrolment associated with a card index system for the prevention of duplication of enrolment and fraud would not only be of enormous advantage from an electoral point of view, both in relation to representation and administration, but would be of considerable value for purposes of public administration generally, and in particular might be expected to greatly assist the postal, defence, statistical, police, and other public systems having direct relations with the public.

It is claimed that the wonderful card-index system is a help. I hear of the system day by day in all sorts of directions. I admit that, up to a certain point, it is a very good system, but I am rather inclined to think that we are running mad on index systems, and probably will find them in the end more burdensome and troublesome than some of the old-fashioned ways of doing business. It recalls some lines which I read a little while ago by a writer who is troubled very much in the same way—

> Oh, isn't it great to be "up to date!"
> And live in this year of grace,
> With a system and place for everything,
> Though nobody knows the place!
>
> We've an index card for each thing we do
> And everything under the sun:
> It takes so long to fill out the cards
> We never get anything done.
>
> We've loose-leaf ledgers for saving time,
> The Lord knows what they cost!
> When half our time is spent each day
> Hunting for leaves that are lost.
>
> Stenographers who spell like h——
> And make us swear and cuss,
> When we are not dictating to them,
> Why, they are dictating to us.
>
> And sectional this and sectional that,
> (We'll soon have sectional legs);
> I dreamt last night that I made a meal
> Of sectional ham and eggs.
>
> I dreamt I lived in a sectional house,
> And rode a sectional "hoss,"
> And drew my pay in sections from
> A sectional "section-boss."
>
> Oh, isn't it great to be "up to date,"
> And live in this year of grace,
> With a system and place for everything,
> Though nobody knows the place!

There is a good deal of truth, I think, in these lines on the idea of running every mortal thing by a card-index system. The system may be all right, and I think it is up to a certain point; but we are inclined at present to go a great deal too far, and will eventually find that it is a great nuisance. I only want to refer, as I said, to two or three points in connexion with the Bill. The first is that dealt with by Senator O'Keefe with reference to voting by post. The memorandum to which I have referred says that, "in consequence of the abolition of postal voting, provision has been made for the extension of absent voting." I had no idea that postal voting had been abolished. I do not think that it has been. A provision for it is still on the statute-book of the Commonwealth, and is a part of our electoral system.

Senator McGregor.—Who said the system had been abolished?

Senator Vardon.—This memorandum says, "In consequence of the abolition of postal voting."

Senator Long.—That refers to the amending Bill.

Senator Vardon.—But no Bill has yet been passed abolishing postal voting.

Senator O'Keefe.—The Bill proposes to do so.

Senator Vardon.—Here is a definite statement: "In consequence of the abolition of postal voting."

Senator Long.—By this amending Bill.

Senator Vardon.—No reference is made to the amending Bill.

Senator Needham.—We are discussing the Bill, not the memorandum.

Senator Vardon.—Here is a definite statement of fact——

Senator McGregor.—Is it the honorable senator's connexion with the *Critic* that makes him so critical?

Senator Vardon.—One has a right to be critical when statements of this kind, which ought not to be made, are contained in an official memorandum. The author of the memorandum had no right to assume that a certain thing was going to be done. It is for this Parliament to say whether postal voting shall be abolished or not.

Senator Long.—Will the honorable senator read the heading of the memorandum?

Senator Vardon.—I have read the whole of it, and know all that is in it.

Senator Long.—It simply deals with the proposed amendments.

Senator Vardon.—It starts off by saying that postal voting has been abolished. I say that it has not.

Senator McGregor.—All right; we will let the honorable senator have his way.

Senator Vardon.—It may have been decided, in a certain way, that postal voting should be abolished.

Senator Chataway.—By the Caucus.

Senator Vardon.—If this Bill is machine-made, and if the Caucus have decided upon it, the language of the memorandum should have been different. It should have read, "In consequence of the

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decision of the Caucus to abolish postal voting." Then, I suppose, it would have been absolutely correct.

Senator GIVENS.—When the honorable senator's party decide to do anything, who decides it?

Senator VARDON.—The intelligence of the people, of course.

Senator GIVENS.—Stupidity sometimes.

Senator VARDON.—I can quite understand Senator Givens laughing; but it is useless to try to laugh away proof. It is worth noticing what the provision of the Act with reference to this matter is. Section 109 provides—

> An elector who (*a*) has reason to believe that he will not during the hours of polling on polling day be within five miles of any polling place for the division for which he is enrolled; or (*b*) being a woman will on account of ill-health be unable to attend the polling place on polling day to vote; or (*c*) will be prevented by serious illness or infirmity from attending the polling place on polling day to vote may make application for a postal vote certificate and postal ballot-paper.

There are there three classes of people for whom special provision is made in the existing law. I am astonished that the Minister of Defence, in introducing this Bill, gave not a single reason of any kind as to why this provision should be abolished. When an important measure like this is introduced, under which it is proposed to take out of the existing law a provision of great importance, I think that, in common courtesy to the Senate, the Minister should tell us why it is proposed to make a drastic alteration; but the Minister made positively no reference to the subject. All he did was to say that the Government intended to abolish postal voting, and introduce in place of it a more comprehensive system of absent voting. Now, what is this comprehensive system which is to be substituted? It is provided in proposed new section 139A that—

> On polling day an elector shall be entitled to vote at the polling place for which he is enrolled or at any prescribed polling place for the subdivision for which he is enrolled, or he shall be permitted to vote at any other polling place within the Commonwealth under and subject to the regulations relating to absent voting.

It, therefore, appears that every elector within the Commonwealth will have to go to a polling place to record his vote. Only two classes of people can be affected by proposed new section 139A, namely, sailors and passengers at sea. And this is described by the Minister as being "a more comprehensive system of absent voting." The memorandum sets out that electors who are within the Commonwealth on polling day will be able to vote at any polling place; but, apparently, they will be unable to vote anywhere else. Therefore, the new provision applies only to those who will be at sea. Apparently, any one else who wishes to vote on polling day must go to a polling place somewhere within the Commonwealth. If that be a "more comprehensive system," I must confess that I am unable to recognise that quality as pertaining to it. Because, while the two classes of people that I have mentioned are provided for, all the others mentioned in section 109 of the principal Act have their privileges absolutely wiped out. There will be no chance for them to vote at all. On polling day a destitute asylum and a home for incurables may be declared a polling place. I make no complaint about that. I do not wish to disfranchise any poor incurables or derelicts in any way. But, while provision is made for such people, no provision is made for others who will be unable to go to a polling place. A man may be a cripple and unable to walk 5 miles; or he may be poor and unable to forfeit a day's pay to go and record his vote. Senator O'Keefe would say in such a case, "I am sorry for you, but I cannot do anything more; you cannot vote unless you walk to a polling place." A woman in a certain state of health ought to be the subject of veneration and respect from every man. She ought to be shielded in every possible way. But such a woman cannot exercise the franchise unless she can drag herself to a polling place.

Senator O'KEEFE.—Will not that affect the one side in politics as much as the other?

Senator VARDON.—I do not care whether people belong to the Labour party or any other party. I say that a woman in the state of health to which I have alluded has as good a right to vote as any other person I know of.

Senator O'KEEFE.—The honorable senator's party in South Australia, in both Houses, voted against the enfranchisement of women.

Senator VARDON.—I am dealing with this as a great matter of principle.

Senator O'KEEFE.—The honorable senator will admit that women would never have had the franchise at all if the party with which he is associated had had their way.

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Senator VARDON.—Let us come down to facts.

Senator O'KEEFE.—That is a fact.

Senator VARDON.—In which State in Australia did women first obtain the right to vote?

Senator O'KEEFE.—In South Australia.

Senator VARDON.—Who introduced and succeeded in passing women's franchise there?

Senator O'KEEFE.—I do not know.

Senator VARDON.—Exactly; not the Labour party.

Senator O'KEEFE.—Did the honorable senator's party support the proposal?

Senator VARDON.—Yes, they did.

Senator W. RUSSELL.—Not a man of them.

Senator O'KEEFE.—I know that they opposed it in other States.

Senator VARDON.—Nonsense. And, after all, that does not touch the point. Suppose that the proposal was opposed by my party, or by the Labour party, or by any other party. If the Legislature has recognised the right of a woman to vote, that right ought not to be taken away. But I say decidedly that this Bill does take away from a woman in a certain condition the opportunity of recording her vote. It also deprives of opportunities of voting those who are old and infirm and those who are so seriously ill as to be unable to go to the poll. They have the sympathy of honorable senators opposite; but their sympathy does not take practical effect.

Senator O'KEEFE.—Every opponent of women's franchise in the Senate was an anti-Labourite.

Senator VARDON.—I am not now discussing who supported or who opposed women's franchise. The position now is that, under the law of the Commonwealth, a woman has a right to vote. The party opposite are going to take that right away from some women.

Senator O'KEEFE.—We are not.

Senator VARDON.—They are going to say to a woman, if she is not in a condition to go to a poll—if she is so situated that she ought to receive the utmost consideration, respect, and veneration from every man—"Unless you can drag yourself to the polling booth you cannot vote."

Senator O'KEEFE.—That is stretching it a bit.

Senator VARDON.—I look upon the wiping out of these privileges as being cruel, heartless, and vindictive. I want the people of this Commonwealth to know what party it is which is taking away from those who cannot go to the poll the right to vote. It is the Labour party. I want the public generally to be able to sheet home that charge.

Senator W. RUSSELL.—But it is not a fact.

Senator MILLEN.—Which party is taking the right away, if it is not the Labour party?

Senator W. RUSSELL.—Who gave the vote to the women?

Senator VARDON.—May I be allowed to make an interjection occasionally? I say that the party in power to-day are robbing these people of their rights.

Senator NEEDHAM.—They have not done anything of the sort, and do not intend to do so.

Senator VARDON.—Will the honorable senator tell me, then, how it is proposed to give these three classes of people the opportunity of voting? It is said that the right has been abused. If that be so, why has not evidence been brought before us in clear and specific terms?

Senator DE LARGIE.—The facts are quite evident to any one who wants to see.

Senator VARDON.—I take it to be a fact that if honorable senators opposite had positive evidence of abuse, they would be the first to bring out the facts. But, when asked for his evidence, Senator O'Keefe simply said that he did not intend to mention names. I do not care which party is going to lose votes by this amendment of the law.

Senator DE LARGIE.—That is the sore point.

Senator VARDON.—My point is that this privilege has been largely availed of. At the last election 29,000 electors availed themselves of the provisions of section 109. Those figures amply prove the usefulness of the existing law. Why should this privilege be taken away?

Senator NEEDHAM.—The figures prove more than that.

Senator VARDON.—I await the production of proof.

Senator DE LARGIE.—The servant girls will now have an opportunity of exercising their votes without the intervention of the mistresses.

The PRESIDENT.—The honorable senator who is addressing the Chair has complained of interjections, and I trust honorable senators will allow him to proceed without further interruption.

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Senator VARDON.—I am only asking to be allowed to get in a sentence here and there.

Senator DE LARGIE.—The honorable senator has been asking questions all the time.

Senator VARDON.—I did so only when interjections provoked questions. I have asked for evidence of corruption in connexion with the postal voting provisions. I do not believe that there has been such an amount of abuse as to warrant the taking away of this privilege. Under proposed new section 139A, to which I have just referred, it is provided that a man may vote at any polling place within the Commonwealth. If a man cannot sign his name, I suppose he can make his mark. I do not know how a mark could be proved to be a forgery, and I do not see how this is going to prevent fraud. I do not see how it will apply in the case of a by-election. There is one coming off in the district of Boothby presently. Under the existing Act, electors will be allowed to avail themselves of the facilities afforded by the postal-voting provisions, but, if this Bill were in operation, how would any elector of Boothby at present outside the electorate be able to record a vote? There will be no polling places open except those in the district, and what are our honorable friends opposite going to do with the absent elector? Are they going to appoint polling places throughout the Commonwealth at every by-election, so that electors absent from the electorate can record their votes?

Senator MILLEN.—The honorable senator has not to complain of interjections now.

Senator DE LARGIE.—It is not impossible to provide for that. There are plenty of post-offices throughout the Commonwealth which might be appointed polling booths for the occasion.

Senator VARDON.—Does this Bill provide for that? The Government Whip ought to know what is in the Bill.

Senator MCGREGOR.—The honorable senator can amend it.

Senator VARDON.—Will the Vice-President of the Executive Council accept an amendment to that effect?

Senator MCGREGOR.—We shall see.

Senator VARDON.—Then it is admitted that, as the Bill stands, there is no provision for any voting at a by-election except by people resident in the district.

Senator FINDLEY.—The honorable senator knows that it is proposed to abolish postal voting. That ought to be enough.

Senator VARDON.—If that is enough, there is no use saying any more about it. If the machine has decided to abolish postal voting, it will be abolished; but one would have thought that in an intelligent assembly like the Senate, if a man could advance reasons why that should not be done, they would receive some consideration and reply.

Senator DE LARGIE.—What is the use of arguing with a machine?

Senator VARDON.—None, I admit. However good a machine may be, one cannot argue with it. Then, I suppose, I had better say that the machine, having made this Bill, and having decided that this particular piece of mechanism is to be cut out, and that no other piece of mechanism is to be provided for doing the same work in a better way, there is nothing more to be said on the question.

Senator MILLEN.—Some persons outside of this Chamber will probably have something to say.

Senator VARDON.—I have said that I wish the people outside to know who is responsible for this Bill, and especially for the proposal to abolish postal voting.

Senator NEEDHAM.—The press that supports the honorable senator will give them the information.

Senator VARDON.—If I had a press, I might get them to do it. As the decision has been made, I need not discuss this matter any further.

I come now to the next important proposal, that of compulsory enrolment. I am not going to say anything against compulsory enrolment. It is a very good thing so far as it goes, but we ought to be told why the Government do not propose its corollary, which is compulsory voting.

Senator BARKER.—That will come.

Senator VARDON.—I am glad to hear that. I take it that that is authoritative, that the honorable senator has the authority of the machine to say that it will come?

Senator BARKER.—It will pass the machine.

Senator VARDON.—This is one step, but, if we are going to carry compulsory enrolment in this Bill, why should we not also include in it provision for compulsory voting?

Senator BARKER.—The machine cannot go just as fast as the honorable senator would like.

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Senator VARDON.—Probably the bearings require oiling. Evidently the machine does not run fast enough for Senator Barker, who tells me that compulsory voting will come. I do not know why we should compel men to enrol, or why we should compel men to vote, but, if we are going to have compulsory enrolment, its concomitant is the compulsory vote.

Senator McGREGOR.—Better compel them to enrol than to compel them to work.

Senator VARDON.—It would be hard on the Vice-President of the Executive Council if he were compelled to work.

Senator FINDLEY.—The Vice-President of the Executive Council has done as much work in his time as has the honorable senator.

Senator VARDON. — The Honorary Minister evidently knows all about it, and is a very hard worker himself, I dare say.

Senator FINDLEY.—I have known the work done by the Vice-President of the Executive Council for the last twenty-five years.

Senator MILLEN.—That is the one thing which Senator Findley is not a judge of.

Senator VARDON.—If we are going to compel men to enrol, and if, later on, as Senator Barker says, we are going to follow that up by compelling them to vote, we ought to assure them of representation when they record their votes. I know that there are people who have conscientious objections to voting. The members of a very considerable sect in my State never enrol their names, and never go to a polling booth. They have told me that they do not think it right that they should take any part whatever in either political or municipal affairs. They have a religious belief that they ought not to do so. The Government intend to compel those people to enrol their names. I suppose they could not compel them to vote. They might be compelled to go to a polling booth and to take ballot-papers, but they could not be compelled to mark them, or to refrain from putting so many marks on them as to make their votes informal. What is the use of this proposal unless it can be actually carried into effect? I wish to know how compulsory enrolment is going to be enforced? If I remember rightly, the Minister, in introducing the Bill, told us that 20 per cent. of the population are continually moving about from one district to another. They have not enrolled their names, or have neglected to have their names transferred from one roll to another. How are we to find out these people in order to enforce compulsory enrolment? If one-fifth of the 20 per cent. of the population referred to by the Minister have neglected to enroll their names, or to secure transfers, do the Government intend to send the police after them?

Senator McGREGOR.—No, to send the military after them.

Senator VARDON.—I am glad that we know now what is going to be done. In the event of people failing to comply with the provisions for compulsory enrolment, the military are to be sent to hunt them out. I am glad to know that the military are going to be made some use of.

Senator MILLEN.—We have no other force numerically strong enough for the work.

Senator VARDON.—It will be a nice occupation for the military to be sent round to hunt up these defaulters.

Senator DE LARGIE.—The Minister administering the Act will be the Minister of Defence.

Senator VARDON.—Will this part of the Act be handed over to the Minister of Defence to see that it is carried out? Will he send out a squad of men to scour a certain district to find out those who are not enrolled or have neglected to have their names transferred from one roll to another? When they have found them out, will they serve them with informations, hale them before a Court, and have them fined under this measure? Unless the Government are prepared to do that, what will be the value of this proposal after all? I understand that Ministers have some business to do before the usual hour for the adjournment of the Senate, and I therefore ask leave to continue my remarks when this debate is resumed.

Leave granted; debate adjourned.

PAPERS.

Senator PEARCE laid upon the table the following papers:—

Lands Acquisition Act 1906—Dunedoo, New South Wales: Commonwealth purposes.—Notification of the acquisition of land.

The Gauges of Australia and their Unification: Review.—Memorandum by Mr. H. Deane, Consulting Railway Engineer, dated 17th October, 1911.

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ADJOURNMENT.

RESIGNATION OF DR. BASEDOW.—ORDER OF BUSINESS.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [3.53].—I move—

That the Senate do now adjourn.

I desire to inform honorable senators, and particularly Senator Vardon, that the correspondence relating to the resignation of Dr. Basedow as Chief Protector of Aborigines for the Northern Territory has been laid on the table of the Library, and is available for their inspection.

Senator MILLEN.—Perhaps the Vice-President of the Executive Council will say whether it is proposed, when we meet on Wednesday, to proceed with, and complete, the second reading of the Electoral Bill, or to proceed with the Kalgoorlie to Port Augusta Railway Construction Bill?

Senator McGREGOR.—In reply to the honorable senator, I may say that we intend to go on with the Electoral Bill, and its consideration will be followed by the Kalgoorlie to Port Augusta Railway Construction Bill. Honorable senators will recognise that the Electoral Bill has yet to be considered by the House of Representatives, and it is advisable that measures which have to go before the House of Representatives after being considered here should be given precedence. Other work can be proceeded with here while those measures are being dealt with in another place.

Question resolved in the affirmative.

Senate adjourned at 3.55 p.m.

House of Representatives.

Friday, 20 October, 1911.

Mr. SPEAKER took the chair at 10.30 a.m., and read prayers.

TARIFF AMENDMENT.

Mr. PAGE.—Is the Minister of Trade and Customs aware that some of the paper mills in the various States are closed for want of protective duties? Will he inquire how many paper mills there are in Australia, and how many have been closed within the last five years? What steps does he propose to take to protect paper-making, which has been spoken of as one of the languishing industries?

Mr. TUDOR.—I think that there are three paper mills in Victoria; I do not know how many there are in the other States, and I am not aware that any of them have been closed. The manufacturers of paper have the same opportunity to make requests to the Customs Department as other manufacturers.

Mr. PAGE.—Will the honorable gentleman make inquiries?

Mr. TUDOR.—Yes.

Mr. GREENE.—Have representations been made to the Minister recently in connexion with the protection of banana-growing in Queensland and New South Wales? Does he intend to take steps to further protect that industry?

Mr. TUDOR.—Within the past two or three days I have received a petition from banana-growers in Queensland and New South Wales. The intention of the Government in regard to any item on the Tariff will not be disclosed until the schedule of amendments has been laid on the table.

Sir WILLIAM LYNE.—Has the Minister read a paragraph appearing in one of this morning's newspapers, and headed "Protection in New Zealand.—A Higher Tariff.—Industries Standing Still." If so, I wish to know if Australian manufacturers interested in such industries as are mentioned in the article have made requests to him for higher duties, and if the Government has considered what should be done to rectify our Tariff anomalies? When is the matter to be dealt with?

Mr. TUDOR.—I have seen the paragraph referred to, but cannot say off-hand whether the manufacturers of whom the honorable member speaks have sent in requests to the Department, though a number of requests have been received. If only one manufacturer in any industry made a request, I should not divulge the fact, because we have promised to hold such communications confidential.

Mr. JOSEPH COOK.—What has become of the list of 145 items requiring amendment for the preservation of languishing industries, about which the honorable member for Hume talked so strongly in the last Parliament?

Sir WILLIAM LYNE.—The list contained 180 items.

Mr. JOSEPH COOK.—Are the industries still languishing? What is the Minister doing in the matter? The honorable member for Hume seems to have left it alone.

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Sir WILLIAM LYNE.—I have been away.

Mr. TUDOR.—I do not know what has become of the list referred to, but I judge from the press that the present trouble of manufacturers is to obtain employés.

ARMED FOREIGN MERCHANT SHIPS.

Order of the day discharged.

CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Debate resumed from 19th October (*vide* page 1663), on motion by Mr. HUGHES—

That this Bill be now read a second time.

Upon which Mr. DEAKIN had moved—

That all the words after the word "That" be left out, with a view to insert in lieu thereof the following words:—"no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community."

Mr. GROOM (Darling Downs) [10.38].—In approaching the subject of arbitration and conciliation, both sides of the House must realize that we are dealing with a problem which presses for solution in other countries besides our own, but it must be admitted that in Australia a general desire has been shown to obtain, both by Commonwealth and by State legislation, a peaceful method of settling industrial and economic disputes. It was not to be expected that one piece of legislation would do all that was desired in that direction. Such legislation must be experimental in its nature, and as defects appear, or hardships arise, the law must be amended to deal with them. The recognition of mistakes, and the readiness to deal with them, should be put to our credit. The Bill purports to be an attempt to improve the legislation of the last ten years, but the Attorney-General in introducing it did not give us any reason for the amendments proposed, except in regard to one particular matter. The Leader of the Opposition having moved an amendment on the motion for the second reading, the Prime Minister rose to reply, but he did not grapple with the real questions involved, and with a few remarks brushed the subject aside, saying nothing about the manner in which the Government intended to face the difficulties of the situation. The Leader of the Opposition has challenged, on three distinct points, the expediency of passing the Bill. He objects, first, that its effect would be to concentrate all power over all industries throughout the Commonwealth in the hands of one person; secondly, that such legislation must be impracticable; and, thirdly, that it is fraught with danger to the community. Dealing with the first point, let me draw attention to a provision which I think the Attorney-General will be well advised to excise from the Bill. We are asked to enact that no order of the Court shall be challenged, appealed against, reviewed, quashed, or called in question, or be subject to prohibition, or mandamus in any other Court on any account whatever. Under the principal Act, industrial disputes are to be decided by a Judge, who is not bound by strict technicalities such as the rules regarding the admissibility of evidence. He is free and untrammelled to do justice according to equity and good conscience, without regard to technicalities and legal forms. But if questions of law arise, the President may, if he thinks fit, state a case for appeal. The Prime Minister said that there was an appeal; and, of course, there is. But what sort of appeal? Is there any appeal which enables the whole weight of evidence to be reviewed? The aim and intention of the section is that the President's judgment shall prevail, and that there can be appeal only on questions of law. Notwithstanding the present section, there has been some control of the Court, and it is only right there should be. Otherwise, the Court could, at its own sweet will, wander all over Australia without being subject to review. At the present time, if the Court exceeds its jurisdiction, the High Court can be appealed to for what is known as a writ of prohibition, so that the President is not allowed to decide matters not specially referred to him by the authority of the Statute. Are the words "prohibition or mandamus" which are now proposed to be inserted to be put in for purely ornamental purposes, or do they express some intention? I give the Attorney-General credit when he asks us seriously to amend a fundamental part of our statute, that he has some reason; and we have to ask what that reason is. To this question the honorable member for Flinders failed to obtain a satisfactory answer. The only object, obviously, is to make this Court absolutely free and uncontrolled—to determine, if it pleases, the bounds of its own

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statutory jurisdiction. The one Justice is to be the sole authority in the matter. If that is the intention, it cannot be carried out according to the Constitution; and, if the clause be inserted, the Government are only inviting defeat, however right and just it might be to make the provision. Is it right or just, and according to British precedent that this absolute and complete authority should be given, not subject to any control? Such a proposition is unusual in British law.

Mr. WEST.—We are making an experiment.

Mr. GROOM.—And a very dangerous experiment. I can imagine how the honorable member would protest if he were haled before a tribunal which he deemed to have no jurisdiction, and how he would ask whether it was British fair play to provide no supreme court of appeal.

Mr. HUGHES.—Does the honorable member say that there is an appeal from the New South Wales Court?

Mr. GROOM.—I say that there is in the present Commonwealth Statute appeal on questions of jurisdiction, and that there should be left in the High Court power, by prohibition, to keep the Conciliation and Arbitration Court within its bounds. In Clancy's case, in New South Wales, it was held by the Supreme Court, and confirmed by the High Court, that, notwithstanding a clause similar to this in the existing Commonwealth Statute, a writ of prohibition lay.

Mr. HUGHES.—I think the honorable member is in error.

Mr. GROOM.—I am speaking of Clancy's case, reported in the Commonwealth Law Reports of 1904.

Mr. HUGHES.—The law has been amended since then.

Mr. GROOM.—I am not saying that the State law has not been amended, but I am now dealing with the principle.

Mr. HUGHES.—We must take the law as it is.

Mr. GROOM.—First, we have to consider what ought to be done, then what is proposed, and then whether we have power under the Constitution to carry out the proposal. I submit that, under the Constitution, there is inherent power in the High Court, under its original jurisdiction, to issue a prohibition to a judicial officer.

Mr. HUGHES.—We are not dealing with the question of constitutional jurisdiction.

Mr. GROOM.—That is what the Attorney-General is doing.

Mr. HUGHES.—We do not try to do it; we are trying to do what it was proposed to do in the 1904 Act.

Mr. GROOM.—In Clancy's case it was held and confirmed by the High Court, that, under the then Statute of New South Wales, the State Supreme Court had power of control, and that the only way the State Parliament could get rid of that control was by expressly excluding the jurisdiction. The State Parliament has that power, because it is completely sovereign within its own boundaries; but the Parliament of the Commonwealth is bound by the Constitution. In the case of the Commonwealth there is inherent in the High Court original jurisdiction to issue a writ of prohibition; and what power have we, from a legislative point of view, to take that away from the High Court? As to the merits of the case, is it right and just, when dealing with a continent like this, to leave it to one person to decide even the jurisdiction which he is to exercise? In the report of Clancy's case, 1 C.L.R., page 197, the Judge said—

> To hold, in the face of these provisions, that section 32 prevents the Supreme Court from checking any excess of jurisdiction, would be, in effect, to give the inferior Court unlimited jurisdiction. For these reasons, I have no doubt that the Supreme Court had jurisdiction to grant a prohibition.

To take away that power of control from the High Court would be wrong, even if we had the power to do it. Are we now going to say that, notwithstanding we have passed an Act, and appointed a Judge to administer the law, we shall take away from the High Court the power to keep that Judge within his jurisdiction under the Statute?

Mr. BAMFORD.—Is it a serious matter in any case?

Mr. GROOM.—It is a serious matter; and it cuts both ways. It may suit the employé to-day and the employer to-morrow. We are not looking for temporary advantage for one party or the other, but for what is fair and just, in order to incorporate it as a permanent part of the legal procedure of this country in respect to economic justice. I am pleading for a sound principle, and urging that, as a matter of law, the High Court should always have the power to keep the Conciliation and Arbitration Court within the confines of the jurisdiction conferred upon it by this Parliament. In the Broken Hill case the Judge exceeded his jurisdiction, and the following is an extract from the

judgment of the Chief Justice of the High Court dealing with one of the objections made, 8 C.L.R., page 480—

Later on, the President said—"I cannot go beyond the dispute as it originally was, but in settling the dispute I have power to do anything in pursuance of the Act that may settle the dispute." I cannot assent to that assertion of power in those terms.

Then, repeating what he had said in Clancy's case, the Chief Justice went on—

"The object of the Act, therefore, is to establish a new tribunal, called a Court of Arbitration, for the hearing and determination of industrial disputes in matters referred to it. It is not to constitute a board of trade, or a municipal body with power to make by-laws to regulate trade, but a Court of Arbitration, for hearing and determining industrial disputes in matters referred to it." Nor is the Court a subordinate legislature. For the reasons I have given, this part of the order was in excess of jurisdiction.

Mr. PAGE.—That is a great pearl of wisdom!

Mr. GROOM.—Be that as it may, the High Court, because the Judge had exceeded the jurisdiction of the Court, issued a writ of prohibition in order to keep the Court within the terms laid down by Parliament. Is that not right and just, as a matter of principle? Otherwise, the Judge of the Conciliation and Arbitration Court could have practically unlimited jurisdiction. So far as Australia is concerned, we do not desire any one individual to be the legislator for the whole Commonwealth.

Mr. PAGE.—The honorable member would have the High Court as the lawmaker!

Mr. GROOM.—I am not urging that.

Mr. FISHER.—Are there not certain dicta of the Courts that are practically legislative?

Mr. GROOM.—On questions of interpretation the High Court, consisting of five persons, becomes the ultimate interpreter of the Constitution.

Mr. FISHER.—But is not what the Courts have decided from time to time recognised as equal to legislation? I am not in favour of that; but is it not a fact?

Mr. GROOM.—Only the highest Court of the realm is the ultimate interpreter, and makes the final declaration as to what the law is; and the law must be settled.

Mr. FISHER.—The Courts sometimes do things outside legislative authority.

Mr. GROOM.—No; they interpret and declare the laws as they exist, and no Judge would ever admit otherwise.

Mr. BRUCE SMITH.—In common law the Judges interpret the customs of society.

Mr. FISHER.—And have done so from time immemorial; and it is now said that they must not do so any more.

Mr. GROOM.—That is not so, but I submit that by abolishing the writ of prohibition we are taking from the High Court the power to control and keep within defined bounds the President of the Conciliation and Arbitration Court. I am not speaking from a personal point of view. A judgment delivered to-day might, in their opinion, suit the employers; a judgment delivered to-morrow might suit the employés, and both sides are equally entitled to have preserved the right which enables them to confine the actions of Courts with inferior jurisdiction to the limits that are placed upon them. The provision in this Bill to remove the power to grant a prohibition is, as the amendment moved by the Leader of the Opposition points out, an attempt to leave the entire control of the industrial affairs of Australia, in the hands of one person. Such a proposal is impracticable, and must be fraught with danger. This Parliament is not the only body under the Constitution interested in this matter. The High Court has to preserve the balance as between the Commonwealth and the States. The Commonwealth and the States, under the terms of the Constitution, are equally interested. The Constitution declares that the High Court shall have jurisdiction in all matters in which a writ of mandamus or prohibition or an injunction is sought against an officer of the Commonwealth. That is its original jurisdiction under section 75 of the Constitution. What power have we in this Parliament to alter the terms of the Constitution so as to take away the original jurisdiction of the High Court in respect of judicial officers? It has been decided by the High Court that the President of the Conciliation and Arbitration Court is a judicial officer, and that under the original jurisdiction conferred upon it by section 75 of the Constitution, the High Court has power to keep and control any judicial officer of the Commonwealth within the confines of his own jurisdiction. I would refer honorable members to the case of *Rex* v. *the Commonwealth ex parte Whybrow*, 2, C.L.R., in which the Chief Justice made the position perfectly clear. He said—

Section 75 of the Constitution confers original jurisdiction upon the High Court in all matters

in which a writ, or mandamus, or prohibition, or an injunction is sought against an officer of the Commonwealth.

Later on he said—

It cannot be denied that the Judge of the Arbitration Court is an officer of the Commonwealth, or that his functions are judicial. In my opinion, therefore, this Court has original jurisdiction, under the Constitution itself, to grant a prohibition against him. If the meaning of the words of section 75 were even ambiguous the necessity of such a controlling power existing somewhere is so apparent that I should think that the ambiguity should be resolved in favour of the power.

There are three ways in which a writ of prohibition may be authorized. In the first place, this Parliament may regulate the appellate jurisdiction of the High Court. Section 73 of the Constitution, which gives the High Court power, subject to such regulations as the Parliament may prescribe, to hear and determine appeals. Then, again, under section 76 the Parliament is given power to confer on the High Court original jurisdiction in any matter arising under laws made by the Parliament or arising under the Constitution, or involving its interpretation. Those are matters in respect of which the power to issue a writ of prohibition may be affected legislatively. But there is also a third power to issue a writ of prohibition against a judicial officer, and that is under the original jurisdiction vested in the High Court, not by Parliament but by the Constitution itself under section 75. What power have we under the Constitution to take that away? Mr. Justice O'Connor, in the same case, in the course of his judgment said—

The Constitution itself creates the High Court, and, by section 73, expressly invests it with certain appellate jurisdiction. But all the judicial powers of the Commonwealth is not disposed of by that section. The judicial power which section 71 declares should be vested in the High Court is the supreme judicial power of the Commonwealth, and it must necessarily include the power to keep inferior Courts of the federal judicial system from exceeding their jurisdiction. That power is in its nature original, not appellate; but it may be conferred in either form, and it has, in my opinion, been conferred as original jurisdiction in sub-section (*v*) of section 75.

He went on to say—

Sections 71 and 75, inclusive, were clearly intended to equip the High Court completely with all those fundamental powers necessary for the discharge of its duty under the Constitution—a duty in the effective discharge of which the States and the Commonwealth are equally concerned.

Mr. Justice Barton made a similar statement—that there is vested in the High Court, by part of its original jurisdiction, power to issue writs of prohibition and mandamus to judicial officers.

Mr. RILEY.—So far as the Constitution is concerned?

Mr. GROOM.—Yes. If we create a Federal Court, as we have done in this case by virtue of the Constitution, there is power in the High Court to keep the judicial officer of that Court within the confines of his own jurisdiction.

Mr. RILEY.—But so long as we keep within the Constitution we have supreme power.

Mr. GROOM.—Undoubtedly, but under this Bill it is proposed to go outside the Constitution. Parliament is asked to say in effect that although the Constitution declares that it is part of the original jurisdiction of the High Court to issue a writ of prohibition to these judicial officers, we are not going to allow the High Court to do so in this case.

Mr. RILEY.—Our desire is that the Arbitration Court shall be supreme in industrial matters.

Mr. GROOM.—So it is, but the Government are proposing to go beyond that. If the clause in the Bill to which I refer were confined merely to industrial matters I should raise no objection to it.

Mr. RILEY.—That is the intention.

Mr. GROOM.—But that will not be the effect of the clause. The intention of the clause is that the Judge of the Conciliation and Arbitration Court shall have power to decide all matters relating to his own jurisdiction, and that where it is contended that he has exceeded his jurisdiction—that he has dealt for instance with a dispute of purely State concern—an appeal shall not lie to the High Court to keep him within the confines of his jurisdiction by means of a Court of prohibition.

Mr. MATHEWS.—It appears to me that this Bill, if carried, will enable us to settle difficulties; that it will give the Court a power that it has never had before, and that that is the whole trouble.

Mr. GROOM.—That is not so. The Government are trying by this Bill to take from the High Court a power that is vested in it, and which the Chief Justice says is part and parcel of its original jurisdiction. What is the use of passing such a provision?

Mr. RILEY.—We appoint a Justice of the High Court as President of the Conciliation and Arbitration Court, and he must be familiar with the constitutional

powers under which he is governed. It is for him to say——

Mr. GROOM.—No. The scheme of the Constitution is not that the Federal Parliament shall be the interpreter of the Constitution, but that the High Court itself shall interpret it. We cannot say that one Justice of the High Court shall be the interpreter of the Constitution.

Mr. RILEY.—Only in regard to the industrial part.

Mr. GROOM. — No. Our power to legislate in industrial matters is conferred by the Constitution, and only the High Court can say how far our powers in that respect go.

Mr. J. H. CATTS.—And any clause to limit that would simply be unconstitutional.

Mr. GROOM.—Exactly. It is for that reason I appeal to the Attorney-General to seriously consider this matter, because I do not desire to see people sent unnecessarily before the High Court. My view appears to be sustained by the judgments to which I have referred, but it is for the Attorney-General to consider these points. If he, as the Chief Law Officer of the Crown, thinks there is nothing in them, he will act accordingly. The cases, however, are exceedingly strong, and the dicta are plain. It seems common sense to say that so far as the States are concerned the Commonwealth shall not have power to appoint one judicial officer with power to decide questions of his own jurisdiction.

Mr. FISHER.—We could appoint a Judge with absolute power to deal with matters of that kind outside of the High Court.

Mr. GROOM.—No. If, for instance, we appointed an Inter-State Commission, we could only give it power to deal with industrial disputes extending beyond the limits of any one State. We could not empower it to be the sole interpreter of the Constitution. That is a power conferred upon the High Court. This proposal relates to part of the original jurisdiction of the High Court. As the Chief Justice said, the High Court can issue a writ of prohibition against a judicial officer to keep him within his jurisdiction. The power to issue a writ of prohibition, as Mr. Justice O'Connor pointed out, concerns, not only the Commonwealth, but the States. We are working under a Federal Constitution, and the High Court has to have regard to the powers of the States as well as to the powers of the Commonwealth. Holding as it does the balance of power, it has to interpret the Constitution fairly between the Commonwealth and the States. Honorable members must realize the intention of this clause. In the Broken Hill case the President of the Conciliation and Arbitration Court, acting, as he thought, within his powers, exceeded his jurisdiction.

Mr. RILEY. — By preventing Sunday labour.

Mr. GROOM.—I desire to deal, not with details, but with the broad principles involved. The President of the Court exceeded his jurisdiction, and the High Court held that it had power to keep him within his jurisdiction, as laid down by Parliament. From the stand-point of common sense and fairness, it must be conceded that there ought to be some power in the High Court to confine each Court to its own appropriate sphere of action. Without such a power we should have, as the Chief Justice said, a Court of practically unlimited jurisdiction. That would be the position under this clause. As the amendment moved by the Leader of the Opposition points out, the idea is to vest in one judicial officer the power to deal with all the industries of the Commonwealth.

Mr. RILEY.—The appeal in the Broken Hill case was allowed because the President of the Court had decided an issue that was not one of the claims.

Mr. GROOM.—He acted in a matter with which he had no jurisdiction to deal. The intention of this Bill is to give one individual Court, as far as possible, absolute freedom from control.

Mr. FISHER.—That is not uncommon in Great Britain.

Mr. GROOM.—It is uncommon. What Court in Great Britain cannot be subject to a writ of prohibition?

Mr. FISHER.—The decision of a Sheriff in many cases is final, and cannot be appealed against.

Mr. GROOM.—The right honorable member is not dealing with the jurisdiction of a Judge to settle a series of economic questions.

Mr. FISHER.—Yes; the decision of the Sheriff on a question of whether or not I should be the mayor of a city would be absolutely final.

Mr. GROOM.—The right honorable member is thinking of elective matters, whereas I am dealing with the rights of the people in regard to claims coming for decision before a Judge. That is an unparalleled power.

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Mr. HUGHES.—How can it be unparalleled when it appears in the New South Wales Act?

Mr. GROOM.—It is unparalleled, because here we are dealing with the industries of the whole continent covering industries that are subjected to all sorts of conditions. The Government are seeking to take away the limitation of the power of a judicial officer and to give him complete and uncontrolled authority. That is the objection. We have to look at these matters in the light of the possibilities of the future as well as from the point of view of some mere temporary inconvenience in one particular case.

Mr. HUGHES.—The honorable member first says that it ought not to be done, and then that it cannot be done, and then——

Mr. GROOM.—I am simply pointing out that there are two aspects to be regarded. The first concerns the justice or merits of the action, and the second the constitutionality of taking it even if it is just. The intention of extending the powers of the Court in this way is obvious. Under section 21 the certificate of the Registrar is to be *primâ facie* evidence, first that a dispute exists, and then that it is an industrial dispute extending beyond the limits of one State. But those are the very things that go to make up jurisdiction. Before a dispute can come within the jurisdiction of the Court to settle within the meaning of the Constitution it must be a dispute extending beyond the limits of one State.

Mr. BAMFORD.—Does not the honorable member think that that is a very silly provision altogether?

Mr. GROOM.—I do not. A mere certificate of the Registrar is to be *primâ facie* evidence. The certificate itself may be accepted by the Court.

Mr. RILEY.—It is to save the time of the Court.

Mr. GROOM.—Certainly it is, but if these expeditious ways of getting the matter decided may be followed, without the proper methods of taking evidence, and if, at the same time, the power to review them is excluded, it may be a very serious matter.

Mr. RILEY.—The Registrar will take evidence.

Mr. GROOM.—There is no obligation on him to do so. He may act on a purely *ex parte* statement. Where these possibilities of error arise, and there is only one form of appeal, we should try to preserve that appeal in order to keep the Court within its jurisdiction. That bears out exactly the contention of the Leader of the Opposition, that the Bill is an attempt to concentrate everything in the hands practically of the one person.

Mr. FISHER.—Would two persons help you?

Mr. GROOM.—I am dealing with the one question of the Bill before the House. Another section which shows how far the Bill goes is 38B, which provides that, in making an award or order, the Court shall not be restricted to the specific relief claimed by the parties to the industrial dispute, or to the demands made by the parties in the course of the dispute, but may include in the award or order any matter or thing which the Court thinks necessary or expedient for the purpose of preventing or settling the dispute. What does this include? It is couched in the widest possible language.

Mr. RILEY.—This is not the ordinary Court.

Mr. GROOM.—Of course it is not, and that is why it is dangerous to extend it in this way without preserving the control over the jurisdiction. As a rule, persons go to a Court knowing the issues they have to meet. That is fair and just. This goes much further. The demands need not be part of the dispute or arise during the dispute, and the Judge is to have power to include in his award something which perhaps was never contemplated by the parties.

Mr. SPENCE.—The whole provision is framed with a desire to get economic justice.

Mr. GROOM.—I desire all necessary powers to be vested in the Court, so as to attain economic justice. The Government, I fear, are overburdening the tribunal. They are putting upon the President of the Court a burden greater than any man should be asked to bear. Let me read the plaintive note struck by the President of the Court himself in dealing with the Harvester Excise case—

> The first difficulty that faces me is as to the meaning of the Act. The words are few, and at first sight plain of meaning; but, in applying the words, one finds that the Legislature has not indicated what it means by "fair and reasonable"—what is the model or criterion by which fairness and reasonableness are to be determined. It is to be regretted that the Legislature has not given a definition of the words. It is the function of the Legislature, not of the

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Judiciary, to deal with social and economic problems; it is for the Judiciary to apply, and, when necessary, to interpret the enactments of the Legislature. But here, this whole controversial problem, with its grave social and economic bearings, has been committed to a Judge, who is not, at least directly, responsible, and who ought not to be responsive to public opinion. Even if the delegation of duty should be successful in this case, it by no means follows that it will be so hereafter. I do not protest against the difficulty of the problem, but against the confusion of functions—against the failure to define, the shunting of Legislative responsibility. It would be almost as reasonable to tell a Court to do what is "right" with regard to real estate, and yet lay down no laws or principles for its guidance.

In the course of the long discussion of this case, I have become convinced that the President of this Court is put in a false position. The strength of the Judiciary in the public confidence is largely owing to the fact that the Judge has not to devise great principles of action as between great classes, or to lay down what is fair and reasonable as between contending interests in the community; but has to carry out mandates of the Legislature, evolved out of the conflict of public opinion after debate in Parliament. I venture to think that it will not be found wise thus to bring the Judicial Department within the range of political fire.

Mr. RILEY.—Still the Judge wants us to do it in order to adjust our economic conditions.

Mr. GROOM.—In what he says the Judge is quite right. Under the Constitution the intention was that all these great industrial conflicts which extend beyond the limits of one State should be left to the Commonwealth jurisdiction, with power for us to legislate to provide means for their prevention or settlement. That contemplated an industrial dispute or the possibility of it, with a Judge coming in judicially and determining the particular conflict between the parties. But the full effect of this Bill will be to eliminate the judicial element from it. In the particular provision to which I am referring there is an attempt to give the Judge jurisdiction over something which is not in dispute. The Government in attempting to extend the power of the Court in every possible way, without rules for its guidance, are doing exactly what the Judge protested against. They are making the Court less and less judicial and making it more and more legislative, and more and more regulative of all the industries over the whole length and breadth of the continent. In doing this the Government are inviting failure, courting defeat, and doing what is fraught with danger to the whole community. That is the tendency of the measure. It is the danger against which the amendment moved by the Leader of the Opposition protests. The aim and intention of the Government is apparently to give the Court the fullest and widest powers. I shall deal with the second point of the extension of the area by this legislation. By extending that area the Government are again taking more and more of the judicial character out of the tribunal and making it more and more legislative and regulative. The scheme of the Act as it at present stands could not be better stated than it was by Mr. Justice Isaacs in his judgment in the engine-drivers' case. He said—

The keynote of the Act is the prevention or the quelling of industrial strife which threatens or produces an interruption of industrial operations by which the wants of the community are satisfied. The public welfare is always the end in view. If the industrial operations necessary, for instance, to produce or distribute the means of satisfying the requirements of the people of Australia, are in fact, or are likely to be, interrupted by a dispute between those who are co-operators in those industrial operations—that is, both employers and employés—then that dispute—with a certain qualification which is material—is in obedience to the Statute to be prevented or settled.

Later he said—

This last provision shows clearly that the public stand-point was the dominant consideration, and indicates why "industry" was used in the sense of the combined operation supplying the public.

He shows there that the basis of the existing law is industries. The object of controlling industries is because industries supply and distribute to the public, and any stoppage of their operations causes the public to suffer. We therefore require power to intervene and prevent or settle those large disputes in industries. I do not say that the Government have not the power to put in a clause regulating organizations according to handicrafts. It is possible, from the statements of the Judge, that they have that power. Dicta by the Chief Justice in the Broken Hill case at the very opening of his judgment seem to imply that that power exists from the constitutional point of view. At page 420 of the *Argus Law Reports* he is reported to have said—

The first objection taken formally is that there was no dispute in an industry extending beyond the limits of any one State. I only remark upon that that those are not the words of the Constitution, and that *a priori* I do not see why there may not be one dispute embracing or extending over several industries, just as much as

there may be several disputes within the limits of one industry. It is not, however, necessary to express any decided opinion upon the point.

I am not dealing with the legal or constitutional aspect of the proposal. I am asking the Government to consider what is the fair scope and intention of the power, and what is the best thing that we as a Parliament can do in order to obtain what we want to obtain—industrial peace in the particular industries in the disputes in which, under the Constitution, we have control. As Mr. Justice Isaacs points out, and as the other Judges maintain, it is "industries" that form the basis of the Act. The honorable member for Cook last night pointed out from the workers' point of view——

Mr. HOWE.—It is a point of view with which the workers do not agree.

Mr. GROOM.—Some of the workers may not agree with it.

Mr. HOWE.—The majority are very much against it, and the honorable member for Cook knows it.

Mr. GROOM.—That may be so; but the honorable member for Dalley will admit that evidentiy a view contrary to his own is held among the workers. The honorable member for Cook pointed out that, from the workers' point of view, there are disadvantages in trying to organize on a purely crafts basis. My contention is that by legislating, as this Bill does, to allow handicrafts to be a basis for organization, we are extending the power of the Court indefinitely, and by every extension of power we are adding to the burden of the Court, increasing the number of cases to be decided, and making it less and less judicial and more and more regulative. Under the guise of a judicial power to be exercised for the purpose of settling industrial disputes, the Government are trying to accomplish a legislative power which is not intended by the Constitution. So surely as they strain it from its original purpose, so surely will they find in practice and experience that they will defeat their own ends. At the present time the Court deals only with industries. If a dispute extending beyond a State arises in an industry, it can give a judicial decision to settle it. Disputes in industries like the pastoral and shipping industries, whose operations extend over the Commonwealth, and are in their nature inter-State, come fairly within the jurisdiction of the Court. It was never contemplated by the framers of the Constitution, as can be gathered by reading the speeches of Mr. Kingston, and others, that the Commonwealth should attempt to regulate isolated industires whose operations were confined wholly to any one State. That, however, is attempted by the amendment. The scheme of the existing arbitration legislation is for the furtherance of collective bargaining, in which all unionists believe. That means that you must have two parties, each possessing a common interest, the employers in an industry organized on the one side, and the employés on the other. You cannot have collective bargaining when, on the one side. there is the organization of all the workers in a craft, and, on the other, a number of employers in different industries possessing no community of interest. For collective bargaining you must have two organizations, each representing one side of an industry. The Bill will enable collective bargaining to be set aside. That, if not its purpose, will be its effect. There may be an organization of employés of whom, say, there are fifty in a Queensland industry, fifty others in a New South Wales industry of another character, and fifty others in a Victorian industry of a different kind. Such an organization could create a dispute with the employers of the three industries concerned, which may have nothing in common, and are carrying on operations in different States.

Mr. WISE.—How could such a dispute be an inter-State concern?

Mr. GROOM.—Under the Bill all that is necessary to create an inter-State dispute is to have an organization of employés working in more than one State in separate industries. Should such a dispute as I have mentioned arise with the several employers in the respective States, the presiding Judge would have to investigate the conditions of three industries in the three separate States. At the same time each State has full legislative power to deal with those industries, and to give such relief as its citizens may consider necessary. What do we find in connexion with the engine-drivers' case, which is alleged to be the reason for the introduction of the Bill? There could be no collective bargaining in that case, because, although there might be a community of interest among the engine-drivers, there could, in the nature of things. be no community of interest amongst the 177 defendants. The defendants in that

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case comprised a Tasmanian smelting company, the Mayor and citizens of the city of Melbourne, the Chief Commissioner of the South Australian railways, Allen Taylor and Co. Limited, Sydney, a Queensland sugar company, the Queensland National Bank, a rubber company, a firm of grocers, the Zeehan Mines Limited, and many other firms and corporations operating in different parts of Australia. If the Judge of the Arbitration Court is to comply with the provisions of the Bill, he must determine conditions in every industry throughout Australia which comes before him. The honorable member for Maribyrnong last night interjected that there is always a lawyer to conduct the case on one side. But does the Judge give his decisions in accordance with the representations of the lawyer who appears before him? To obtain a fair and equitable settlement, there must be a thorough investigation of all the facts, requiring evidence as to the conditions obtaining in each industry in each State. To ascertain the conditions of a Queensland industry, there must be an examination on the spot, to find out the cost of living, the prices of commodities, and so on. Similar investigations must be conducted in all the other States. Could 177 individual defendants, as in the engine-drivers' case obtain a thorough investigation of conditions in all their industries? Could the Judge find time to make himself fully acquainted with the conditions of the sugar industry in Queensland, of tin-mining in Tasmania, railway management in South Australia, and harbor works at Sydney?

Mr. HOWE.—Was not an award given in the case to which the honorable member refers?

Mr. GROOM.—Yes; but did the President of the Court go to the several States?

Mr. RILEY.—Witnesses came from the other States.

Mr. PAGE.—Do not the same difficulties arise under the existing law?

Mr. GROOM.—No, because when the dispute is confined to an industry, typical witnesses may be called on each side.

Mr. CHARLTON.—Over 1,600 members of the Pastoralists Union were served with notices in connexion with one case.

Mr. GROOM.—That was merely a matter of dropping letters into the post-box. I am speaking of the difficulties of hearing a case in which the organization is by crafts and not by industries. In a case such as the engine-drivers, you have men banded together on the one side, and on the other a large number of employers scattered all over Australia, with nothing in common. I appreciate the excellent work which Mr. Justice Higgins has done. We have put on him an almost superhuman task. He has exercised great patience and ability, and has shown the strongest desire to do right between man and man. But we must realize that certain things are impracticable. If we are to have organization by crafts, a new system for settling disputes will be needed. The State tribunals should be called in to assist.

Mr. PAGE.—Did not Mr. Justice O'Connor award different rates for different States in the shearing dispute?

Mr. GROOM.—Yes, but in that dispute only one industry was concerned, and there was a community of interest on both sides. In the engine-drivers' case there is no community of interest among the employers, but to arrive at a complete and adequate decision the affairs of 177 different industries operating all over Australia had to be investigated. I would point out to honorable members that in the Excise Act, passed to protect the labour employed in a protected industry, the Judge was required to investigate the conditions of the industry, not of the crafts concerned. In the Harvester case, Mr. Justice Higgins dealt with the conditions of the harvester industry, and fixed what he considered reasonable rates for the various classes of workmen employed. To deal with economic facts other than as they affect particular industries raises many difficulties. If, in every case, the Judge had to deal with the conditions of all the industries in which the members of a craft were employed, he would have an impossible task to perform.

Mr. HUGHES.—The honorable member might as well say that it is not possible for a member of Parliament to represent all the electors in his constituency.

Mr. GROOM.—It is one thing to speak for 30,000 persons, and another to regulate the conditions of all the industries of Australia. If the Government try to carry out the scheme they have in view they will possibly find it impracticable. They are seeking to confer legislative and regulative powers instead of judicial powers; and if that be done, in view of the constant application that will be made to review awards, it will lead to endless trouble, and, in the end, the whole scheme will be fraught with danger to the community.

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Mr. SPENCE (Darling) [11.45].—The Opposition are exceedingly kind to the Government in their desire to prevent mistakes being made in this legislation. Personally, however, I have a certain measure of doubt as to the honesty of intention on the part of honorable members opposite, because, if all the evils foretold must take place, I am inclined to think they would allow the Bill to pass just in order to show how inefficient the Government are. The honorable member for Darling Downs has placed before us in a concrete and clear way that which was so blurred in the speech of the Leader of the Opposition as to require much searching and unravelling, with the conviction that, when we thought we had arrived at that gentleman's meaning, we should be told that it was not what he intended to convey. The honorable member for Darling Downs complains because opportunities are not presented for involving the parties concerned in the expenditure of money for the purpose of appealing from the decision of one man to the decision of another man. Lawyers seem to think that justice is dispensed according to the number of Courts to which appeal is made—that justice depends on employing trained minds to mystify the minds of Judges and all concerned by mere word spinning. If no greater objections can be raised to the Bill than those which we have already heard, I must say that I feel much warmer to the measure than I did. It was always intended that there should be a Court of a special kind, guided by equity and good conscience, seeing that the matters to come before it are the most difficult that call for solution. Further, it was intended that the decision of the Court should settle disputes, and that the awards made must be observed under penalty. In the case of the New South Wales Act, Mr. Wise, of that State, thought, and Parliament thought, that he had successfully provided against appeals; and those who refer to that Act now as a failure overlook the fact that it never had a chance. Its decisions were upset on appeal, and the object of Parliament thus defeated. Members of the Opposition who voted for the present Commonwealth Act intended that the decision of the Court should be final. But appeals to the High Court have rendered the legislation less workable, and limited the power of the Judge to dispense that economic justice which the honorable member for Darling Downs says he desires. That honorable member, however, is not agreeable to amend the law, as far as possible within the Constitution, in order to arrive at that justice, and urges that there should be reserved the power of appeal on a mere technicality.

Mr. GROOM.—No; on the question of jurisdiction.

Mr. SPENCE. — That is a technical question; that is a matter of opinion.

Mr. GROOM. — Is jurisdiction a technicality?

Mr. SPENCE.—It is a matter of opinion.

Mr. DEAKIN.—Everything is a matter of opinion.

Mr. SPENCE.—Surely the Opposition give the Attorney-General's Department credit for intelligence enough not to draft Bills beyond the limits of the Constitution?

Mr. GROOM.—Last year a whole section was withdrawn at the instance of the Opposition.

Mr. SPENCE.—That only shows how fair the Government are. Although the award given by the Court might settle a dispute and satisfy both parties, the honorable member desires that there may be appeals on the question of jurisdiction, with the result that the award may be set aside on a technicality. In ordinary litigation there are appeals on the merits of a case, but as to the Conciliation and Arbitration Court that is not so.

Mr. DEAKIN.—There are no appeals whatever, except on questions of law.

Mr. SPENCE.—Questions of law that ignore justice altogether. The honorable member, like all lawyers, laughs at me.

Mr. DEAKIN.—I should think so.

Mr. SPENCE.—I think that if we did the right thing, we would now bar lawyers from this Court. We do not secure economic justice if we provide means of upsetting the decisions, not on questions of fact, but on questions of jurisdiction. I do not agree that this is altogether a one-man judgment, but, even supposing it is, how is the case altered by referring the decision to another man? The High Court consists of five Judges, and, if there are two on each side, the decision is left to one man.

Mr. JOSEPH COOK.—But there are two Judges with him.

Mr. SPENCE.—One man, however, settles the question. It is true that there is only a limited number of men with the necessary qualifications to act as a Judge of

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the Conciliation and Arbitration Court; but when we have selected the best, I am prepared to leave the final decision in his hands. As a layman, it appears to me that the methods of the Court must differ materially from those of ordinary Courts. Complaint is made that the Act is not clear, but when we provided that the Judge should satisfy himself in equity and good conscience that seemed to us to be sufficient. This is a special Court with a new procedure, or, if it is not such a Court, it will fail in its purpose. From the Leader of the Opposition downwards —or perhaps it ought to be upwards, seeing that we have got some clear idea of their contention from subsequent speakers—honorable members opposite evidently desire to prevent this Bill passing. The Leader of the Opposition said that the original Act is a good one, and on the right track. But it has been found ineffective, not because of lack of foresight, perhaps, but in the light of experience. Additional powers are necessary to make it more workable; and we ought to have the support of those who declare themselves in favour of economic justice. We find, however, that honorable members opposite, who loudly proclaim themselves in favour of conciliation and arbitration, are going to vote against the Bill, basing their objection mainly on one clause. There are honorable members, like the honorable member for Parkes and the honorable member for Fawkner, who prefer Wages Boards; but even these, although they have done much good work, usually represent the decision of one man. It was quite unnecessary on the part of the honorable member for Wimmera to remind the Prime Minister that Wages Boards could not deal with Commonwealth affairs.

Mr. SAMPSON.—Are not the majority of the decisions of the Wages Boards arrived at without the assistance of the Chairman?

Mr. SPENCE.—The point that I am making is that the objection raised to this Bill, that it will mean that one man will determine our industrial conditions, applies equally to the Wages Board system. It is the Chairman of a Wages Board who really decides what an award shall be.

Mr. SAMPSON.—The majority of the decisions arrived at by Wages Boards are given without the intervention of the Chairman.

Mr. SPENCE.—I consider the Conciliation and Arbitration Court superior to the Wages Board system. Wages Boards have undoubtedly done good, and are better than nothing at all to regulate the conditions of labour; but the drawback is that the representatives of the workers upon them are often in the employ of the very men whom they have to meet upon them. Wages Boards have never been anything more than Boards of Conciliation. Sometimes when a Board is appointed, the representatives of one of the parties refuse to meet, and the decision of the Board is held up month after month. Everything depends upon the willingness of the parties to meet and settle their disputes, and where the parties to a dispute are willing to meet to settle their differences neither a Wages Board nor any like body is necessary. Sometimes the one side refuses to appoint representatives on a Wages Board, and a selection has to be made by the Government. Then the representatives appointed in this way refuse occasionally to meet, and more trouble arises. Delegates have in some cases lost their positions as the result of putting up a fight for the workers. Men have been boycotted and discharged from their employment because of their actions as members of Wages Boards. The representatives of the men open their mouths at the risk of great sacrifice and loss. The Wages Board system stands condemned.

Mr. SAMPSON.—The honorable member's statement is not consistent with the statement in his book concerning the Wages Board system.

Mr. SPENCE.—I think it is. I said in my book that the Wages Board system had done good work, and that any system which would bring the two parties together was far better than a policy under which they would be allowed to remain apart. The Arbitration Court is much better than the Wages Board system, because the President of the Court has power to compel the two parties to a dispute to come together. In Great Britain, the Board of Conciliation, acting under the Board of Trade, has settled many disputes, and has done good work, yet troubles have arisen in connexion with it. The Board made an award in regard to the railway employés, and breaches of that award by the railway managers led to the recent great strike in England. The men complained constantly of those breaches, but the railway managers refused to meet them to settle the points in dispute. Finally, the railway employés, being unable to submit

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for all time to this sort of treatment, stopped the wheels from going round. In that way public attention was directed to their position, the people became alarmed, and the employers were practically coerced into meeting representatives of the men, with the result that the dispute was settled. The people are finding out that that system of conciliation is a failure. We have more class feeling and bitterness in Australia than exists in most countries, and nothing but a tribunal with the power of a Supreme Court to compel the parties to a dispute to appear before it will enable us to secure anything like industrial peace. The power of the Court must be practically unlimited. Under the Constitution as it stands our Conciliation and Arbitration Court has but a very restricted power, and the Opposition recently put up a successful fight against an attempt to extend that power.

Mr. DEAKIN.—"Extend" is a very mild word.

Mr. SPENCE.—Our desire was that the power of the Court should be complete, for we felt that anything less would be unsatisfactory. The voluntary conciliation, to which the honorable member for Parkes has referred, was resorted to when there existed nothing like the bitterness that prevails to-day. The social problem is becoming more and more intensified. There is increasing intelligence on the part of the masses and increasing discontent. People are no longer willing to be, practically, slaves, both mentally and physically. They are no longer content to do just what they are told. The day when such a condition of affairs was possible has gone, and hence we require very efficient Courts to mete out justice. Even with a Court possessing the fullest power, we should not be entirely free from industrial disturbances, because in the very nature of things changes and difficulties must occur. I cannot understand the attitude of honorable members opposite who claim that the Act should stand as it is, although experience has shown that it needs to be amended. The original New Zealand Act has been followed by a series of amending measures; it has been improved as experience has shown improvement to be necessary. The New Zealand Parliament has sovereign power to deal with the whole matter, and it is certainly our duty to exercise to the full what power we have to improve the existing law. If the Opposition can point in Committee to any serious defect in the Bill, I am sure that the Government will be prepared to remedy it. But it is absurd for the Opposition to submit, as they have done, an amendment turning down the Bill altogether, on the ground that its passage would mean handing over to one individual the control of the conditions of all industry in Australia. The President of the Court has not a sufficiently wide jurisdiction, and we must take an early opportunity to give him the fullest jurisdiction with which we can vest him to determine disputes. Unless we do so, we cannot hope for the settlement of industrial troubles. The honorable member for Parkes, who spoke at length on this question, is generally amusing, but he expressed surprise at the laughter in which we indulged during the course of his speech. Those who are actively connected with organizations cannot help laughing when they hear the honorable member, who professes to have followed this question closely, asserting that he has never heard of members of a union meeting before going out on strike. The mere fact that the holding of such a meeting is not announced in the press is no proof that it is not held. Honorable members have two or three meals a day, but no publicity is drawn to the fact. Certain things take place in the ordinary course of events, and no one expects to see any public reference to them. How could men determine to go out on strike without holding a meeting to discuss the matter? Occasions have occurred on which men have "downed tools" on account of some immediate trouble, but in such cases their action would have been the same even if a preliminary meeting had been held. Trade union rules with regard to strikes and attempted strikes are very strict. Union leaders in both the Old World and the New have always looked upon a strike as the last resort.

Mr. DEAKIN.—It seems now to be in many cases the first resort.

Mr. SPENCE.—No; the honorable member must not seek for knowledge in this respect from the newspapers. Such a statement is made only by those who do not take the trouble to get the inside knowledge. Honorable members should look into the facts for themselves. It is notorious that Labour leaders are strongly opposed to strikes, and advise recourse to them only in the last resort. But, after all, I do not know why we should expect absolute perfection in humanity. Neither the employers nor the employés are perfect;

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they are human beings and all are very much alike. The honorable member for Parkes complained that he never heard of a Labour man denouncing a strike. Every one who has looked into this subject with a desire to ascertain the true facts, knows, however, that Labour men have been urging the workers for years to organize, and to appeal to the Legislatures and to the Courts that have been provided by the Parliaments of those countries in which they have voting power. We have appealed to them again and again not to go on strike, but to obtain a decision of the Court and to stand by it. The newspapers, however, do not report such appeals on our part. It would be useless to search the daily press at the present time for any statement favorable to Labour men. Evidence as to these matters cannot be taken from such sources, but the fact remains that persistent effort has been made by Labour leaders to induce men to appeal to the Legislatures and the Courts of their country. We want efficiency in the Court and complete power on the part of the Court to deal with the questions submitted to it. It is a serious thing to ask trade unions to give up that which has been their only weapon—the power to suspend work—unless we can guarantee them an efficient Court capable of settling their difficulties. If honorable members opposite desire the imposition of a severe penalty on any body of men who violate the law by going out on strike, they must join with us in our attempt to make the Court as efficient as possible. If it were not to be made efficient, I should not favour this class of legislation. The workers are going to have a measure of economic justice, but this method of settling disputes will not get rid of all the evils from which the masses are suffering to-day. It touches only the problem of wages, and leaves untouched the question of what the sovereign will buy. I wish to correct some wrong impressions created by the honorable member for Parkes. The honorable member, who claims to be an economist, says that we cannot go on raising wages without raising the cost of production, and that the cost of production has increased because wages have increased. But as the honorable member for Bourke pointed out, logic of that kind only means that to improve the position of the workers we must reduce their wages again and again until finally they will be able to live for nothing. Every one must recognise the fallacy of such an argument as that advanced by the honorable member for Parkes. New machinery and the applied forces of nature are constantly leading to a reduction in the cost of production. The rise in the cost of living is not due to the cost of labour. I do not deny that if wages are increased the cost of production must be increased, but the point that we have to consider is to what extent the increase in the cost of production is the result of increased wages. The percentage must be very small in manufacturing industries. In the building trade, where much work is done by individual labour, the raising of wages would probably increase the cost of production to the same extent; but in the manufacturing industries production has been immensely cheapened by the introduction of improved machinery. Consequently, although wages have increased the cost of production has been reduced; yet side by side with that reduction in the cost of production the cost of living is daily increasing. The Court has no power to deal with that aspect of the question. As a proof of what I say, that economic writer, Mr. Chiozza Money, M.P., of England, in an article published in *The Nation*, analyzes the figures of the Board of Trade. He shows that in the fifteen years from 1895 to 1910 there was an increase of wages to the extent of 13.3 per cent. Taking forty-five articles of every day consumption, there was an increase of 19.5 per cent. in the wholesale and 17.9 per cent. in the retail London prices. Surely that is an answer to the contention that it is the rise in the workmen's wages that has caused the increased cost of living. It is shown also that the average income of the income taxpayer increased during the same period from £698 to £964, or an increase of £266 per income taxpayer, the total aggregate assessment under the income tax increasing by no less than £402,000,000. It is in those figures that the explanation of the increased price of goods is to be found. It lies in the profit-taking. Those who are making profits are taking more out of the workers than the sum by which the wages have increased. That exposes the fallacy of the argument of the honorable member for Parkes that wages are the cause of the increased cost of living. There are many other causes that we know of, and which it is perhaps unnecessary to discuss now. One factor is the increased rents. My observation and inquiries in the Old World showed me that rents for workmen's homes are only about half what the

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rent-taker takes here. I really do not know how the workers at Home keep life in their bodies on the wages that they get.

Mr. BRUCE SMITH.—The rents at Home are very much regulated by the value of money there. A man at Home is quite content to get 3 per cent. on his capital.

Mr. SPENCE.—I have pointed out how the application of machinery, and constant improvements in machinery, have been steadily decreasing the cost of production, and that the cost of living has gone up owing to other causes than wages. I admit that in the building trade, for instance, the increase of wages has to be taken to some extent into account; but in all manufactures machinery has been such a factor in eliminating labour that the question of wages is only a small one. The Tariff Commission put down wages at only about 16 per cent. on an average of the cost of articles. The Conciliation and Arbitration Courts do not touch all these issues; they must be settled in other ways.

Mr. BRUCE SMITH.—In New South Wales the cost of building has gone up 50 per cent. as a consequence of the increase of wages and materials.

Mr. SPENCE.—The increase of wages is by no means the only cause. The increase of wages in brickmaking raised the cost of making the bricks by 4½d. per thousand, but the combine put the price up 4s. per thousand.

Mr. BRUCE SMITH.—The increased wages of carters, clay-getters, machinery workers, and brickmakers have to be taken into account.

Mr. SPENCE.—If the honorable member will extend his reading to the statements made by the leaders of the great trusts in the United States he will find that they openly admit that the cost of wages is absolutely never considered by them when fixing their selling prices. They have gone far beyond that. They get the cost of wages as low as they can, but it has no reference to the price at which they sell an article.

Mr. BRUCE SMITH.—The case of a trust is quite different.

Mr. SPENCE.—Wherever there is a combine, its object is to take all it can get out of society.

Mr. SCULLIN.—Is it not a fact that the New South Wales Government are now making bricks at half the price charged by the combine?

Mr. BRUCE SMITH.—That is a fallacy; the Government keep no books, and do not calculate the value of their machinery. It all comes out of the old milch cow—the State.

Mr. SPENCE.—At the slow pace at which the honorable member learns it will take him a very long time to get up to date.

Mr. BRUCE SMITH.—Mr. Griffiths promised to sell the public bricks at £1 a thousand; he has never done it.

Mr. SPENCE.—He has not yet been able to get all the kilns up to supply the public. It takes the Department all their time to supply the Government's own requirements. When they do begin to supply the public there will be a big fall in the price of bricks outside. The world will go on even if honorable members opposite shut their eyes to the changes that are taking place and the progress that is being made. We must go back to the main issue in this connexion. All these methods of Boards of Conciliation have been a failure, because of the bitterness between the parties. They refused to go before such a Board. What is required is a Court with very big powers to intervene and settle disputes. It cannot possibly have power to settle unless it can settle all the conditions of the industry. If it is to be limited as our Federal Court is limited it will never be very satisfactory. That aspect makes the problem the more serious, because we cannot expect trade unions to be ready to voluntarily surrender their right to strike unless there is an efficient Court to go to. If the conditions cannot be settled properly no man of grit and courage will sit down idly and suffer injustice. Although there have been increases in wages the cost of living has increased in a greater proportion. We have not statistics enough available to show the exact increase of the cost of living in the Commonwealth, but Board of Trade returns in England have shown that wages actually have been falling; yet when the workers there ask for consideration the employing class will not meet them or make them any concession. Profit taking is going on all the time. Honorable members cannot expect men of our race to stand that sort of thing. They are going to make trouble, and are justified in making it. They would not be men if they did not. What is the use of saying that they ought not to go on strike, or that honorable members on this side do not express their disapproval when strikes take place?

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Mr. BRUCE SMITH.—They will continue to strike until they get their own way.

Mr. SPENCE.—And the honorable member will go on until he gets his own way, although that may not be very good for himself. The men are prepared to take a fair deal. I have found them too modest, as a general rule, in their demands. They show too much consideration to the other side. Honorable members opposite have picked out extreme cases, which no one justifies. The unions have made mistakes, but who is to be their judge?

Mr. BRUCE SMITH.—The honorable member does not condemn them.

Mr. SPENCE.—I do not, because they know their own business best all the time. It is always most difficult to get a workman stirred up to stick up for himself and his own rights, to say nothing of inducing him to go to extremes. He is very modest in his demands. We do not want industrial trouble. We have reached a period when society is justified in saying, "You shall not upset the industrial machine." As society becomes more complex and interwoven, every dispute that arises becomes the more dangerous because of the chance of its spreading. I have always been a believer in industrial unionism, with all those connected with one trade united if possible in one organization. I do not say that the same rule can be applied to every industry, but if there is no Court to settle all the conditions, then craft unionism is a drawback. I do not know that the same difficulty would arise if we had an efficient Court to settle the disputes of every section, but it must be remembered that if these things are to be narrowed down to too small organizations the cost of going to the Court becomes a more and more serious factor. It is very costly now to approach the Court even if the lawyers are kept out of it. Strikes were costly, but they were forced on the men. They upset society, and cause big losses; they were therefore great evils just as war is a great evil. War is a loss to every nation, as has been recently so ably shown by Norman Angel. We said, "We want to stop strikes." We are justified in attempting to stop them, but we also want a Court that is as economic as possible. If appeals are facilitated, and points of law regarding jurisdiction are to be taken and dealt with at length, the cost will be still further increased, and unions will be unable to take advantage of the Court at all. At the same time it is proposed to deprive them of the right of striking, with the result that they will be cornered in such a way that they will become slaves. The small unions are too weak to go to the Court. Some of them have to appeal to other unions for help to get economic justice from a Court. Yet honorable members opposite want to prevent their having a chance to go to the Court, by imposing limitations of all kinds, and having an imperfect Act.

Mr. GROOM.—Will the honorable member give an illustration of unions being unable to get economic justice?

Mr. SPENCE. — That happens if a union is prevented by the cost from going to the Court. When they do go to the Court there is a risk of having the decision upset, and so it does not pay them to go. Naturally in those circumstances they will say, "We would do better if we followed the old method." We are all aiming at securing peace and harmonious working, but we will not get it if we follow the advice of the Opposition. It is a very serious matter for employers and employés alike to have a bad spirit running through the ranks of the workers, but the whole question hinges upon the efficiency of the machinery that Parliament provides for the settlement of disputes. We have not an efficient Court now. We certainly have an efficient Judge, one of the ablest to be found; but he is limited all the time by the question of jurisdiction. He said, as the honorable member for Darling Downs quoted, that Parliament should legislate. We are proposing to legislate now. I confess that I do not like the idea of craft unionism, but circumstances have greatly changed. We have shifted the battle ground from the strike field to the Law Courts. Instead of spending money on strikes, we shall have to spend it in getting justice from the Court. Parliament will not do what is right if it allows the Court to be prevented from giving this justice. There are many remedies which we have power to give, and the Bill is an attempt to provide some of them. If it be found that there is too much work for one Judge to do, we must appoint others. In New South Wales they declared the arbitration law to be a failure, and did not renew it. That, of course, was the employers' cry, but they will have to recognise that the employés will not remain quiet under injustice. Something has been said about the big organization with which I

am connected. Its strength has to be counted with. Its members have been satisfied with the awards obtained, and have loyally abided by them, and their organization has enabled them to compel the other side to abide by them. We must make the Court as useful as possible. No one who wishes for industrial peace should oppose an amendment of the law.

Mr. GLYNN (Angas) [12.32].—I assure the honorable member for Darling that there is no difference between members on this side and those of his party in regard to the desire that labour shall receive adequate wages, nor do I think there is a difference of opinion on the point that increase of wages means better results from the workmen. There is, of course, a limit in this as in other matters, and an opposition of opinions in regard to that limit, as well as an apparent opposition due to the fact that we are not always speaking from the same point of view. The limit of a man's powers may be represented by the number twenty. His wages may stimulate his exertion to a degree which should be represented by the number ten, and might be increased to provide a stimulus which would call forth an exertion which should be represented by the number twenty. But no increase would enable him to do a day's work which might be represented by the number thirty, or any number higher than twenty. On this point there is no real difference between the honorable member for Parkes and the honorable member for Darling.

Mr. PAGE.—No man can do more than his best.

Mr. GLYNN. — Undoubtedly. The honorable member for Darling has shown clearly that during the last thirty or forty years, although wages in England have nominally increased, there has been, not a real increase, but a decrease. I am aware of the facts from the reading of statistics in the Board of Trade report, and Mr. Chiozza Money's gloss upon them. Of course, these issues are not relevant to, or at least only remotely connected with, a Bill for altering the machinery of the existing arbitration law. All measures designed to give labour a fairer share in the profits of production must receive consideration. The increase in the cost of building shows that, by methods which are not Socialistic in the ordinary sense of the word, although really so, a re-arrangement of incomes is going on quietly which must lead to a better balanced community. If building costs 50 to 100 per cent. more than it did twenty years ago, I am content, so long as a proportionate increased return from labour is obtained, and the increased profits do not go into the wrong pocket, which I believe to be, to an extent, the case now. From figures which have been furnished to me, I have reason to think that the appreciation of cost is due only to a small extent to the higher rates of labour. I refer to these matters lest there remain in the minds of honorable members, and of those who read the debates, the misapprehension that there is any difference between us in regard to the desire that the wholesome revolution commenced some time ago shall not end until society has obtained that approximate balance which is for the general good. I have great sympathy with the members of the engine-drivers' organization, the cancellation of whose award has, perhaps, precipitated the introduction of this measure. I was in the case up to a certain point, and dropped out because most of the companies which are represented came to an agreement with their men which, in the long run, was made the basis of the award ultimately upset. I realize that the engine-drivers have had difficulties to face because of the non-recognition by State tribunals of craft interests. They have had to fight cases before one tribunal after another, and have sometimes been blocked by technicalities which the State Parliaments can, and which we cannot, cure.

Mr. TUDOR.—Which they will not cure.

Mr. GLYNN.—I do not suppose that there is an absence of desire, but there is a limitation on human wisdom and action. I have nothing to say against other politicians who are, perhaps, quite up to our moral level, even if some may think them to be, when they differ from us, not our intellectual equals. Through coming into contact with the engine-drivers, and by hearing what might be called irrelevant issues, I ascertained that they were driven to the Commonwealth Court to get an award which should apply to the whole craft. They could not get State awards applying to all the engine-drivers, firemen, and others connected with their avocation without appealing to many Boards. But it is for the States to improve their legislation rather than for us to pass Statutes which may lead to subsequent heartburning when reviewed by the High Court. A great deal of trouble has been caused because some honorable members consider

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that the powers given by the Constitution are wider than they really are. They seem to think that by extending the provisions of our Arbitration Act we can remedy the evils to which I have referred. I cannot see why the word "prohibition" has been used, unless for the purposes of a placard. We cannot by giving the Court the right of prohibition exercise powers not given to us by the Constitution, but left to the States. The Attorney-General interjected when the honorable member for Darling Downs was speaking, that what is proposed now is in the Act of 1904. No doubt he referred to the use of the word "quash" as connected with prohibition. The employment of that word was challenged by honorable members on this side at the time, and I would remind the honorable gentleman that two wrongs do not make a right. We cannot, in this matter, give the Arbitration Court wider jurisdiction. If we could do so, we should, as the honorable member for Darling Downs pointed out, make one tribunal arbitrary and absolute in regard to the settlement of industrial disputes throughout the Commonwealth. The arbitration law of New South Wales has been amended, I understand, by the adoption of a principle somewhat similar to that which I am discussing, under which no award, so long as it is an award, can be challenged. But we cannot pass such a provision. If we could, we should enable the Arbitration Court to arrogate to itself what powers it liked. The New South Wales Legislature has power to enact that nothing done by its industrial tribunal shall be challenged anywhere, but if we passed such an enactment it would be tantamount to declaring that the tribunal could decide what powers of the Commonwealth or of the States could conveniently be exercised for the purpose of making an award, and powers would thus be exercised by the Commonwealth which are not given to it by the Constitution. In the case of the *Carpenters and Joiners* v. *Haverfield*, 5, *Commonwealth Law Reports*, the High Court declared in connexion with the unamended New South Wales Arbitration Act that—

> This Court has held that the Arbitration Court cannot, under the guise of making an award in a matter within its jurisdiction, deal with something that is not an industrial matter.

If the Court, under the proposed amendment, attempted to deal with something that is not an industrial matter within the meaning of the Constitution, all our declarations and definitions to the effect that there is to be no prohibition would be so much waste paper. I ask the Attorney-General to leave this amendment out, because the only result will be that the High Court will declare that such a power does not exist, and people, who do not understand the Constitution, will complain that the Judiciary is threatening to usurp our legislative functions.

Mr. PAGE.—That is what people are saying now.

Mr. GLYNN.—That shows the application of my remarks, when even such an intelligent mind as that of the honorable member thinks that the High Court is really usurping our province. If that be the opinion of any member of this House, do not let us leave it open to the general public, who cannot devote much time to these subjects, to say that, when prohibition is declared to be inoperative the Judiciary is blocking the way to our making the industrial laws effective. In an examination of the question of industrial conciliation and arbitration by a writer named Knoop, who, I think, is a German, attention is called to the ineffectiveness in England, America, and Australia, of what we might call the legislative character of some tribunals. He mentions that there are two kinds of industrial disputes—one the proper subject of arbitration, which is our power, and another a proper subject of industrial legislation, which is not our power. Let me quote his words—

> It is most important to recognise that there are two classes of labour disputes. The first class arises out of the interpretation of existing contracts. These disputes are generally individual, and are particularly suited for settlement by arbitration, if no settlement can be effected by any other method.

He goes on to say—

> It will be easily seen that disputes of the second class—

which deals, say, with future contracts, as our Arbitration Act attempts to do—

> are not suitable for decision by arbitration; and, shortly, the distinction between the two classes may be well expressed by saying that the former is of a judicial and the latter of an essentially legislative character.

I repeat that a good deal of soreness and trouble arises from the fact that we think we have got for the people legislative power, through arbitration, to regulate industrial conditions, whereas we have not. On the whole, the High Court, instead of limiting the power given by the Constitution, has, if anything, widened its scope in the direction of liberality.

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Mr. MATHEWS.—If so, the people who originally framed the Constitution did not think so.

Mr. GLYNN.—I shall show in a minute, by referring to the Federal Convention report, that they did. I am not saying what ought, or ought not to have been done; I am dealing with the powers as the people vested them in this Parliament. I shall not speak of the referenda——

Mr. WEST.—The people voted wrong, anyhow!

Mr. GLYNN.—There might have been some concessions, if suggestions from this side had been taken. I should have advocated some of the amendments.

Mr WISE.—But the Opposition, as a whole, would not have done so

Mr. GLYNN.—I think the Opposition as a whole would have done so. However, we are not dealing with that matter now. All the Acts and provisions made in England up to the date of our Constitution were in the direction of judicial arbitration, from the Act of 1824, which was the first great consolidating Act dealing with employers and employed, though the words, which are now happily abolished, then used were "masters and servants." All these Acts deal with judicial arbitration on the lines of our Arbitration Act as it stands at present, but not on the lines on which it is proposed to amend it. That is, they are Acts attempting to deal with clearly defined industries, and not conglomerated and unrelated industries. I could, if necessary, show this by reference to the Act of 1824, the Act of 1872, and the principal Act, relied on by Mr. Askwith of the Board of Trade, through whose mediation the solution of so many strike difficulties has been brought about in the last ten or fifteen years. It is not altogether right to think that the question of the possibility of making aggregations of employés and industries, or grouping together, as in the engineer's case, unrelated crafts, was raised for the first time in that case. It was raised in the saw-millers' case and the Jumbunna case, but in argument, and was never pushed on to a decision by the High Court. The only power under the English Acts of dealing with future contracts—that is, regulating conditions and wages for the future —was by the consent of both sides, either implied consent through being members of organizations, or by consent when a dispute had arisen, and been submitted for consideration by a Board of Trade tribunal. To the extent, then, to which we depart from arbitration, or the judicial determination of something, and endeavour to regulate future wages we are dealing, not with arbitration, but with industrial legislation. I think we can improve our Acts, and will endeavour to point out how. I emphasize this point by showing that a great deal of the difference of opinion as to the decisions of the High Court has been caused by an ill-founded assumption in some parts that we have legislative powers in these matters—I was going to say greater legislative powers than our Constitution gives to us. The Arbitration Act provides at present, practically, for compulsory organization on one side, but there is no effective provision for organization on the other. I say that it is compulsory on one side, because employés cannot submit a dispute at present except through an organization. It may be done by reference from a State tribunal, or it may be that, in other ways, there can be held to be an industrial dispute without an organization. We may take it on the whole, however, that a body of men cannot come before the Court except as an organization; and that, on the other side, there is no compulsory organization. If we amend the Act in the direction suggested, we can never have that organization. We could not possibly insist by law that the employers must organize, even if the Constitution so allowed. In the case of the engineers, for instance, they are employed at Broken Hill in silver-mining, in smelting at Port Pirie, in coal-mining, in electrical works, and in twenty-three or twenty-four other categories; and we could not insist that they must organize, even if we had power to so legislate. And we diminish the stimulus to voluntary organization if we provide that the basis for the future of an industry, and, consequently, of the organization, is to be unrelated industries or trades. If we confine the interpretation of the word "industry" as it is interpreted by the High Court—that is, to one definite line of production, or service, or to industries that are related in general interests, so that there may be some nexus between employers as well as some nexus between the men, and some mutual interest between employers and employed—we may induce them to organize; and I have no objection personally to force an organization on the other side. But would that be expedient? Some would think—referring again to the question of a liberal interpretation—that such a trade as the

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bootmakers was not within the purview of the Constitution. Clearly, sailors connected with Inter-State shipping are, because there is no power to make an industrial award applicable, except in the Federal Parliament. If we take the bootmakers, however, it might be said that all they demand could be achieved by the legislation of the States. But there might be one set of laws in one State, and another set in another State; and the consequence would be that Inter-State competition would be on an unfair basis. That is one of the points that the present Opposition, when in power, proposed to deal with. It was proposed that an Inter-State Commission should be established, with general power to deal with these industrial matters as well as with unemployment, and should be so constituted as, on reference from a State tribunal, to be able to reconcile disparities that make against equality of competition.

Sitting suspended from 1 to 2.15 p.m.

Mr. GLYNN.—The present system provides for organization on one side, and practically makes it compulsory, since otherwise the Act could not be availed of by the employés. But it has the defect of offering no effective inducement or compulsion for organization on the side of the employers. If both were organized in relation to a defined industry, or, in other words, a homogeneous line of production, such as gold or silver mining, then we could get in arbitration—I do not know that we could get it under the Act, or under our legislative power—but we could get in arbitration something approaching a common rule. All the members of the organizations on both sides—all the employers connected with that clean cut industry—could be bound, as members of the organization, and all the employés connected with the industry might also be compelled, if we wished to make arbitration effective, to organize. When we turn to the bootmakers' case, we find that the decisions are not altogether satisfactory in their scope, although they are so far as the law is concerned. We can bind the employés to the extent only to which they are members of an organization, and we very properly bind them under arbitration, although we really are, in effect, framing, as regards that organization, confined at present to a definite industry, a legislative rule. By joining the organizations, either at the time of the dispute, or subsequently, the members of those organizations voluntarily accept the award that is applied to them. So that, although you are within the scope of the organization, by binding its members, getting a rule applicable to members, such as you would get under the State determination Boards, you can regard that as arbitration. If you compelled the employers in an industry to amalgamate for the purpose only of settling disputes in that industry, the effect would be also to bind all the employers connected with that industry. That would be the full limits to which you could apply any industrial rule in arbitration. I am pointing out the limits of our power, even if the Constitution were amended, to deal with arbitration matters in Australia. I am only at present suggesting a possible solution of some of the difficulties, and I do not want it to be assumed that I am advocating, on behalf of others, at all events, an amendment of the Constitution in that direction. Under this Bill, as I shall show by reference to a judgment of the High Court, we are destroying the incentive that exists at present towards organization, upon that basis, by extending the definition of "industry" to the lengths proposed. Is this consistent with arbitration? I find that, in England, in 1903, there took place a meeting of trade unions at which a resolution was tabled in favour of the organization of both employers and employés in specific industries on the basis I have mentioned. As there was no statutory Court in existence, it was proposed that both sides should elect representatives to constitute a Court, and that the body thus constituted should have as its President a Justice of one of the Divisional Courts in England. That was the resolution tabled, and it shows, at all events, that a fairly large section of the Labour party in the Old Country were working towards arbitration on the lines which I suggest might be possible if we confined our power to regulate industrial matters through arbitration.

Mr. WEST.—Was not that proposal thrown out by the Trade Union Congress?

Mr. GLYNN.—Yes; because the Congress was opposed to compulsion of any sort. Trade unionists in England think that they are getting on better under the existing principle of voluntary arbitration than they would do under such an Act as ours. Mr. Knoop, in the book to which I have referred, points to the danger of bringing compulsion to bear on organizations which are attaining very good ends under the voluntary system. Grouping does take

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place for voluntary arbitration on something after these lines. In 1901-2, there were 848 employers' associations, and 1,236 trade unions for the purpose of arbitration on those lines. Any award come to through their voluntary Boards was binding on every employer as well as every employé in the industry, who was a member of the association or trade union respectively, and they had a fairly effective means of inducing employers and employés to become members of those organizations. Therefore, there is some experience to justify the suggestion I am now putting before honorable members. I come now to the question of what is the constitutional power. Let us get at it bit by bit by a reference in the first place to the Jumbunna case. Mr. Justice Isaacs, in that case, said—

> An industrial dispute under the Act—

I shall give later on what the High Court thought would be an industrial dispute under the Constitution—

> and within the constitutional power—

he deals apparently with both—

> is a dispute in some industry.

What that "industry" is, we are told in the Engine-drivers case—

> It may be between employers and employés or employés and employés, as, for instance, the well-known demarcation disputes in the shipbuilding trade.

That is the only possible reason, if it is one, for constituting a craft, if we had the power, as an industry. The demarcation dispute must be between different branches, or different trades in the same industry. That is the position both here and in England. Mr. Justice Isaacs proceeded to point out that an industrial dispute, under the Act, and within the constitutional power—

> must, of course, have reference to industrial conditions.

The point I made referred to the uselessness of trying to evade the Constitution by placing the Court beyond the power of prohibition—

> The connecting link is the industry and not the particular contract of employment between specific employers and specific employés.

The learned Justice was referring there to the contention that the Constitution might be confined to a dispute between a particular employer and his employés, or that, as some thought, it might be extended to something wider—to something in the nature of industrial war between a body of men in unrelated industries. What Mr. Justice Isaacs clearly and precisely points out in this judgment is that it is neither the narrower dispute between a particular employer and his employés, nor the wider one which would make the trouble practically an industrial war. I would ask the Government to carefully note what I might call the *obiter dicta* of the Justices on the constitutional power. Up to the present, we have been deciding whether certain provisions in the Act are within the Constitution. But, as there are *obiter dicta* of the Judges as to the scope of the constitutional power, we must be careful that we are not imperilling the validity of the Act of 1904 itself by dragging in provisions that are not necessarily matters incidental to arbitration.

Mr. WEST.—The High Court would have to bow to the legislation.

Mr. GLYNN.—It would have to bow to the will of the people if expressed in any constitutional amendment.

Mr. GROOM.—The honorable member for East Sydney means that the Court would have to bow to an Act of Parliament.

Mr. GLYNN.—Surely not; if outside the power, that would be impossible. In order, then, to make it efficacious, and, without doubt, constitutional, you must confine your organization, for the purpose of arbitration, to some specific industry or line of manufacture, production, or service. This Bill does not do that. I shall show what it does attempt to do by a quotation from a judgment of the High Court as to what the Court itself could not do under the Act, as it stands, and, by inference, under the Constitution.

Mr. HUGHES.—Does the Bill do anything in that direction that any State Act does not permit?

Mr. GLYNN.—I cannot examine all the State Acts in order to reply to that question, but I can say at once that the Bill does something which no Federal Act could permit, and that is sufficient for my purpose. For instance, if we declared that there should be no power of prohibition, then a common rule could not be challenged, and the President of the Court, by declaring that he had power to make a common rule, and acting accordingly, would take away powers under a State Act.

Mr. HUGHES.—I cannot answer the honorable member by interjection, but I shall do so later on.

Mr. GLYNN.—I am dealing with what the Court cannot do under the Constitution, and that is the real point. Let us look at the Engine-drivers case. The Chief Justice, in referring to the scheme of the Act, pointed out that it assumes that the employers concerned in an industrial dispute

have a substantial solidity of interest—which would be impossible under the grouping of industries proposed by this amendment—already existing antecedent to, and independent of, the dispute. That is to say, a mere dragging of them into a dispute does not constitute a solidity of interests. The Chief Justice went on to say—

> It seems to me as impossible to deny that the employers and employés concerned in an industrial dispute must be engaged in the same industry as to affirm that every person who employs a carpenter or engine-driver is, in any relevant sense, engaged in the industry of carpentry or engine-driving, or to say that there is a community of industrial interest between a farmer who employs an engine-driver to drive a stationary engine in Queensland, and a company which employs drivers of locomotive engines in Tasmania.

He touches now incidentally on the constitutional power—

> To these considerations it may be added that the regulation of wages or hours of employment for the whole body of persons engaged in the same vocation, but employed in different industrial enterprises, may be fitly regarded as a proper subject for a law to be made by a Parliament having authority to deal with such matters, or by some delegated legislative authority, such as a Wages Board, rather than as a subject for litigation or arbitration.

In other words, what the Government are trying to do now is not arbitration or litigation, and you have no arbitration unless you have something as definite and clear as litigation, or approximating to that decisiveness and clearness which you get in litigation between parties. He says—

> I am aware that attempts have been made to turn the Act into a scheme for effecting this purpose. But, as I have said in previous cases, the Arbitration Court has no legislative authority; its functions are to settle actual disputes between actual employers, or groups of employers, on the one hand and employés on the other, and then only when the dispute extends beyond one State. Nor, in my opinion, was the Act, any more than the provision in section 51 (xxxv.) of the Constitution, designed to facilitate the manufacture of disputes for the purpose of bringing them before a Federal tribunal. On the contrary, it was designed, however it has been sought to be applied, to promote industrial peace.

I ask honorable members opposite to ponder those words in connexion with the proposed amendment of the Act, and see whether I am not justified in suggesting the possibility of the whole of their legislation being imperilled by the introduction of sweeping provisions as regards the principle of the Act of 1904. If the High Court determines that these amendments are invalid, it may affect the whole of this legislation, even though the alteration is only brought in by incorporation.

Mr. FENTON.—Does the honorable member say that the passing of this Bill may nullify the whole of the Act of 1904?

Mr. GLYNN.—I only say that it is possible. The principle adopted in America and here is that, if you have in your Act a provision which is *ultra vires*, and you cannot sever it in expression from the rest of the Act, or if when you do so the balance is a law substantially different from what you have passed, the whole of the legislation has to be declared invalid. Although up to the present that principle has applied only to a single Act, I see no reason why it would not apply through the subsequent incorporation in an amending measure like this of provisions which are *ultra vires*. Therefore, by passing this Bill the whole of our arbitration legislation might be invalidated.

Mr. ROBERTS.—If the honorable member's contention is correct, the question may soon arise whether it would not be better to wreck the whole Act at once rather than stave in a plank at a time.

Mr. GLYNN.—Does the honorable member consider that the object of my criticism of the Bill is to destroy it altogether?

Mr. ROBERTS.—I do not suggest that.

Mr. GLYNN.—As a matter of fact, the Opposition have been very fair about this Bill. There are on this side members who would accept some of its provisions, and who do not think they will interfere with the validity of the Act at all.

Mr. WISE.—That is why they propose an amendment to knock it all out.

Mr. GLYNN.—They propose nothing of the kind. The amendment of the Leader of the Opposition is tabled so that the effect of moving "That the Bill be read this day six months" would not follow if it were carried. It was also tabled because what it draws attention to could not have been expressed in any criticism of the clauses in the Bill. It has the object and effect of pointing out something that may be deduced from the provisions of the Bill in a way that will not block the Bill.

Mr. ROBERTS.—I did not suggest that the criticisms of the Opposition were bad, or even adverse. I merely said that if an attempt to amend the law in the direction of justice meant wrecking the whole legislation, the question might arise whether it would not be better to wreck it straight away.

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Mr. GLYNN.—We always differ in our conclusions because of the differences in our premises. The moment one assumes that this Bill is "in the direction of justice," as the honorable member puts it, its constitutionality, its merits, and its expediency are also assumed. I pointed out at the beginning of my speech that the difference between the honorable member for Darling and the honorable member for Parkes was really the difference of the points of view, uncommunicated to one another, from which they viewed the matter.

Mr. ROBERTS.—The honorable member asks us to accept his criticism as honest, and he ought in return to accept our endeavour to improve the Act as an honest intention to secure justice.

Mr. GLYNN.—I said so at the beginning, but I am afraid that the methods adopted may be shortsighted. By introducing matters which are not arbitration, the Government may defeat the object which they could have attained by other amendments. The Opposition have been fair. Had we tabled a motion that would defeat the Bill for the session, we might fairly have been charged with blocking an attempt to modify a defect, to some acknowledged extent, in the Act. But if the amendment now before the House is carried the Bill can be gone on with next day. We are therefore entitled to claim that we have not been unfair to the Government in the matter. There is an incidental reference in the Jumbunna case to the constitutional power, Mr. Justice Isaacs saying—

> Whatever may be the meaning of industrial dispute in the Constitution I am not at all sure that the Act does not often limit its signification somewhat more narrowly than the Constitution would warrant.

In other words, he is not sure that it is not to some extent less than the constitutional power, showing that, in his opinion, that constitutional power may be somewhat narrower than, at all events, honorable members now assume for the purposes of this Bill that it is. Let me quote from the Federated Saw-millers' case. To show that something in the nature of real industrial war or a vast strike amongst persons engaged in unrelated occupations would not necessarily be susceptible to arbitration, the learned Judge said—

> First, then, I say the term "dispute" itself connotes the existence of disputants on both sides.

That is consistent with the statement of the Chief Justice in the Engineers' case, that it is something in the nature of litigation. The Judge also said—

> It also connotes that the difference between the parties is one capable of settlement by mutual agreement. If the dispute is widespread there may be political agitation, but it is not a dispute.

Let us see what is meant by industry and arbitration in England. I looked last night into the final report of the Royal Commission on Labour issued in 1894. It contains, I think, the most exhaustive examination of the basis of organization, the character and scope of industrial disputes, that is open for the research of honorable members. Remembering that this amendment of the Act proposes to define an aggregation of employés in a number of unrelated industries, as an industry, let us see whether that would be an "industry" within the meaning that labour or capital assigns to the word in connexion with industrial disputes at Home. In the final report of the Royal Commission on Labour, the term "trade union" is employed in the usual sense as meaning an association of workmen. In other words, the union is an association of men in a trade or industry. In the Act, as it stands, that is the sense in which the association of employés is regarded. Under section 55 it is an association of employés in an industry, and, therefore, the association of employés itself is not the industry, but the amendment proposes to define an association of the men as an industry itself.

Mr. HUGHES.—What is the definition of "industry" in the Act as it stands? Is it not any trade, business, calling, &c.?

Mr. GLYNN.—I contend that the association of the operatives cannot be defined as an industry, nor does the Act so define it. Does the Attorney-General say that the Act as it stands at present defines a craft as an industry?

Mr. HUGHES.—No. But industry was thought to include crafts.

Mr. GLYNN.—The High Court says not.

Mr. HUGHES.—I admit that, and that is why we are altering the law.

Mr. GLYNN.—Then the Attorney-General says the High Court is wrong?

Mr. HUGHES.—I do not say the High Court is wrong. I say that what this Legislature intended was that it should.

Mr. GLYNN.—I am dealing with what the people intended through the Constitution.

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Mr. HUGHES.—Does the honorable member mean that craft is not connoted by industry in any way?

Mr. GLYNN.—I do not say that it is not connoted.

Mr. HUGHES.—Does the honorable member say that it is not within the industrial disputes power of the Constitution?

Mr. GLYNN.—Again, the question put by the Attorney-General is too vague. It is within the industrial disputes power as an ancillary power. We could have craft organization for some purposes; but it must be an organization based upon an association in an industry. The moment we go outside of that, as we are doing by the proposed amendment of the definition, we may be going outside the Constitution. In England the association of the men is not regarded as an industry, but is regarded as a trade union—that is, a union in a trade or industry. Hence we find it stated in that report—

> The evidence shows that the power and constitution of a trade union have a most important influence upon the character of the relations between employers and employed in an industry.

In other words, the employers, as well as the employés, are in the industry. But if, in the sense now sought to be put upon the word, we can define the men as an industry, it certainly does not fit in with the sense in which the word is used in England. The report refers, also, to demarcation disputes, such as those where, in a trade like shipbuilding, organized bodies of workmen are at issue. Here, may I ask: What is the industry of unskilled labour? Is not that a test? Can a collection of unskilled labour be defined under the Constitution as an industry? What industry can unskilled labour constitute? As we understand it, it is labour which may be applied practically to any industry. The Bill, under the word "vocation" proposes to define a grouping of men of that kind as an industry. If it is to be brought under this definition, it must be because it can be defined as an industry under the Constitution. Again, it is said that—

> the essence of most disputes between employers and employés is, of course, the shares into which the receipts of their undertakings shall be divided.

The definition in the New South Wales Act of 1901 is this—

> Industry means business, trade, manufacture, calling, or employment in which persons of either sex are employed for hire or reward, and includes the management and working of Government railways.

Similarly the Western Australian Act of 1900 defines industry as—

> any business, trade, manufacture, calling, or employment in which workers are employed.

An association of workmen does not in itself constitute an industry, but is an association of men engaged in an industry.

Mr. FENTON.—Does the honorable member say that we cannot adopt those definitions?

Mr. GLYNN.—I doubt it.

Mr. FENTON.—It seems to me that the States have dealt with matters in a common-sense way, and that if we cannot do so our powers are very much limited.

Mr. GLYNN.—The moment we define in the terms of the State Acts that craft is the basis of organization, we do it for purposes, not of arbitration, but of legislation.

Mr. FENTON.—Why can the States do it if we cannot do it?

Mr. GLYNN.—Because their legislative power extends over the whole industrial field.

Mr. FENTON.—We ought to have that power.

Mr. GLYNN.—I am not dealing with what we ought, or ought not, to have. The State organizations are of employers and employés, and may be co-extensive with all the unrelated trades and avocations that came within the organization of engine-drivers for the purpose of the dispute which was declared to be outside the purview of our Act. An award applied to all such trades would be legislation, not arbitration. What is done by the State determinations is legislation. The States Courts have been declared by the High Court to be in this respect subordinate legislative bodies.

Mr. FENTON.—Then we can look for the support of the honorable member to an amendment of the Constitution?

Mr. GLYNN.—I am not now dealing with questions of policy. The matter is too serious to confuse what can be done with what we ought or ought not to have the power to do. It might be desirable to have the power to compel all persons within an industry to comply with a certain award, but to take over the whole industrial power attempted to be taken recently is a much wider proposition. Let us see what was intended by the Convention in framing the Constitution, and accepted by the people in voting for it.

Mr. WEST.—The people did not understand the Constitution.

Mr. GLYNN.—It is difficult for the people to study thoroughly an instrument

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of government, and to say what powers are expressed and what may be logically deduced from its provisions. But the people had a broad idea of the meaning of the Constitution, and understood that the States were not giving up the whole of their industrial powers under the guise of allowing the Commonwealth to provide for arbitration. It is these general understandings that cause the success or failure of particular propositions. With a popular referendum there is never an understanding of details, even though honorable members may grasp them. When the subject of industrial disputes was discussed by the Convention, Mr. Higgins proposed to add the sub-clause—

Industrial disputes extending beyond the limits of any one State.

That was in effect, if not in expression, one of the proposed amendments rejected by the people at the last referendum. I am not using that objection as conclusive in one way or another. I refer to it simply to show that the framers of the Constitution thought that the words gave over the industrial power to the Commonwealth to a very large extent. That was the reading put on them by Mr. Wise, an authority on the matter, not only because of his reputation as a lawyer, but because of his special knowledge of arbitration subjects, he having then in contemplation the introduction of arbitration legislation into the New South Wales Parliament. Referring to the scope of the amendment, he said—

I rose rather to call attention to another aspect of the case. If the effect of the amendment is really to provide for the possible establishment of a Federal Court of Conciliation, I am at one with the object, but the essential part of the language used in the amendment—I am not criticising casual expressions—indicates a much wider object, which would turn this power into a weapon of very great danger. It would, I think, deprive those concerned in these industrial disputes, whether as masters or employés, of one of their greatest safeguards. There is no matter which the industrial population of Australia would more desire to confine to the local Parliaments, where they can make their influence upon us felt, than matters affecting industrial disputes. To give the Federal Parliament power to make laws affecting industrial disputes gives them authority to regulate by penalties every detail of the industrial life of every trade in the Colonies.

Mr. McMILLAN.—Hear, hear.

Mr. WISE.—Surely that cannot be desired and intended. There is no matter in which varied local development is more desirable or necessary to a State than the development of its industrial conditions, and the industrial conditions in every part of this continent in years to come may, and probably will, very largely develop.

He, in fact, said that, as drafted, the amendment was not arbitration, that it gave powers which it was inexpedient to hand over to the Commonwealth; powers which the people only recently refused to give. The result was that the proposal of Mr. Higgins was amended, and the words—"Conciliation and arbitration" were added, at the instance of, I think, Mr. Kingston. What we have is, I believe, in intention as well as in expression, the arbitration power, with the limits mentioned in the quotation from Mr. Knoop's work. The honorable member for Darling Downs has raised points of expediency, as well as of law. For instance, a dispute might be got up by any unassociated body of employés. Whether the dispute were within the meaning of the Constitution or not, they could go before the Registrar, and ask for a certificate. All that can be got at present is the certificate that the dispute seems to extend beyond the limits of one State, but under the Bill the certificate will be that there is a dispute, and that it extends beyond the limits of one State. Then, when they go into Court, they will not have to prove the existence of a dispute, the onus being thrown on the employers of proving that a dispute does not exist. I ask whether the Registrar can so sift the evidence presented to him as to be able to give that certificate. The Bill enables him to decide judicially that there is *primâ facie* evidence of the existence of a dispute, the merits of which should be dealt with by the Court. The amendments of the Constitution suggested by the last Administration would cover some of the acknowledged imperfections in the apportionment of powers between Commonwealth and States, by allowing the Commonwealth to compel the States to appoint Wages Boards in regard to all clearly defined industries. It was our intention to propose to go further, and by the creation of an Inter-State Commission, to reconcile discrepancies between the State awards, or to get over the difficulty pointed out by Mr. Justice Heydon or Mr. Justice Higgins, which might be caused through a tribunal in one State being prevented from raising wages to a fair standard by reason of the low rates prevailing in another State.

Mr. WISE.—An amendment of the Constitution would have been necessary.

Mr. GLYNN.—Or a delegation of power by the State Parliaments. It would have got over difficulties without taking from the States the whole of their industrial powers,

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and it would have permitted the application of the methods of the State Wages Boards. But we shall get over the difficulty of any discrepancy that may, perhaps, prevent fair competition in trade between the two States. I think I have said sufficient to show that there is, at all events, some doubts as to our power to pass all these provisions under the guise of arbitration; and perhaps it would be wise to recast the Bill so as to bring it within the limits of our power. The criticism of the honorable member for Flinders, which was very clear and convincing, was directed to helping the Government in the difficulties they will find themselves in if they do not clean up their Acts. I have directed my criticism to showing that the Government are assuming a power that, possibly, they cannot obtain by any Act, an assumption which may imperil the whole of our legislation in this regard.

Mr. CHARLTON. (Hunter) [3.0].—I am sure we all feel indebted to members of the legal profession on both sides for their contributions to the debate; but, as a fact, the more we hear them the more confused the position appears to laymen. We were always under the impression that arbitration was for the purpose of the prevention and settlement of disputes; but I am fast coming to the conclusion, if the contentions of honorable members opposite are correct, that it exists in name only—that it will be of no benefit to the industrial workers, or the employers of this country. If this legislation is confined entirely to industrial organization within an industry, it will be impossible, in the state of unionism to-day, when there are craft unions throughout, for those unions to get the benefit. It is evident to me that that must be the position from which we have to view the Act, if the contentions set up are correct. Arbitration was introduced, not only for the purpose of dealing with a dispute after it has arisen, but for the prevention of disputes likely to arise. If the men have no legal right to approach the Court because they belong to a craft union, the Court will fail entirely in settling disputes except in the case of one or two unions which may be described as under a system of industrial unionism. I may be wrong, but I think that the Australian Workers Union is the only complete industrial union in existence in Australia.

Mr. GREENE.—What about marine engineers, and such like.

Mr. CHARLTON.—Marine engineers are practically a craft union.

Mr. GREENE.—They are confined to one industry, and consequently can be dealt with.

Mr. CHARLTON.—They are confined to one industry, but there is a doubt whether the Act applies if the men work with different employers, in different parts.

Mr. GREENE.—I do not think there is any doubt.

Mr. CHARLTON.—I think there is, though one gets confused in ascertaining exactly what the position is. Personally, I believe the day has arrived when there should be industrial unionism, but an industrial unionism not confined to one particular industry. If the employés could see what was best in their own interest, they would organize right throughout Australia in one large industrial body, including every craft, with a view to bettering their condition.

Mr. JOSEPH COOK.—One union for the whole?

Mr. CHARLTON.—Yes; and I believe that, if it could be brought about in such a way that each particular section could be represented——

Mr. JOSEPH COOK.—How could a Court deal with a reference from such a union?

Mr. CHARLTON.—Such a union would simplify matters considerably. There would be one big case dealing with appeals from each branch, and there would be a decision operating throughout Australia, taking into account the varying conditions. I take it, however, that such an idea is ahead of the times. While unionism has done a good deal for the workers in the past, the organization on the other side is practically getting too strong for present circumstances. I believe the men will have to rest their case on legislation; and the only way to get effective legislation is by a thorough system of industrial unionism, so that they may make their weight felt through the ballot-box. I may be ahead of the time; but what I have suggested is coming along. While I hold that view, however, it does not follow that I support legislation to prevent craft unions getting the benefit of the Act.

Mr. JOSEPH COOK.—The time the honorable member speaks of has come, and he does not seem to be satisfied.

Mr. CHARLTON.—It has not come. We are here to legislate for conditions as

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we find them now; and we are supposed to legislate in order to redress grievances and to prevent strikes and locks-out. It is not a question of our individual views; and in that I differ from the honorable member for Cook, who thinks that this Act should now be confined to industrial unionism.

Mr. J. H. CATTS.—The honorable member is wrong.

Mr. CHARLTON.—I am very pleased to hear it, but that was the impression gathered from the honorable member's remarks.

Mr. J. H. CATTS.—I say that the crafts in an industry should combine together to submit their case; not that they should, as crafts, be prevented from having organization.

Mr. CHARLTON.—There is much to be said for that view. But, while we have not the different crafts combined in an industry, it is not fair to say we should not legislate to enable crafts to go to the Court.

Mr. J. H. CATTS.—I say that the industry should be the basis for the Court.

Mr. JOSEPH COOK.—Is the industry of the honorable member for Hunter unified?

Mr. CHARLTON.—No, and that is just the trouble. From time to time different claims have been made covering one section only, or what might be called a craft, leaving the others out, so that one part may have industrial trouble, and the other none. If it came to the worst, I suppose the clear section could be asked to fall into line and cease work. If we had industrial unionism, as it ought to be, such a position would not be possible.

Mr. JOSEPH COOK.—Why not have unionism in the craft alone?

Mr. CHARLTON.—That is a very pertinent question, which I shall try to answer. Personally, I have advocated that idea, but those concerned do not see eye to eye with me. The day will come, however, when they will see the necessity for closer organization in their own ranks. What is the result in the industry to-day? One section has never been organized.

Mr. JOSEPH COOK.—One thing prevents it—human nature!

Mr. CHARLTON.—But the honorable member knows that the unorganized section, which consists of the outside hands on top, receive 6s. 8d. to 7s. a day, while the men who are organized receive 10s. and 11s. a day.

Mr. JOSEPH COOK.—I am speaking now of the union of the three districts only, which are all organized separately.

Mr. CHARLTON.—I mistook the question of the honorable member. I have always advocated the union he refers to, and an endeavour was recently made to bring them together.

Mr. JOSEPH COOK.—It has been effected half-a-dozen times, and as many times dissolved.

Mr. CHARLTON.—Any one may fail in an effort; and, no doubt, something has arisen to cause the breakage. That, however, is no reason why this union should not be accomplished in the future.

Mr. JOSEPH COOK.—It has failed because the natural conditions are so dissimilar.

Mr. CHARLTON.—Mining is one calling, and, consequently, the conditions are somewhat similar. If the contentions of honorable members opposite are correct in regard to this Act, the Commonwealth can do nothing. With the exception of one or two industries, it would be impossible to regulate any dispute. As to the engine-drivers, it may be asked why they do not try the State tribunals. But they have been trying the Wages Boards for over twelve months.

Mr. RILEY.—For three years.

Mr. CHARLTON.—And without getting any satisfaction. Then, when they go to the Arbitration Court, they are told by the High Court that there is no jurisdiction. If men cannot get redress for their industrial grievances, we must expect strikes. We cannot expect men to be loyal to an Act of Parliament if it does not provide proper facilities for redressing grievances; and it is unfair to expect it of them. We provided that before trouble arises the parties should approach the Judge in friendly conference; but what is the use of that if the High Court holds that there is no jurisdiction? It only means that the men have wasted their time and money, and have no hope of a satisfactory award. The honorable member for Darling Downs, with whose arguments I was somewhat impressed, contends that the proposed amendment is unconstitutional, inasmuch as it takes away the right of a writ of prohibition or mandamus. The honorable member may be right; I shall not venture my opinion against his in a legal matter. If he is correct, however, the Act is of no use to us. We passed an Arbitration Act with the

object of obtaining a decision from the point of view of equity and good conscience. On questions of law, there is appeal; but unionists never for a moment expected that there would be any appeal on the merits. If the amendment is unconstitutional, the unions are going to be mulcted in unnecessary expense; for what is the use of obtaining a decision when there is all the probability of its being upset by the High Court? I hardly think, however, that the contentions of honorable members opposite are correct; but if they are the sooner we let the public know that the Federal Parliament cannot deal with industrial powers the better—the sooner we ask the public to give us enlarged powers the better it will be. Let us cease to play with the question.

Mr. JOSEPH COOK.—And do not forget to tell the people, at the same time, that there are powers within the States that can help them.

Mr. CHARLTON.—The public were recently very well informed on that point by the honorable member and others. Nevertheless, there is a large section who desire the Federal Parliament to have power to deal with such matters.

Mr. BRUCE SMITH.—Two tries for the same money!

Mr. CHARLTON.—It would be better to have two Courts to appeal to, if that would be the means of preventing great industrial upheavals. If we are going to ask industrial bodies to resort to arbitration, we should give them every facility to approach the Court, and some assurance that there will not be endless appeals involving great expense and probably the upsetting of an award. The honorable member for Parkes said that the claim made when the first compulsory Arbitration Bill was introduced in the New South Wales Parliament was that it would do away with all strikes. I think he will admit, however, that Mr. Wise, in introducing that Bill, clearly pointed out that all that could be hoped was that the passing of such legislation would reduce the number of strikes. That is the position I have taken up from the outset. I have always said that we can never hope to wholly abolish strikes, nor can we hope to prevent locks-out in their entirety; but we can legislate to enable the parties to a dispute to bring their case before a Court with a view to a settlement being arrived at.

Mr. JOSEPH COOK.—Under this craft unionism, a bigger strike could be secured.

Mr. CHARLTON.—I think not. The position of the engine-drivers who are members of a craft union is a case in point. They have been fighting from Court to Court to secure an award, and, although they could have struck at any time, they did not do so. Every inducement was really held out to the men to say, "We have been trying to get satisfaction for months, and we shall now discontinue work until we can obtain a settlement."

Mr. J. H. CATTS.—They could not strike; there are not enough of them.

Mr. CHARLTON.—The engine-drivers are more essential to the industry in which they are employed than are any others engaged in it Let them cease work, and there must be a total stoppage of operations. Engine-drivers must have certificates of competency.

Mr. J. H. CATTS.—In the case of a general strike, the honorable member's contention would be correct.

Mr. CHARLTON.—There was nothing to prevent the engine-drivers striking had they desired to do so, and it redounds to their credit that they did not. They resorted, instead, to a constitutional method of obtaining a settlement of their trouble. But if we cannot give the workers outside some better method of obtaining redress than is now available, we can look for nothing else but trouble. I desire to be perfectly candid, and I say at once that if we cannot obtain a better system of arbitration than we have at present, then I, for one, shall very shortly go against it. I have almost arrived at that point. I have spoken and fought for arbitration for many years, but if I find that arbitration, as it exists, is not satisfactory, that we have no power to make it satisfactory, and that the people refuse to give us that power, then I shall say that the workers should have the utmost freedom to do as they please. It is a shame to pass industrial laws, under which certain individuals might probably be placed in gaol, without giving the workers any proper means of redress. Unlike the honorable member for Parkes, I do not think that certain men, owing to certain industrial happenings, should have suffered heavy penalties because of their position as leaders. Whilst I want to respect the law, I know the men to whom the honorable member referred, and, having been associated with them, I can honestly say that they are as good as any man in this Chamber. Whenever I hear of one of these men being sentenced, my

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heart goes out to him. I am sorry for these occurrences, and feel that we should endeavour to give those engaged in industry some satisfactory means of settling their grievances other than that of resorting to a strike. The honorable member for Parkes went further, and said that nearly every industrial dispute was really a strike. If he will carefully examine the definition of "lock-out," and then call to mind the facts in relation to only one industry—that of mining—he will be ready to admit, I am sure, that in a great many cases locks-out, and not strikes, have occurred. Let me give one illustration. I remember a case going to the Arbitration Court regarding the position of coal miners, who were paid by the yard, and who, it was said, should be paid on a tonnage rate. I am referring to the men of the Northern Extended and Gartlee collieries. The Court decided that they should be paid on the tonnage rate, and, in order to ascertain what the tonnage rate ought to be, there had to be an ascertainment of the selling price of coal. That ascertainment was made, and the men were awarded the ridiculously low rate of 1s. 11d. per ton. They were disinclined to accept that award, and for the moment cried a halt. The honorable member for Parkes says that he did not hear of one Labour leader condemning their action. But what are the true facts? The union officers went to the men and said, "Here is an award of the Court, and, although it is very unsatisfactory, you must accept it. We advise you to go back to your work, and we will make application to have it revised." The men returned to work, but it was not long before machines were introduced, and the whole system changed, notwithstanding that the award was to run for three years.

Mr. BRUCE SMITH.—Would the honorable member deny the employers the liberty to use machines?

Mr. CHARLTON.—No; but in such circumstances, had I been an employer, I should have said, "Here is an award of the Court, which is to run for three years, and, since we propose to introduce machines, it is only fair that we, as employers, should say that the award ought to be varied, inasmuch as we are going to introduce a new system." Had that stand been taken up, the Court would have varied the award and altered the condition of payment. The employers, however, did not take up that attitude. They simply put in the machines, and broke the award.

Mr. BRUCE SMITH.—They did not break the award; they simply carried on under different conditions.

Mr. CHARLTON.—The award was made for three years. If the honorable member is going to encourage that sort of thing, the workmen will always be striking.

Sir ROBERT BEST.—Is it the honorable member's experience that workmen always observe the awards of the Court?

Mr. CHARLTON.—No.

Mr. JOSEPH COOK.—In that case the men could have applied to the Court for a variation of the award.

Mr. WATKINS.—Why should they have done so?

Mr. CHARLTON.—My recollection is that we had waited no less than three years to get our case before the Court, so that, in the circumstances, an appeal was out of the question. In an adjoining colliery—the Pacific—2s. 6½d. per ton was being paid, but, because of this award, which really had no relation to it, the rate was also reduced in that colliery to 1s. 11d. The men would not accept that reduction. The employers replied, "The mine is open, and you can go on if you like"; but they declined to do so.

Mr. BRUCE SMITH.—The honorable member is taking his best case, and it does not prove his contention.

Mr. CHARLTON.—I could cite other cases if time would permit of my doing so. The honorable member may accept my assurance, however, that my statement of the facts is correct. The result of this action was that that mine was idle for months, and the newspapers described the situation as a strike. Such a condition of affairs must be rectified by legislation. The honorable member for Parkes was hardly fair in his reference to the men in the Newcastle district. He also said that the rural workers in New South Wales intended to deprive a man of the right to employ his family on his own farm. I have looked through the claim in the *Gazette*, but can find nothing bearing on the point, save a paragraph showing that they are opposed to children working on farms during school hours. After all, the Education Acts of some of the States declare that to be illegal. I am going to put my faith in the Attorney-General and his advisers. I am not going to argue the legal aspects of this question, but if during this debate any arguments are, or have

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been, advanced to cast a doubt upon the position, I trust that the Attorney-General and the officers of his Department will take them into serious consideration, with a view of so amending the Bill as to prevent decisions under it being upset on appeal to the High Court.

Mr. ATKINSON (Wilmot) [3.26].—Sufficient has been said by honorable members on both sides of the House to show that this is not the trifling measure that a casual visitor to the House listening to the Attorney-General's opening speech might have imagined it to be. I should like to say, in passing, that we are all glad to see the Attorney-General in his place once more, and that I feel sure it was only because of the indifferent state of his health that he did not give us a fuller explanation of this measure. The Bill is a very important one, because it purports to make material changes in the system of arbitration as hitherto followed in the Commonwealth. The honorable member for Gippsland made an interjection a little while ago, in which he seemed to charge the Opposition with a desire to defeat the Bill. There is no such desire on our part. If we wished to defeat it, we should either vote against the motion for the second reading, or move an amendment that it be read a second time this day six months. Our desire in submitting the amendment was to secure from the House an expression of opinion such as would enable us in Committee to bring the Bill into line with the original scheme of arbitration. The great change proposed to be effected by this Bill relates to the definition of the word "industry." A very definite meaning was given to that word, as used in the original Act, in the Engine-drivers' case. In that case, the Court made it clear that "industry" meant, not a handicraft or individual vocation, but some collective enterprise in which employers and employés are engaged. It contemplates a relationship between the persons engaged in what are known, in the broad sense, as industries, such as mining, soap and candle making, tanning, and so forth. That is in contradistinction to an avocation or handicraft such as carpentering or engine-driving. The change is attempted to be brought about by clauses 2 and 3, which constitute an attempt to get round the decision of the High Court by permitting any number of people who earn their living by the same handicraft to unite and become registered as an organization under the Act. We have been told by those in this House who can speak with authority that the Bill will probably prove to be unconstitutional. I think they are right; but even if it is not unconstitutional it will probably prove very inconsistent with the existing Act in many cases when it comes before the Court for decision. We are only amending the meaning of the word "industry" in certain sections of that Act. There are other sections in which it still retains its original meaning. Consequently, when the Court has to read the original Act and this Bill together, it will be found that a conflict of meaning exists. That will cause great difficulty, and that is why the honorable member for Flinders advised the Government to recast the whole of this legislation if they wished to achieve their purpose. It is a serious matter for this House to send out a measure which will bear such a peculiar appearance when the Courts have to interpret it. I hope that, in Committee, the Government will be amenable to reason, and allow the Opposition to assist them to make the measure consistent with the original Act. What are likely to be the results if this great change is allowed to come about? We shall, in the first place, create something like a revolution in our system of arbitration, by changing the whole basis of the original Act. We shall have substituted for a collective system what may be called a craft system, and when it is put into practical operation we shall find that we have departed a long way from the original intention of the Act. This Bill does not attempt in so many words to nullify the provision that the Arbitration Court is to deal only with disputes extending beyond the limits of any one State. In fact, it retains those very words; but its real effect is to repeal them. Mr. Kingston, who was the prime mover in our arbitration legislation, wanted to create a tribunal to grapple with those big disputes that defied the powers of any State Court to settle, because they extended beyond the limits of the State. In effect we are going to eliminate that limitation by allowing organizations of people who earn their living by the same sort of work, such as carpenters, to be registered under the Act. That means the creation of craft organizations extending from one end of the continent to the other, and, therefore, it will be possible to claim that almost every dispute extends beyond the limits of one State. That was

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not intended or contemplated when our scheme of arbitration was first introduced. To a certain extent, therefore, this Bill achieves what could have been done if the late referenda had been carried. It will throw so much work on to the Federal Arbitration Court that the Court will be quite unable to cope with it. During the referenda campaign I and other honorable members made a strong point of retaining as far as possible local matters for the decision of local tribunals in the light of local knowledge. In a continent so vast as Australia, with such varying climatic and other conditions, it seems an impossibility for any one Court to make an award that will meet the case fairly all over the Commonwealth. It is like some one sitting in London regulating the conditions of labour in Russia. Fancy one Court settling the wages for all the gold miners throughout Australia! Wages and conditions that may be good in Bendigo would not in any way compensate a gold miner in Kalgoorlie. There the miners are paid about £4 a week, but I suppose £2 15s. a week is all that would be earned by men in the same grade of work in Bendigo.

Mr. MAHON.—The honorable member is assuming that the Court will prescribe a uniform wage.

Mr. ATKINSON.—The tendency of one Court dealing with industries throughout Australia must be to gradually attempt to make the wages as uniform as possible. It would be futile for one Court to attempt any such gigantic task. I wish to keep our local tribunals as strong and capable of dealing with matters that are fairly within the States as possible. That is the best for the industry and all engaged in it, and for the community generally. No one who takes an impartial view of industrial matters can deny that the Wages Boards are far and away the most effective means yet devised for dealing with these troubles.

Mr. TUDOR.—The employers can sack the men concerned in Wages Boards, can they not?

Mr. ATKINSON.—If that happens, it is easy to improve the conditions, as no one pretends that the Wages Boards are perfect. Their results show, however, that they have been a far more effective means than anything yet devised in the shape of Arbitration Courts. The New South Wales Arbitration Court broke down because it could not contend with the business of one State.

Mr. RILEY.—The High Court decisions broke the Act down.

Mr. ATKINSON.—The Court became very congested with work. Matters were listed that would probably not have been heard for two years. In New Zealand, which has had arbitration longer than Australia has, the whole Parliament, judging by a debate that has lately taken place, is satisfied that some radical change will have to be made, as the Arbitration Act has failed to meet present conditions. In that debate, many members recommended the introduction of a Wages Board system.

Mr. J. H. CATTS.—In New South Wales, the Labour Government do not propose to wipe our Wages Boards and re-establish the Arbitration Court.

Mr. ATKINSON.—My point is that when this Bill comes into operation the work of the Court will become too great. Even if the Court can cope with it, it is better to leave local matters to local tribunals composed of people on the spot, with a better knowledge of local conditions. The Prime Minister said the other night that the States could and still would have their tribunals. That is so; but it must be remembered that the people of Australia will not consent to pay two agents to do the one piece of work for them. These Courts are expensive enough, and no State would be prepared to keep up its Wages Boards if the more expensive Federal Court sat side by side with them and perhaps overruled them. It is farcical to compare an Arbitration Court with Wages Boards. In nine cases out of ten the business in hand is the arrangement of fair conditions and proper rates of pay for an industry; and it is absurd to expect a Judge who has no practical knowledge, and must be guided wholly by evidence, to understand the position as well as a Board of experts. Wages Boards deal with matters more quickly, effectively, and cheaply, than an Arbitration Court.

Mr. BRUCE SMITH.—This is an indirect attempt to get a common rule.

Mr. ATKINSON.—That is so. I would point out to the Government that the Bill, apparently, would allow any 100 persons to register as an organization. That probably is not intended. We cannot look at this proposal wholly from the employés' side, being here to pass laws for the whole community. The original Act considers

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the two parties to an industrial dispute and the interest of the public. Very often the general community is as much affected by an industrial struggle as the actual participants. The Bill puts employers in a worse position than they occupy now. Under it all the carpenters, or all the engine-drivers, in Australia might form themselves into an organization, and be registered; but how could the employers band together? Under the principal Act, as at present, an employer knows how his industry is affected by any award, because it applies to all the different classes of workmen in his employ. But under the Bill an award may be given regarding engine-drivers generally, or carpenters, and a soap and candle manufacturer would have to ascertain, not what awards had been made regarding his industry, but what awards had been made regarding every class of workmen which he employed.

Mr. TUDOR.—He has to do that where Wages Boards exist.

Mr. BRUCE SMITH.—But a Wages Board award does not apply from the Gulf of Carpentaria to Port Phillip.

Mr. ATKINSON.—The Wages Board awards cover small areas. Very properly, the control of local conditions is in the hands of those who understand them. Under the Bill one man would regulate the conditions for the whole continent. I am glad that no heat has been imported into the debate, because the subject is one affecting the interests of all parties. Speakers sometimes make it appear that the Labour party represent one section and their opponents another section of the community; but I take it that when this Government puts forward a policy, it does so to benefit, not a section of, but the whole people. Every one is of opinion that industries should pay the highest wages possible; but the rates of wages must not be so high as to kill the industry which is required to pay them. Credit is not always given to us on this side of the House for the view I have expressed. But the Federal Parliament, or any section of it, has never advocated anything in the shape of sweating or low wages; and I hope we never shall. The best plan, I think, is to leave the question of local conditions to the people with the most local knowledge. If a man at the Gulf of Carpentaria is receiving 15s. a day, is that any reason why an industry in Victoria, where the conditions of life are so much superior, should be saddled with a similar wage?

Mr. HOWE.—Who is asking that?

Mr. ATKINSON.—I do not say that anybody is. But why should a Victorian industry, which can afford no more than 12s. a day, be exposed to the danger of extinction? What we desire is not unemployment, but employment, with a fair share to all. This is a most difficult question to settle with justice to every person interested; but, in my opinion, the best system yet devised, though it is not perfect, is the Wages Board system. One of my serious objections to the measure before us is that it will practically nullify the Wages Boards which have done so well in the past. The Arbitration Act has not come up to expectations, and that it has not been an unqualified success is seen in the industrial unrest. It would not be right, however, to say that the Act has been a failure because of the strikes that have taken place, seeing that there might have been more strikes if there had been no Act. The industrial unrest shows us that, at any rate, we have not obtained the objects we set out to obtain, and we are now asked to make a revolutionary change, with no prospect of improving the conditions. I hope that, in Committee, the Attorney-General may be induced to accept some amendments at least, seeing that the amending Bill, as it stands, would prove inconsistent with the original measure when the two are construed together. I confidently believe that the Opposition will be able to supply the Attorney-General with some very useful material, if he will condescend to accept it.

Debate (on motion by Mr. HOWE) adjourned.

COMMONWEALTH FACTORIES.

Message received from the Senate, asking the concurrence of the House of Representatives in the following resolution:—

That, in the opinion of the Senate, all Government establishments for the manufacture or supply of goods for the Federal Public Service should (when practicable) be located in the Federal Capital Territory.

Motion (by Mr. HOWE) proposed—

That the consideration of the message be made an Order of the Day for 16th November.

Mr. JOSEPH COOK.—Will you, Mr. Speaker, kindly tell me under what standing order this resolution comes before this Chamber in this automatic way?

Mr. SPEAKER.—Sometimes motions of the kind are moved in both Houses; but it is quite a common occurrence for one

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House to send a resolution to the other asking for its concurrence.

Mr. JOSEPH COOK.—I have never known a private member take charge of a message between the two Houses.

Mr. SPEAKER.—It was a private member's motion in another place, and it was competent for the mover to arrange to have it dealt with in any way he thinks proper.

Question resolved in the affirmative.

PAPERS.

Mr. KING O'MALLEY laid upon the table the following papers:—

Railways—The Gauges of Australia and their Unification—Review by the Consulting Railway Engineer (H. Deane)—17th October, 1911.

Lands Acquisition Act—Land acquired under, at Dunedoo, New South Wales—For Commonwealth purposes.

NAVAL AND MILITARY DECORATIONS BILL.

Bill received from the Senate, and (on motion by Mr. FISHER) read a first time.

House adjourned at 4.4 p.m.

House of Representatives.

Tuesday, 24 October, 1911.

Mr. SPEAKER took the chair at 3 p.m., and read prayers.

ASSENT TO BILLS.

Assent to the following Bills reported—

Supply Bill (No. 3).

Statutory Declarations Bill.

GOVERNOR-GENERAL'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

Mr. SPEAKER.—His Excellency the Governor-General will forthwith in the Library receive the Address-in-Reply agreed to by this House. I shall be pleased if the mover and seconder, with as many other members as can conveniently come, will accompany me while I present it.

Mr. SPEAKER and honorable members proceeded to the Library to present the Address-in-Reply, and, being returned,

Mr. SPEAKER.—I have to report that, accompanied by honorable members, I have waited upon His Excellency the Governor-General, and presented to him the Address-in-Reply to His Excellency's Speech at the opening of Parliament agreed to by this House on the 20th ultimo, and that His Excellency was pleased to make the following reply:—

I beg to thank the House of Representatives of the Commonwealth Parliament for the Address which they have been good enough to present to me in reply to the Speech with which I opened Parliament.

I have been glad to receive the assurance of your loyalty to His Majesty the King.

I trust that your deliberations upon measures submitted to you will tend to promote the prosperity and good government of this Commonwealth.

LEAVE OF ABSENCE.

Motion (by Mr. DEAKIN) by leave, agreed to—

That leave of absence for one fortnight be given, on account of urgent private business, to the honorable member for Illawarra.

HONORARY MINISTER.

Mr. HUGHES (West Sydney—Attorney-General) [3.12].—I have to announce that His Excellency the Governor-General has been graciously pleased to appoint Mr. E. A. Roberts, the honorable member for Adelaide, Honorary Minister.

SMALL ARMS FACTORY, LITHGOW.

Mr. CANN.—I desire to ask the Minister representing the Minister of Defence if he noticed in the Sydney press on Saturday the statement regarding the small arms factory at Lithgow, to the effect that the power plant manufactured at the Cockatoo Island Dockyard has proved to be so defective that it has been impossible to start any of the machines? Is that statement true, and, if it is true, who is responsible for the defective machinery in question?

Mr. KING O'MALLEY.—The subject raised by the honorable member comes within the Department of Home Affairs, and has been thoroughly investigated by Colonel Owen. Mr. Cutler, the manager of the Government Dockyard in Sydney, is going to Lithgow to put the machines into proper shape this week.

Mr. JOSEPH COOK.—I wish to ask the Minister representing the Minister of Defence if he will make a statement to the House concerning the whole question of the delay in starting the factory, and so put at rest all these questions that are from

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time to time addressed to him. Such a statement would help us to understand who is to blame and who is not.

Mr. ROBERTS.—The attention of the Minister of Defence will be drawn to the matter, and I shall ask him to submit a statement to be communicated to this House.

COMMONWEALTH BANK BILL.

Mr. JOSEPH COOK.—I desire to ask the Prime Minister why it is that copies of the Commonwealth Bank Bill have been distributed to members on one side of the House, and thus allowed to get into general circulation, and not to members on the other?

Mr. FISHER. — No Commonwealth Bank Bill has yet been circulated. There is a draft Bill which has been handed to a number of members of my own party, and I regret to say that perhaps too many of them have been given out.

Mr. KELLY.—I wish to ask the Prime Minister whether the copies given to members of his own party were circulated with a view to the party arriving at a corporate decision upon the measure before it became anything more than a draft, or, if not, why any member of the House should be put in a better position than any other member with regard to knowledge of Ministerial intentions?

Mr. FISHER.—When the honorable member for Wentworth has had a little more experience he will know that all parties circulate Bills privately for private opinions before they are laid on the table of the House.

Mr. KELLY.—That is not so in this or any other party with which I have been connected. The statement is not correct.

Mr. JOSEPH COOK.—It is not responsible government anyhow.

Mr. FISHER.—The honorable member for Parramatta's experience of responsible government is so meagre that he is no authority.

Mr. FAIRBAIRN.—Will the Prime Minister accept suggestions from honorable members on this side as to the drafting of the Bill, seeing that they are just as anxious to make the Bill a success as are honorable members opposite?

Mr. FISHER.—Yes.

SUGAR INDUSTRY: ROYAL COMMISSION.

Mr. HIGGS.—I understand the Colonial Sugar Refining Company has made application to be represented by counsel at the meetings of the Royal Commission appointed to inquire into the sugar industry. In the event of permission being granted to the Colonial Sugar Refining Company to appear by counsel, I desire to ask the Minister of Trade and Customs whether the Government will enable other parties, who may not be in a position to find the funds to be represented at the meetings of the Commission, to be so represented. I desire to say, in explanation, that I understand there are five interests to be considered by the Commission—the planters, the workers, the millers, the refiners, and the general public or consumers.

Mr. TUDOR.—No application has been received by the Customs Department from the Colonial Sugar Refining Company to be represented on the Commission, but I have heard that it is the company's intention to apply for permission to be represented at the inquiry. That is a matter for the Commission and not for the Government or the Department, and when I received a telegram yesterday on the subject, I advised the people concerned that they had better make their representations direct to the Commission.

Mr. KELLY.—I desire to ask the Minister of Trade and Customs whether he is aware that Mr. Anderson, the only member of the Sugar Commission, I think, with the exception of the President, who was said to be free from party influences——

Mr. SPEAKER.—Order! The honorable member is now going beyond the purport of a question.

Mr. KELLY.—I desire to know whether the Minister is aware that Mr. McAnderson has stated, in an interview with the Sydney press, published, I think, on Saturday morning, that he has long been, and is well known amongst his personal friends to be, a strong adherent of the Labour party?

Mr. TUDOR.—If the honorable member will put his question upon the notice-paper I shall be pleased to furnish him with an answer.

Mr. KELLY.—It is a farce; a packed jury. It is a shame and a scandal.

Mr. SPEAKER.—I must remind the honorable member that his conduct is not in keeping with the dignity of this House. Under the circumstances the Royal Commission to which he has referred stands in

exactly the same position in relation to Parliament as does one of the Courts when engaged in hearing a case.

Mr. KELLY.—You very properly point out, Mr. Speaker, that my observation was not in keeping with the dignity of this House. Neither are the appointment of this Sugar Commission and its *personnel* in keeping with the pronouncements of the Government.

Mr. SPEAKER.—The honorable member is now making his offence worse. I ask him to apologize to the House for having done so.

Mr. KELLY.—I do not quite gather what my offence was; but if you say, sir, that I must apologize to the House, of course I shall obey your ruling. I apologize to the House for having expressed an opinion which I believe to be well grounded. If I am not permitted to say that——

Mr. SPEAKER.—The honorable member is only aggravating his offence.

Mr. HIGGS.—I wish to ask the Minister of Trade and Customs another question concerning the Commission appointed to inquire into the sugar industry. Is it not a fact that Mr. Crawford, a member of the Commission, was a candidate at the last election in opposition to a candidate put forward by the Labour party?

Mr. TUDOR.—I believe so.

Mr. JOSEPH COOK.—I should like to ask the Minister of Trade and Customs whether he does not consider that the character of Mr. Crawford's opinions was at least balanced by those expressed by Mr. Hinchcliffe?

Mr. TUDOR.—I believe the Commission to be an excellent one.

Mr. KELLY.—I should like to ask you, Mr. Speaker, a question, without notice. I wish to know whether it is a breach of the rules of this House to refer to any statement made by any member of a Royal Commission subsequent to his appointment. Perhaps I may make my meaning clear by reminding you that the question which I put to the Minister of Trade and Customs bore upon a statement made by Mr. McAnderson since his appointment as a member of the Royal Commission. I always understood that it was not a breach of the rules of this House for an honorable member to refer to a statement made by a member of a Royal Commission under such circumstances.

Mr. SPEAKER.—I understood that the honorable member a few minutes ago was making certain remarks the effect of which was to make it appear—I may have been wrong—that the Royal Commission referred to had been appointed in a way that was not creditable to the Government or to any one else connected with it. It was under those circumstances that I called the honorable member to order. If he chooses to give notice of a question to me such as he has indicated, I shall be pleased to look into the matter and to give an answer at a later stage. At the present time I am not in a position to give a direct answer. It appeared to me, however, that a Royal Commission, situated as is the Commission to which reference has been made, stands in very much the same position as if it were a court of law dealing with a case. I trust that honorable members will not say anything derogatory to any Commission appointed by this House —or rather by the Government— except by way of a specific motion.

Mr. JOSEPH COOK.—On a matter of privilege I desire to make a remark upon your statement, Mr. Speaker, that the Royal Commission was appointed by this House. That statement was not, I think, correct.

Mr. SPEAKER.—I did say so, but I corrected myself at once.

Mr. JOSEPH COOK.—I have yet to learn that we cannot discuss the action of any Government. It is a surprise to me to learn that a Government is not subject to criticism for any of its actions in a Parliament conducted under a system of responsible government. Otherwise, how is a Government to be brought to book?

Mr. SPEAKER.—Does the honorable member intend to move that my ruling be disagreed with?

Mr. JOSEPH COOK.—No, I do not wish to do that.

Mr. SPEAKER.—Then, I cannot allow debate to take place.

Mr. JOSEPH COOK.—What I wish to say is this——

Mr. FISHER.—When an honorable member rises to deal with a matter of privilege, he must conclude with a motion; is it not so?

Mr. JOSEPH COOK.—I think that this is a matter of privilege affecting the whole House. A statement was made by the honorable member for Wentworth, the purport of which was that a member of

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the Sugar Commission had made a certain statement since his appointment. That, I take it, was a statement to which the honorable member was perfectly within his rights in directing the attention of the Government.

Mr. KELLY.—I should like to ask you a question, Mr. Speaker, in reference to your ruling. I ask the question merely for the sake of elucidation. Your statement was that a Royal Commission stands in the same position as a judicial authority. I should like to ask you whether that consideration would not be affected by the nature of the Royal Commission's commission? I do not know of anything which enables us to say that this Royal Commission can be regarded as an entirely judicial body. Would it not then be competent for an honorable member, without submitting a special motion, and so taking up the time of the House, to point out, and prove from the nature of the Commission of Inquiry, that it is by no means a Commission of an impartial character?

Mr. SPEAKER.—If an honorable member desires to say anything concerning the composition of a Royal Commission, he must give notice of a specific motion; otherwise, I shall not allow any discussion to take place.

Mr. HIGGS.—Was the honorable member for Wentworth in order a few minutes ago, sir, in referring to the appointment of the Royal Commission as a scandal?

Mr. SPEAKER.—I reminded the honorable member that he should not speak of the Commission in that way, and he apologized for having done so.

AUSTRALIAN MEAT INSPECTION.

Mr. FINLAYSON.—Has the Minister of Trade and Customs noticed the statement in the press that further serious complaints are being received in the Commonwealth Government Agency in London against the Australian meat inspection system? What action does he propose to take?

Mr. TUDOR.—I have noticed the statements in the press, and trust that a number of them are unfounded. Action is being taken to ascertain the truth of them, and, if possible, to tighten the method of inspection now in operation.

PAYMENT OF LORD DUDLEY'S SALARY.

Mr. MATHEWS.—I desire to ask the Prime Minister if Lord Dudley, while Governor-General of Australia, drew the salary that was allowed to him?

Mr. FISHER.—The amount was duly passed in the Estimates, and acknowledged as received by the Governor-General.

VICTORIAN CADETS IN BELGIUM.

Mr. FENTON.—I desire to ask the Minister representing the Minister of Defence a question without notice. Has the Minister read a paragraph appearing in the press to the effect that—

> Twenty-four Victorian cadets, under the command of Captain Rushall, have been visiting Belgium to study that country's armaments, and the Belgium War Office have made special arrangements with the cadets and their leader to obtain the fullest information in respect to manufacture of cannon and warships, also information about military schools and fortifications; and that Australian Defence is expected to reap some fruit from this excursion?

I wish to know under what conditions these cadets left Australia, and whether the treatment of them by the Defence Department before they left Australia and after arriving in Great Britain was any different from that accorded to the New South Wales contingent under Major Wynne? Have any complaints from the officer in charge of the Victorian contingent been received by the Defence Department?

Mr. ROBERTS.—The honorable member for Maribyrnong was good enough to intimate to me that he intended to put these questions, and I communicated with the Minister of Defence, who has furnished the following replies:—

1. Yes.
2. Under the same conditions as applied to the contingent of cadets sent from New South Wales.
3. No.
4. No.

VICTORIA BARRACKS, MELBOURNE.

Mr. ROBERTS.—On the 17th inst. the honorable member for Corio asked a question relating to the overcrowding of the Victoria Barracks, Melbourne. The following answer has been furnished by the Minister of Defence:—

> The number of men of the R.A.G.A. and R.A.F.A. living in Victoria Barracks, Melbourne, is as follows:—

R.A.G.A.	36
R.A.F.A.	77
Total	113

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1. When men are brought from Queenscliff for guards of honour they are accommodated in the School of Instruction, proper bedding being provided for them, therefore their presence does not affect the accommodation in barracks proper.

2. No report has been received from the medical authorities as to the overcrowding of barracks with the present strength.

3. The Department of Home Affairs are in negotiation with a view to obtaining the present police quarters and hospital.

4. Plans have been approved for the building of the depôt for the Field Artillery Battery at Maribyrnong, and the work will be proceeded with forthwith.

5. The overcrowding referred to by Mr. Ozanne in his letter of the 24th July last was immediately obviated, as stated in paragraph 1.

MILITARY COLLEGE: CADETS' FARES: RIFLE RANGE, PERTH.

Mr. ROBERTS.—On the 18th inst., the honorable member for Herbert asked some questions relating to entry to the Military College. The Minister of Defence has furnished the following reply :—

In regard to a question asked by the honorable member for Herbert relative to the method of entry to the Royal Military College of Australia, I desire to point out that the paragraph on the subject he quoted from the report on the first entrance examination is a quotation from Lord Kitchener's memorandum on the Defence of Australia, and it does not indicate the method which has been adopted by the Department.

If the honorable member will read the paragraph immediately following that which he quoted he will see that it was decided to abandon the method proposed by Lord Kitchener, and to adopt the principle of a competitive examination, open without restriction to all candidates within the prescribed ages.

Mr. AGAR WYNNE asked the Minister representing the Minister of Defence, *upon notice*—

1. Has the Minister of Defence called in the pass books of the compulsory cadets, thereby causing the boys to walk to drill or pay their own railway fares?

2. Does the Minister know that boys have to walk from St. Kilda to Port Melbourne, also that naval cadets are compelled to walk from the suburbs to Williamstown or pay their own train fares?

3. Does the Minister think it is fair that these boys, in addition to losing their Saturday half-holiday, should be further penalized by having to pay their own fares?

Mr. ROBERTS.—The answers to the honorable member's questions are—

1. Pass books issued to naval cadets in the Melbourne Area have been recalled as they may have been issued without authority.

2. The extreme distance of the furthest point in St. Kilda portion of training area from the Port Melbourne drill-room is 2 miles to the west, 2½ miles to the north, and 3½ miles to the east. It is not known what suburbs are referred to in the second part of the question as the naval training area is only about 7 miles by 4 miles around Williamstown. The Minister is aware that boys have to walk or pay their own fares, but in view of the limited distance shown above, no hardship is entailed thereby. Naval cadets from St. Kilda do not now attend at Williamstown.

3. The Parliament has decided that boys shall be called upon to give up a certain time to naval or military training. The loss of the Saturday afternoon is not, therefore, a question for the Minister. As regards payment of fares, if any Naval Cadet at a distance from the drill-halls desires, he can be transferred to the military training centre near his home, as sufficient numbers of Naval Cadets can be obtained within easy walking distance of the drill-halls at Williamstown and Port Melbourne.

Mr. AGAR WYNNE.—They cannot go from St. Kilda to Williamstown without paying their fare.

Mr. FOWLER asked the Minister of Home Affairs, *upon notice*—

1. Is it a fact that the Commonwealth authorities have acquired, or taken steps to acquire, compulsorily, three hundred and fifty acres of Perth endowment lands for purposes of a rifle range?

2. Is the Minister aware that in carrying out this object a large area of land at Ocean Beach, where it is proposed to develop a seaside township, will be made unsafe for settlement and rendered practically useless?

3. Have the Government any alternative scheme, or will they cause further inquiries to be made to secure a rifle range not open to this objection?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are as follow :—

1. Yes, the land has been compulsorily acquired, with the concurrence of the State Government.

2. It is proposed that the firing shall be out to sea, and as the area acquired embraces an ample danger zone it is not seen how any lands without that area can be prejudicially affected.

3. The matter has been settled after full inquiry, and the land acquired.

COMMERCE ACT.

DELETERIOUS FOODS: APPLE TAINT IN BUTTER.

Dr. MALONEY asked the Minister of Trade and Customs, *upon notice*—

1. Has the Customs Department been enabled to prevent the importation of deleterious foods for infants, &c., into Australia under the provisions of the Commerce Act?

2. Can such harmful foods be manufactured within the Commonwealth of Australia?

3. Is it true that importers of a common article of consumption, on being informed that they would have to alter their statements contained on the labels and wrappers, threatened to bring

the article into the Commonwealth without the labels and have the objectionable labels printed in Australia?

Mr. TUDOR.—The answers to the honorable member's questions are as follow:—

1. Yes. In forty-eight cases the Department has objected to the importation of foods containing ingredients deleterious to infants unless such foods have been marked in a prominent manner as "not suitable for children" under a specified age which is regulated by the class or properties of the food. In the case of many infants' foods formerly reported with advertisements containing misleading and extravagant claims, such advertisements have been prohibited admission. In numerous cases infants' powders, soothing syrups, &c., have been found to contain drugs, more or less injurious, although advertised as containing "nothing injurious to a tender babe," &c. Where preparations containing injurious drugs, or where statements are false, importation has been prohibited. In cases, however, where the contained drugs are not injurious, unless taken in excess, prohibition has not been enforced, but manufacturers have been compelled to revise the advertisements and mark prominently the percentage of deleterious drugs contained, or to exclude such drugs from their preparations.

2. In four of the States laws are in force dealing with the manufacture and sale of infant foods (in one of these States, however, only milk foods are dealt with). In one State no law is enforced dealing with infants' foods, while in the sixth, regulations will be in operation next year. So far as is known, none of the States had laws dealing with the manufacture and sale of medicines bearing extravagant claims, and a number of such medicines are manufactured and advertised with claims so misleading and extravagant that they would be prohibited if entered for importation.

3. In cases in which the Department objects to misleading statements on wrappers, labels, &c., importers seldom advise the Department when they purpose having the same printed in Australia; but in numerous cases in which objections to extravagance and misleading advertisements have been taken by the Department the same have been removed from medicines, &c., imported, but pamphlets and advertisements with similar objectionable wording have been printed in the Commonwealth.

Mr. SINCLAIR asked the Prime Minister, *upon notice*—

1. Whether the various Agents-General in London have approached the Commonwealth Government with a view to taking action to protect shippers of butter to London from loss through apple taint during the apple season?

2. If so, what steps have been taken to give effect to the request?

Mr. FISHER.—The answers to the honorable member's questions are as follow:—

1. No.

2. No action has been taken.

I may add that if we get information we shall be very glad to assist in any way.

PAPER.

Mr. THOMAS laid upon the table the following paper:—

Papua—Ordinances of 1911—
Aliens.
Arms, Liquor, and Opium Prohibition.

CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Debate resumed from 20th October (*vide* page 1728), on motion by Mr. HUGHES—

That this Bill be now read a second time.

Upon which Mr. DEAKIN had moved—

That all the words after the word "That" be left out, with a view to insert in lieu thereof the following words:—"no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community."

Mr. HOWE (Dalley) [3.38].—May I, by way of introduction, pay deference to the utterances of the honorable member for Darling Downs and the honorable member for Flinders? We cannot but appreciate the lucidity, the logic, and the keen and careful attention which these honorable members do, from time to time, give to various propositions which are submitted to the House. I pay my deference to them for the very lucid explanation which they gave from their standpoint of this measure, though at the same time I feel myself in opposition to the main points of their contention. I have no legal knowledge, and therefore I speak subject to the professional opinions of legal members on the Opposition side and of the Attorney-General, and such other legal gentlemen as we have on this side. There was one question put by the honorable member for Flinders, and the honorable member for Darling Downs, which appeals to me in a most pronounced way, and I confess that I cannot see my way out of the difficulty, and that is in connexion with the additional powers which are sought for the Arbitration Court. It is sought by amendment to provide that no award or order of the Court shall be challenged, appealed against, reviewed, quashed, called in question, or be subject to prohibition or mandamus in any Court on any account whatever. The power to review, quash, and so forth, such orders is undoubtedly given by section 73 of the Constitution. While a High

Court is established as an appellate Court its powers are limited, and cannot be exercised in the way of reviewing or quashing any decision in connexion with arbitration. On the other hand, section 75 of the Constitution, which, I understand, deals with the original jurisdiction of the High Court, provides tha the power of prohibition, mandamus, or injunction does lie in the Court; and I fail to see how by the mere addition of the words proposed we can go beyond the limitation expressed in the Constitution itself. If it can be shown that this may be done, I shall be very pleased; and, therefore, though much against my own judgment, I take it that the Attorney-General, in conjunction with the draftsman, can see a way which is not apparent to me as a layman. Nevertheless, I view the situation with much alarm, and shall be agreeably surprised if they get over the difficulty. Further, I fail to see how the honorable member for Darling Downs, the honorable member for Flinders, and many others, can vote for the amendment of the honorable member for Ballarat, which is distinctly at variance with the contentions of those gentlemen. The amendment of the honorable member for Ballarat declares that no amendment of the Act, the effect of which would be to concentrate in any one person the control of all the conditions of carrying on all the industries on the continent can be other than impracticable and fraught with danger to the whole community. The contention of these honorable gentlemen is that the power sought does not, and cannot, exist constitutionally, and, therefore, cannot be exercised by Parliament. If that be true, then the honorable members I have named cannot vote for the amendment. It has been said, however, that there is a possibility that such power may lie in the administration —that the interpretation placed on the clause by the Opposition may not be correct—and that it is possible by the means proposed to attain what we desire. It is further contended that to place this power in the hands of the Judge of the Arbitration Court is wrong. We are asked what will be the result if we invest the Judge with this enormous power; and there is no doubt that honorable members opposite have made much of this point. It is contended that the Judge of the Arbitration Court is subsidiary to the High Court, or should be, and that, if he be invested with these powers, he will be no longer subsidiary; and the High Court, having no longer any control over him, he will become a Judge supreme in himself, with a power and authority not only judicial, but legislative —that, by his interpretation of the Act, he will decide for himself what the legislation shall be. I admit that there is a great deal of force in the contention; and it is for that very reason I am going to oppose the amendment of the honorable member for Ballarat. I absolutely fail to see how, under any aspect of Federation, it is possible to prevent some legislative power lying with those who have the final determination of the interpretation of the Act. A day or two ago, when the honorable member for Flinders was speaking, I interjected that in the High Court the final determination was by the judgment of one man; and the only retort from the learned gentleman was that, while we are a democratic community, questions must be decided by majority rule. I fail to see, in connexion with such an issue as that with which we are now dealing, that any greater benefit is to be obtained by leaving the legislative power in a Federal Court of five Judges, rather than in an Arbitration Court with one Judge. Ever since the Constitution was established, and an appellate High Court has been existent, I have looked with amazement, and sometimes with amusement, at the differences that arise in reference to decisions of the Supreme Courts of the various States. I do not know that the Judges of the High Court are intellectually superior to the Judges of the State Supreme Courts. They may be; but that is a matter no one can determine. We have the fact that, time and again, decisions of Supreme Courts, which, in the absence of a High Court, would have expressed the laws of the States, have been upset, not by unanimous determinations, or the common recognition of what the State law is, but by a determination in which, in many cases, two Judges were on one side, and three, by chance, on the other. Without disrespect to the High Court, I cannot refrain from commenting on the fact that there is invariably seen, more especially in arbitration matters, Judges like Mr. Justice Higgins and Mr. Justice Connor, or, if not the latter, certainly Mr. Justice Isaacs on one side. This seems to me to mark the trend of feeling of those gentlemen—it seems to me not a mere judicial determination, but,—shall I say—law tempered by feelings, emotions, and tendencies which develop in connexion with their social thought.

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Mr. WEST.—Their humanity.

Mr. HOWE.—I do not wish to question the humanity of any Judge, or, indeed, of any other individual in this community. I believe we are all susceptible to those humane feelings and considerations that make for the benefit of humanity. Nevertheless, this is certainly an aspect of the power of the High Court that has appealed to me in the most pronounced manner. It has, however, been opposed by many honorable members, who have asserted that the power of interpretation is not the power of legislation. I felt myself on such safe ground that I thought I could not do better than appeal to an authority of some standing; and I do not think any one will question the status of the writer whom I propose now to quote. Mr. Henry Sidgwick, in the *Elements of Politics*—I am, perhaps, drawing the matter a little, but I do not think unjustly, from its context—writes—

> If the Judges are to recognise as valid the precedents of previous decisions, so that a certain amount of legislation under the guise of interpretation is inevitable. . . .

The point that I wish to make, and a point which honorable members opposite repudiate, is that this power of one individual, whether it be that of a Judge of the Arbitration Court, whose decisions cannot be quashed or interfered with by the High Court, or that embodied in the High Court, and expressed there finally by a majority decision, is unquestionably, by the terms of interpretation, a power of legislation vested in that Court. That is a power that we do not desire. I fail to see how, in the Federal jurisdiction, we can get rid of it; but if it is possible to get rid of it, then, I for one, am prepared to do my utmost in this House to do so, or to strive at least to modify it. I have here a more lengthy passage from a chapter in the same work, dealing with "Federal and other composite States," which I feel justified in quoting—

> But it is evident that the position of the judiciary relatively to either central or local legislature will be materially different from that which we have so far contemplated, if we assume the former—

The judicial power—

> to have the duty of sitting in judgment on the legality of the acts of the latter:

That is the legislative power—

> and the more stability is given to the constitution by making the process of changing it difficult, the greater becomes the importance of this judicial function of interpreting its clauses. In order that this function may be well performed, the supreme court of justice must be made adequately independent of both central and local legislatures, no less than of the executive governments:

I emphasize this point—

> and it is a delicate problem to find conditions of appointment and tenure that will secure this independence, without, at the same time, giving the supreme court too predominant a power.

Mr. GROOM.—Still, that contemplates the full Supreme Court.

Mr. HOWE.—I think that the word "supreme" in this relationship merely implies that the Court is the supreme, and therefore the highest, Court of the community. It seems to me that the difficulties suggested by honorable members opposite are not tenable. As a matter of fact, whether you place your power in the hands of a Judge who shall exercise it for industrial legislation, or whether you place it in the High Court, finally, it amounts to this: that you vest in the Court a power, not only judicial, but legislative. And the question is whether that legislative power should rest in the hands of the individual who may be termed the Judge in Arbitration, or by a majority decision, in the hands of some individual who may be known as a Justice of the High Court. There is yet another aspect with which I wish to deal, and I am glad that the honorable member for Darling Downs is present. In my opening remarks, I said that I much appreciated the position he took up. The honorable member declared that it was difficult, nay, almost impossible, for a whole body of employers to come together and deal collectively with matters of industrial legislation.

Mr. GROOM.—I spoke of the difficulty of the employers in different industries being brought together in the one case.

Mr. HOWE.—Undoubtedly. That difficulty arises in his mind, I take it, in relation to the proposed amendment of the definition of the word "industry" in the principal Act. Paragraph *a* of clause 3 in which "industry" is defined, is practically in the terms of the Act itself, but we add to the definition—

> (*b*) any calling, service, employment, handicraft, or industrial occupation or avocation of employés, on land or water; and
>
> (*c*) a branch of an industry and a group of industries.

It is in regard to this proposed amendment of the principal Act that the honorable member evidently finds himself

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in some difficulty. Seemingly he cannot understand how employers could by any possibility come together and deal in a collective fashion with men, shall we say, in trade unions or craft unions. It is, therefore, contended by the Opposition that the craft unions and the trade unions must be split up, and that the relationship of the employé must be that of employé to employer in what they are pleased to term an "industry" under the old definition—a definition which, whilst satisfactory to the employers, has been most unsatisfactory to trade unionists and craftsmen. But what is the actual position? I received only to-day a typewritten letter, which shows that the employers of the Commonwealth have no difficulty in coming together. Apparently, there is no difficulty of association on their part, since this letter comes from an association phrased as "The Central Council of the Employers of Australia." This is not a council of employers in certain defined industries who, coming together, have segregated themselves from employers in other industries. Not at all. That is not the position as expressed in this letter. It is the Central Council of the Employers of Australia, and their address is given as "Bourke-street, Melbourne."

Mr. PAGE.—Is it "66 Bourke-street, Melbourne"?

Mr. HOWE.—I thought it might have come from a man named Walpole. The communication deals with this Bill.

Mr. JOSEPH COOK.—Who is Walpole?

Mr. HOWE.—He is somewhat notorious.

Mr. PAGE.—He is the man who said that marriage was a luxury for the worker.

Mr. GROOM.—From what document is the honorable member for Dalley quoting?

Mr. HOWE.—From a circular which was sent to my room to-day. It shows that the difficulties sought to be built up by the Opposition are on a purely legal basis. Such difficulties as have been suggested do not actually exist when the employers of labour think it necessary to come together. As a matter of fact this council is representative of the employers of Australia, and not of a body of employers confined to certain industries. What is our attitude? We are precisely a body of employés in Australia. We have been, and we are going to be, and there is no legislation on the part of this Parliament that would prevent us from holding that position I say deliberately that if this Bill was resolved in the terms of the amendment, or in the terms proposed by the honorable member for Cook, I would unhesitatingly go out to-morrow and urge my fellow-workmen to flout the decision of this House, to flout this measure. I would say deliberately to them, "Stand by your trade unionism; stand by that which you have achieved by your own association—by your own efforts extending over almost two centuries—and by that which you have found most effective in enabling you to take up a collective attitude in relation to your employers, and which will give you the best results."

Mr. DEAKIN.—That is the honorable member for Hunter's view—that that is better than arbitration.

Mr. HOWE.—I am pleased to have support for the attitude which I am taking, which I consider justifiable. What is the position to-day? Do not the employés, as they have done for years, associate themselves on the basis, not of industries, but of crafts? What element of cohesion would there be in any other arrangement? How could you have an association of the employés in a jam factory, where some men are connected with the driving and repairing of machinery, and others engaged in the peeling, cleaning, or boiling of fruit? Members of the Opposition ask for the entire reconstruction of trade unionism. How came we to have industrial legislation? Did it not result from the association of craftsmen, not from the association of employés in particular industries?

Mr. DEAKIN.—The honorable member for Cook disposed of that argument.

Mr. HOWE.—He did not, and he stands alone on this side. Industrial legislation is the result of unionism on the craft basis. Engineers must associate with engineers, plumbers with plumbers, carpenters with carpenters, and so on. When an engineer is called upon for his services, he says, "My rate of wages is such and such; my overtime rate is so much; my working hours are so long; the conditions of my employment are as specified." He does not vary his demands according to his employment by a draper, a jam maker, or some other person. These living truths are better worth studying than legal subtleties.

Mr. JOSEPH COOK.—The honorable member's statement of the facts is partial. The associations of engineers do not embrace all engineers.

Mr. HOWE.—The associations embrace 50 per cent. of the engineers of Australia.

Mr. JOSEPH COOK.—The Bill applies to all engineers.

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Mr. HOWE.—I do not find fault with that. Although I would give preference to unionists, the non-unionist has also to be considered in dealing with industrial legislation. But why should we deal with this matter on the lines proposed by the Opposition? We hold that there cannot be collective bargaining except by organizations representing trades and callings. We say that the meaning attached to "industry" in the present law is injurious.

Mr. GROOM.—The question is: What is the best form of organization for the settlement of large disputes?

Mr. HOWE.—Undoubtedly. My organization has been engaged in disputes as wide as the Commonwealth. In England, it includes over 100,000 persons, but it has met every situation that has arisen there for many years past, and done it effectively by trade union methods, without legislation. The efficiency of our methods has been proved, but honorable members opposite wish to adopt something that has not been tested by time, and which, it seems to me, is put forward in the interests of the employing class, and to break up trade unionism by dividing up the members of the different crafts, and distributing them among various industries, so that there can be no cohesion.

Mr. DEAKIN.—The honorable member seems to ignore the employers.

Mr. HOWE.—No. My association has met the employers of Great Britain many times, and, on the basis of trade unionism, has adjusted disputes in accordance with the circumstances.

Mr. DEAKIN.—Not by arbitration.

Mr. HOWE.—Why should we make any alteration in the association of workmen because we are considering legislation for industrial arbitration? Will not the facts of a dispute come before the Court if the workers are organized according to craft? There has been a solution of difficulties in the Old World such as can be achieved here.

Mr. JOSEPH COOK.—Does not the honorable member see a difference between the Old World and Australia?

Mr. HOWE.—Every country differs from all others, and its circumstances change from day to day. I have had experience in arbitration work, because for a number of years I represented my organization. In the main, the New South Wales Act of 1901, which recognised the trade union as a basis of industrial association, was more effective in providing for arbitration by a Court than the Industrial Disputes Act of 1908, which amended it. The definition of "industry" in the latter Act was this—

> Any occupation specified in the second column of Schedule One, or any amendment of or addition to the Schedule, in which persons of either sex are employed for hire or reward.

The Act was amended in 1908, because the schedule was found to be ineffective, and it is common knowledge that trade unions refused to register under it, because it was felt that the definition of "industry" materially injured them. Ever since there has been strike upon strike, and great loss has been caused to the trade unionists. Mr. Justice Heydon, referring to the difficulties created by the schedule, said, "I cannot add to the pack of cards, but I can shuffle it as I please. I can associate one trade or calling with another, and relate it in some way to an industry." Of what value is it to trade unionism to include under "industry" the Government railway and tramway employés under the control of the Chief Railways Commissioner? How can they all be brought into Court at one time, with a view to determining what should be their rates of pay and conditions of labour? It must be remembered that they comprise permanent-way men, traffic branch men, in both railways and tramways, engineers, carpenters, signalmen, masons, bricklayers, tinsmiths, and many others. But all these varied callings are associated, because they are under an official who, according to the law, controls an "industry."

Mr. DEAKIN.—He represents the public, who are the employers.

Mr. HOWE.—Not in this capacity. He is in the same position as any other employer. But what is the nature of his industry? What would be the result of attempting to refer to a Court or to a Wages Board any dispute affecting all the trades and callings associated with the maintenance and working of railways and tramways. We are every day of our lives in the Courts. There is not a day on which the secretary of a union has not to watch the papers to see what applications are being made to the Court. After the passing of the Act of 1908, I had, in twelve months, more work to do in going before the Court and raising objections to applications that were being made, than I had during the whole of the previous five or six years. The formation of the Boards of Conciliation and Arbitration and the power to define industry in the terms in

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which the Opposition desire to define it, have been productive of the most intense and undesirable litigation.

Mr. Deakin.—But the form of words is dictated by the Constitution, which says, "Industrial disputes."

Mr. HOWE.—The words in themselves are nothing. The question is, what is meant by them? I take it that we are now going to amend the term "industry," so that we may have an amended Conciliation and Arbitration Act, upon the lines which we think will more effectively deal with the situation as we see it. The honorable member for Cook spoke at length the other night on the lines of what he terms "industrial unionism." I was not present when the speech was made, and if, in my criticism of it, I say anything that does not correspond with the facts of that utterance, I must apologize; but I do not think I shall do the honorable member any injustice. The attitude taken up by the honorable member seems to fit in very exactly with the attitude which the Opposition are taking up on this measure.

Mr. J. H. Catts.—The honorable member knows that I have taken up that attitude consistently.

Mr. HOWE.—I know it only too well, because I have had to fight my honorable friend for some considerable time on the subject. The honorable member for Darling Downs said on Friday that the honorable member for Cook expressed the attitude of a worker. True, it is the attitude of a worker, but it is not the attitude of the workers; and the honorable member for Cook knows that it is opposed by the Sydney Labour Council, has been opposed for two or three years by the Trade Union Congress, and is opposed by my own organization, the engineers, by the traffic association, by the building trades, by the Locomotive Engine Drivers' Association, by the Tramway Union, by the carpenters, and, in fact, by nearly every trade and calling in the railway service. The honorable member's proposition is not recognised in New South Wales, even outside that service. I cannot speak as to the other States; but I can assure honorable members of the Opposition that the attitude which they think most satisfactory on the part of the honorable member for Cook does not, in any way, represent the position of the trade unions or of the craftsmen in my own State.

Mr. J. H. Catts.—It represents that of a very large section.

Mr. HOWE.—I do not know what the honorable member means by a very large section. He may have thousands of men in his organization.

Mr. J. H. Catts.—We had 5,000 new members last year.

Mr. HOWE.—Even so, the honorable member's attitude by no means represents that of the general workers and the trade unionists of New South Wales. To give an illustration, which may enable honorable members to see the desirability of this amendment of the Arbitration Act—about five years ago I was instrumental in getting an award for the engineering trade under the 1901 Arbitration Act of New South Wales. That award had to last for three years. When the award was about two years old, the Industrial Disputes Act came into operation. The result was that, whereas the employers, from the Railways Commissioners down, had been complying with the award, we suddenly found ourselves face to face, under the new Act, with applications for exemption. The first was by the Railway Commissioners, the next by the Northern Collieries, and we had just spent £250 in prosecuting the colliery-owners for breaches of the award. We are always told how the men break awards by coming out on strike, and will not recognise their duty and their obligations in connexion with legislation; but I venture to say that, if honorable members opposite were in the Arbitration Courts day after day, and saw the breaches of awards that take place, they would find that, for every body of men that go out on strike, there are 150 employers violating the awards every day of their existence. First, then, we had an application for exemption from the Railways Commissioners, then from the Northern Collieries, and then from the Southern Collieries. Then there was a Coach and Car Builders Board formed. Although we had spent money for some years to get the award, we found all these exemptions suddenly granted under the new Act, and granted under precisely the same terms as members of the Opposition are asking for in this case, with a definition of industry which relates to the employers rather than to the employés. From that day to the present time, New South Wales has simply been seething with disruption and dissatisfaction among the trade unionists, and the Courts have been filled with applications day after day, without any possibility of industrial rest or peace being obtained. It is of no

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use the Opposition crying for industrial peace on such lines, because they will not get it. They cannot have it. We have built up for ourselves, during a long course of years, a line of action that we deem essential. We have formed associations that we know to be beneficial to ourselves, and no definition of industry that may emanate from this House will take possession of us, if we find it to be injurious. There is nothing for it but the trade or craft union. The industrial union may have, and I believe will have, its political characteristics; but, so far as industrial organizations are concerned, only one basis will be satisfactory to us, and that is the craft union. I trust, therefore, that the Opposition will not further oppose the measure. If it be only in a tentative way, if only to give us some opportunity of seeing what results may arise from the operation of an amended Act, I hope they will give us the Act amended in the terms for which we are asking. I think then they will find that if they want industrial peace they will get it; but they will never get industrial peace without it.

Mr. SAMPSON (Wimmera) [4.25].—The honorable member for Dalley has given us some very interesting definitions, and some interesting information, respecting trade unionism; but he has put his whole case from the stand-point of trade unionism only, and has laid down no fair and equitable basis upon which an arbitration scheme can be built.

Mr. ROBERTS.—The honorable member will now put the fair and equitable basis from the employers' point of view.

Mr. SAMPSON.—No. I shall endeavour to show that the amendments, as proposed in the Bill, will have the effect of destroying the whole basis of arbitration. The amending Act of 1910 had for its main object the settlement of differences before they became active disputes, and also the securing of preference to unionists. The word "industry" remained untouched, except that it was extended to rural industries and domestic servants. The Act as then amended was not given a proper trial before this new amendment was brought before the House, altering the whole basis upon which our scheme of arbitration had formerly been built. These constant amendments in our arbitration laws, before we have any real opportunity of testing their efficiency, or their possibilities for the prevention and settlement of disputes, are calculated to cause irritation in the industrial world, rather than to make for peaceful settlements.

Mr. WEST.—The High Court has caused all this trouble.

Mr. SAMPSON.—The High Court has defined "industry" in a manner which really upholds instead of destroying the old Act, and preserves, for the future judgments of the Arbitration Court, the true basis of arbitration between employers and employés. We object to these amendments of the Act, because the High Court decision has properly interpreted the word "industry" as we understand it, and as the Legislature originally intended that it should be interpreted.

Mr. FENTON.—The High Court was nearly evenly divided.

Mr. SAMPSON.—The High Court decision was a majority decision, as was mentioned by the honorable member for Flinders; but surely the honorable member for Maribyrnong, who professes to belong to a Democratic party, cannot object to a majority decision, even when it comes from the High Court. The amendment of last session, including, as it did, rural workers and domestic servants, was a sufficiently sweeping extension. I believe there was no necessity for the inclusion of those callings as "industries" within the scope of an Arbitration Act

Mr. FENTON.—Why not?

Mr. SAMPSON.—Because we have in Australia such a variety of climates and conditions that the system of agriculture varies in every State, and almost in every locality within a State; and, therefore, the State tribunals appointed to represent particular districts in particular States are in a better position to give a true and proper award with respect to agricultural workers than can any Arbitration Court whose operations extend over the whole continent.

Mr. FENTON.—The same argument would apply to bootmakers.

Mr. SAMPSON.—No; because an industry carried on in large cities like Melbourne and Sydney continues under much more closely approximating conditions than any agricultural industry can possibly do. I know, from the various opinions expressed by the agricultural community throughout my district, representing, as they do, a large proportion of the farmers of Victoria, that the system of arbitration, as amended under the Act of last session, will cause them very grave and serious difficulty. They hardly know how it is possible for

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them to present their case to the Court; although certainly the organization of workers in the industry would have no difficulty in presenting their case. If this Bill be passed, we shall find that those difficulties will be accentuated.

Mr. PAGE.—But honorable members opposite say that the Bill will be *ultra vires*.

Mr. SAMPSON.—I do not think that any member of this House will arrogate to himself judicial functions by offering definite opinions on this measure. It is the duty of the High Court to interpret the constitutionality of legislation passed by this Parliament. I admit that if the measure be passed in its present form the cause of unionism in Australia will be strengthened. Unionism in itself is a good thing. If we are to have unionism, we must have organizations of employers and of employed. The more extensive their operations can be made the better. But my complaint is that by passing this Bill we shall throw the whole cause of conciliation and arbitration into the hands of various craft unions, and shall make it extremely difficult for employers and employed in the rural districts to have their cases determined. The difficulty of such persons bringing cases before the Arbitration Court will be accentuated. Thus we shall strengthen the trades organizations existing in the large centres of population. Cases affecting rural interests will be brought before the Court in a partial manner, and reasonable decisions will not be given.

I wish to refer to the New Zealand experience. It is constantly being stated in this House that, owing to our constitutional limitations, we are not able to adopt an effective system of arbitration. I believe that there is a direction in which we can improve our system by enabling the Commonwealth Arbitration Court to hear appeals from the various State tribunals. Such a policy would, I think, be indorsed by this House, and if it had been submitted to the people at the last referendum I believe that it would have been sanctioned. In my opinion, the Commonwealth Arbitration Court should not only sit to settle Inter-State disputes, but should also hear appeals from State tribunals affecting particular industries. That is the true line of advance for the Federal Legislature. The New Zealand experience, I may remind honorable members, has extended over twice the length of time that arbitration has been in operation in the Commonwealth. New Zealand has had twenty years of conciliation and arbitration as compared with about seven years' experience under the Commonwealth. Moreover, the New Zealand Court is not hampered in any sense by constitutional limitations. The Court has full power to arbitrate in whatever sense it may deem arbitration advisable. But the New Zealand Legislature, realizing the multitudinous industries operating in the Dominion, and knowing how difficult it was for rural representatives to present their claims, divided the Dominion into districts. Separate awards are made in those districts in the same way as awards are made by the various State tribunals throughout Australia. But sometimes, after a district award has been made, the Board, having finished its local work, undertakes the functions of a Court of Appeal. That is to say, on the application of unions of either employers or employés the Court considers what may be called an appeal from particular district decisions. There we have an example that might be followed in Australia. It would be very useful if the Commonwealth Arbitration Court could hear appeals from State tribunals. We have all the machinery that is operating under the Arbitration laws of New Zealand. By adopting this plan, it would not be necessary for the Commonwealth to interfere seriously with the work of the Wages Boards that are being conducted so successfully in different parts of Australia. What is now proposed, however, would, in my opinion, exercise an unwarrantable interference with State tribunals, which could only end in confusion, and destroy a large part of the benefits which are at present conferred upon those concerned in production in this country. If we are to substitute for industries, as the term is understood under the principal Act, a system of craft organization extending over the whole of Australia, we shall accentuate difficulties that have already made themselves apparent. We shall strike a serious blow at production, and shall, at the same time, destroy the basis upon which the whole scheme of arbitration has been built up.

The honorable member for Hindmarsh is well aware of the importance of our great water ways in the arid centres of this continent. Rural cultivators in those parts of the country are engaged in a great variety of industries. We have fruit-growing, dairying, agricultural work of all kinds, wheat growing, and wool growing. The occupations are so varied that dozens of workmen are employed for different classes of

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work. In connexion with the pumping schemes along the rivers, for instance, there are engine-drivers who have some knowledge of engineering, and who drive engines for a portion of their time, whilst the rest of their occupation is directed to some other class of labour. If this Bill be passed, and we carry out a system of craft organization instead of the present system of industrial organization, we shall undoubtedly strike a serious blow at our great producing industries, which, after all, form the backbone of this country, and without which there can be no strong secondary industries. I know from experience, in connexion with the application of rural workers for registration, the difficulties that farmers have to encounter at present. I venture to say that the great majority of farmers throughout Australia are quite prepared to pay fair and reasonable wages. They are equally prepared to abide by the decisions of equitable tribunals as to the wages they shall pay. The farmers and the dairymen have greater confidence, I venture to say, in the Wages Board system as it operates in the States, because they believe that the Boards are composed in a way which will bring about better results than would the Arbitration Court. The Wages Board system is less costly than the other. The parties have not to go to a Court for a judicial decision, but to men who understand the operations on each side, and meet together for the purpose of discussing, in a practical and human way, their differences, in order that they may arrive at a reasonable settlement. When this power was placed in the Constitution Bill by the Federal Convention, it was never anticipated that the work of the Arbitration Court would be directed to every small organization of industry throughout the Commonwealth. It was only intended that the great industries which operate more or less over the continent should be supervised by the Arbitration Court, in order that disputes might be settled by that body in a way which could not possibly be undertaken by the State tribunals.

Mr. DEAKIN.—The State tribunals were to have the rest.

Mr. SAMPSON.—Yes. At the present time, we are not giving an opportunity to the States to develop their various tribunals. Victoria has over 100 Wages Boards; but the State Legislatures have found, from experience, that it is impossible to appoint Boards whose decisions will operate with fairness and equity over even a very small territory compared with this great Commonwealth. Even the States have found that Wages Boards operating over the whole of a State cannot do justice to particular industries by reason of varying climatic and other conditions. They have been compelled, in some instances, to appoint, not only town Boards, but also country Boards, in order that decisions may be framed in a way that will suit the local conditions and be arrived at by men who understand each other, and have a practical knowledge of the difficulties of an industry. I hope that the House will pause before it places in the hands of one individual the power to control the industrial laws of the Commonwealth. I believe that this measure, if passed, will be fraught with the greatest confusion and the greatest difficulty, and be found to affect very prejudicially industries throughout the Commonwealth. It is against the spirit of the Constitution, because it is destructive of that local control, that subdivision of effort, which we know is so valuable in the settlement of industrial disputes. I am sorry to say that there does not seem to be much prospect of carrying the amendment; but I trust that the Opposition will make a strong protest against this attempt to destroy the basis of arbitration, and to place in the hands of one man the control of the industrial affairs of the Commonwealth—a power which will seriously militate against the successful operation of our Wages Boards, and will generally, in my opinion, strike a very heavy blow at the production of the Commonwealth.

Mr. RILEY (South Sydney) [4.48].—I feel that this measure deals with the most important subject which can be brought before this Parliament; and though honorable members opposite have agreed that the Arbitration Court has proved a failure, and been a clog on the industries of the country, and is unwieldy and unworkable, I would point out that the success of that Court means more than the success of any other Court, because it operates under a new piece of legislation. Other Courts, such as the Equity, Divorce, Bankruptcy, and Criminal Courts, are institutions which have been handed down for perhaps hundreds of years; and laws relating to those Courts have been amended year after year until they have reached perfection. We are only experimenting with the Arbitration Court; but because it has proved a failure in certain respects,

that is no reason why honorable members opposite should condemn the principle of arbitration, or the decisions of one man. I remember reading the speech with which the Leader of the Opposition introduced the principal Act, and I was struck with the sense of responsibility under which he addressed the House, and I hoped that he would live to see the successful working of the measure. I feel sure that he, like other honorable members, will not hesitate to give a vote to perfect any measure which will tend to bring about industrial peace, and promote the happiness of the people of the Commonwealth. The present Government were placed in power by the electors to amend the Conciliation and Arbitration Act where possible, with a view to bring about that condition of peace and harmony which we all wish to see prevailing. We may have failed under the existing Acts to achieve our purpose, but we are only human. This Parliament has been charged by the Judges with not having given any lines of guidance to the Court to go upon. They have said, "You have thrown at us an Act, and told us to carry out the dictates of Parliament, without laying down any lines on which we are to proceed." I admit the charge. It is a serious handicap on a Judge sitting in the Arbitration Court. But I hope that the day is not far distant when the House will give directions to the Judge in many respects. I believe that the time has come when the House should pass a Bill providing that no more than eight hours shall be worked by any man in the Commonwealth. That would be a direction to the Arbitration Court in one respect. The Judges are clamouring for a direction as to hours of labour. They want some guidance from Parliament; and we should not hesitate to provide that the hours of labour should he restricted within certain limits. I also think that a Bill should be passed providing that no person shall be expected to work for wages under a certain standard, that is, laying down a minimum wage. That also would be a guide to the Judge. His Honor is quite right in saying that Parliament throws all responsibility on the Judge, and takes none itself. We are open to that reproach, but I hope that the time is not far distant when we shall give the Judges a lead in various directions. Honorable members on the other side have complained greatly about one-man decisions. Here again I am in accord with some of their criticisms. I believe that the basic principle of the Federal Arbitration Court was wrong. I hold that no one man should dictate the rates of wages, the hours of labour, in fact the whole industrial conditions for the Commonwealth. I consider that the Arbitration Court should be reconstituted, and include a representative of the employers and a representative of the employés. In that way we should strengthen the faith of the people in the Court. At present when a decision is given in the Arbitration Court, the employers say "Although the Judge has the confidence of the people, because he is a learned lawyer, and has held high positions, still he is not a business man. He has no sympathy in his nature. He is simply a legally-trained man to give a decision on the evidence put before the Court." The Court is, as I have said, different from all other Courts. It deals with live industries, with humanity; it does not interpret dead laws, but gives decisions which will affect the whole of the industries in the Commonwealth. The President of the Arbitration Court should not be called upon to be guided altogether by his own legal training and knowledge. I believe that in many cases even an employer's representative would give a fair decision when he had a case brought before him as an employer, even though it was to advantage the employés, because he would look at the matter from a business and practical standpoint. He could help the Judge in many directions by the weight of his experience, and guide him in arriving at a judgment. The same thing applies to a representative of the employés. If an award is given by the Judge, the employés are not satisfied to the same extent as they would be if they were represented in the Court. It is necessary to go over the whole of the industrial conditions to explain the conditions of an industry. The Court takes a longer time than otherwise it would to come to a decision, and sometimes, unfortunately, the decisions have not been satisfactory. If we had two laymen to assist the Judge the position would be different. This is not a Court in the strict sense of the word. The persons who go before the Court are not criminals—not men who have broken the law and been brought up to be tried, but men who come and submit to its judgment the conditions on which they are prepared to work in an industry. I agree with the members of the Opposition that no one man should have the power to decide the labour conditions for the whole of the Commonwealth.

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This Bill does not affect that. I believe that the Court would command more respect and confidence if it included representatives of the employers and employés, that is judging by the experience of New Zealand. It was the first country to adopt the principle of arbitration in these matters, and it still adheres to that principle. Its Court is composed of a Judge who is accustomed to discussing points of law, drawing up awards, and giving decisions, and two laymen, representing the employers and the employés. What has been the result of this system? In New Zealand, to-day, the industrial system is proceeding very smoothly. There are fewer strikes there than in any other country in the Southern Hemisphere. The progress of New Zealand has been very satisfactory under the operation of an Arbitration Court. Since the principle has been successful there, I believe that it will be successful here. It has been argued from the other side that if the Arbitration Court is going to deal with the whole of the industrial system, matters must get congested.

Mr. DEAKIN.—Only as a Court of appeal.

Mr. RILEY.—No one person could do the work. Under the present Act, the Judge has power to appoint deputies in each State to assist him to carry on the work of the Court. I think it would be justifiable, if necessary, to create a Federal Court to deal with, for instance, the mining, textile, shipping, and coal-mining industries. If that were done, the work of the Arbitration Court would be facilitated and the progress of the Commonwealth assisted. I feel quite sure that honorable members, although they sit in Opposition, would be only too pleased to bring into force a scheme which would secure peace and harmony in the community. I was pleased to follow the honorable and learned member for Flinders when he pointed out the rocks ahead. I believe that he is very near the point. I believe that when we want to get the whole advantages of legislation we sail so closely to the rocks as to involve disaster to the measure. However, we are sent here, as a party, to give, if we can, the best legislation for the industrial class. Great exception has been taken to the word "craft."

Mr. JOSEPH COOK.—Did the honorable member say that the members of the Labour party were sent here to get the best conditions for a class?

Mr. RILEY.—No. I said that we were sent here to get the best conditions possible. Since great exception has been taken to the word "craft," let us trace the use of the word, and see how it has worked out. The word "industry" could not cover the whole of the people or craft in an industry. Take, for instance, the boot trade. The engine-drivers and firemen are employed entirely apart from the place where boots are manufactured. Although they are part of the industry, they are not in the industry, but outside of it. They do not touch leather or handle goods. Their whole work is connected with the boilers and the engine, but they are the mainspring of the industry, because they supply the power. Without their co-operation the industry could not exist.

Mr. JOSEPH COOK.—They are the kingpin of the industry?

Mr. RILEY.—Yes, but these men cannot join the Operative Bootmakers Association. When operative bootmakers appeal to their employer for better conditions, or for a conference, the engine-drivers and firemen, being few in number—perhaps three or four—do not count. The employer takes no notice of them, but deals with the large body of men. Consequently, the engine-drivers and firemen have been forced to form what is called a craft union. When the Operative Bootmakers Association seeks an award, they do not apply to the Court for any conditions which would benefit the lot of the engine-drivers and firemen. The latter are left completely out of consideration, although they form part of the industry. We cannot separate the craft from the industry—the two work together.

Mr. GREENE.—Is there any necessity to separate them?

Mr. RILEY.—It must be done for certain purposes. The engine-drivers and firemen start an hour or two before the other men come in, and are at work after the men leave; they live in a different atmosphere compared with those employed in clicking, heeling, lasting-up, and other branches. The manufacture of bread, in most up-to-date factories, is carried on by machinery; and here, again, the men who fire the boilers and drive the engines are entirely outside the bakehouses. Their dirty clothes and greasy hands alone would render them unfit to touch the bread. Although they are an important part of the industrial organization, when the bakers go to the Court, the engine-drivers

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and firemen are never included. The latter are, therefore, forced to join the same union as engine-drivers and firemen employed, for instance, in the boot trade. There is another illustration, in which Inter-State competition arises. In the freezing industry, which deals with beef, mutton, rabbits, and so forth, for export, hundreds of men are employed in the handling and stacking of the food and material; but the engine-drivers and firemen, who look after the machinery that keeps the chambers cool, are really the principal men. If they stopped work, and the temperature was allowed to rise, there would be a loss of thousands of pounds. However, if the storage employés make a demand for increased wages or better conditions, they do not take the engine-drivers or firemen into consideration.

Mr. JOSEPH COOK.—But does not the Judge?

Mr. RILEY.—No; it has been decided by the High Court that the Judge of the Arbitration Court cannot add any claim to the case filed. He did so in the Broken Hill case, in regard to Sunday labour; but the High Court held that he had no power to do so. Because the men are not in the union of the industry, but belong to a separate craft union, they would have no claim before the Court. I remember a case in Sydney where the freezers got an award of the Court, and the whole argument against that award, which was one of increased wages, was that there was Inter-State competition with the shippers in Melbourne, Adelaide, and Queensland; and that, consequently, increased wages to the engine-drivers and firemen would be unjust to the employers in Sydney. To get over the disability these men federated, having got as many Wages Board awards as they could, and still found themselves left out. They got an award from the Federal Arbitration Court, but lost the benefit of it, because the employers' associations in New South Wales and Victoria were separate organizations, and, in order to defeat the Act, they had not registered. On this ground, the Federal Arbitration Court was held to have no jurisdiction, and the engine-drivers were denied justice. Surely it is only fair to so amend the Act as to introduce the word "craft," and thus bring the engine-drivers and firemen within the jurisdiction?

Mr. PAGE.—It is only a fair thing that we are asking.

Mr. RILEY.—I do not think there is any trickery on behalf of the Government in trying to introduce the word "craft." There is no wish to do away with the Wages Boards, although, personally, I am against them. The Arbitration Court, with the full powers of a Supreme Court, may send for documents, examine books, and investigate the profits of an industry, and thus be enabled to give an award fair and just to all concerned. With the Judge in the Arbitration Court should be two men paid a decent salary, who would make it their business to study the conditions of the various industries. These men, after having, as laymen, acted as the representatives of the employés, would not then have to look for work; they would be above that, because, for the time being, their position in the Court would be a professional one, and they should be independent. Under the Wages Board system, however, there is no power to send for documents and books or to investigate as to the capital invested or the profits made. The Board are confined to the evidence laid before them. And how is that evidence obtained? A union selects one of its members because he is smart, capable, and straightforward; and, in all probability, he finds himself sitting on the opposite side of the table from his own employer. In the very nature of things, an employé in that position is not a free man, because he knows that, after the work is finished, he must look for employment. If he puts up a good fight for his fellow men, and obtains a decent award, it has, unfortunately, occurred in some cases, though I hope this is not prevalent, that he has been gradually shunted out of the industry.

Mr. POYNTON.—Such cases are always settled by compromise, because there is no one to give a final decision.

Mr. RILEY.—There is finality in New South Wales, because the appeal is to Judge Heydon's Court. For the reasons I have given, the workers of New South Wales are not favorably impressed with the Wages Board system. There is another reason why we, on this side, do not raise any serious objection to the decision being left to one man. In New South Wales Judge Heydon settles all the disputes, there being no appeal from the Industrial Disputes Court. Mr. Wade amended the Act, so as to make the decision of the Court final; and I think that Judge Heydon has been very successful, or, at any rate, there have been no protests raised. Under all the circumstances, we may, I think, congratulate the Opposition on their fair criticism. So far this has been a debate by legal members; and, doubtless, we could all find fault with the measure. It will be to

the interests of this Parliament to concentrate our best efforts upon this work so as to produce a Bill satisfactory to the people of the country. No Court in the civilized world has so much depending on it as an Arbitration Court, which can keep the wheels of industry revolving; and, as this Bill is an effort to that end, the majority of honorable members ought to support the Government. If we give the engine-drivers and firemen, for instance, no redress, they are in a position to bring about industrial chaos throughout the Commonwealth, seeing that they supply the power to every factory, every gold mine, and every coal mine. If the Federal Arbitration Court does not give them justice, we cannot blame them if they try to obtain it by brute force; and in the interests of peace and good government I trust the Bill will be passed.

Mr. JOSEPH COOK.—Is it not a fact that nearly all the strikes taking place to-day occurred after the Court had given a decision?

Mr. RILEY.—I do not think the honorable member is correct. There were no strikes in New South Wales under the old Act until the High Court decisions in the Brown case, and several other cases in the Newcastle district. When the Act was passed, the coal miners of New South Wales were the first to register; and, after occupying the time of the Court for months, they got awards which they accepted as satisfactory. The employers, on their part, decided to test the legality of the decisions in certain of the cases. I make the assertion that under the Arbitration Act of New South Wales there were not, so far as I know, any strikes during the first three or four years; at any rate, there were certainly no strikes until the High Court decisions, one of which had reference to the common rule in the Clancy case.

Mr. GLYNN.—That was because there was an industrial agreement which the Court could not extend.

Mr. RILEY.—That is so. Another decision of the High Court was that the Coal Miners' Union could not lodge a case on behalf of its members.

Mr. GLYNN.—The trouble there was that the members were not in employment at the time, and the High Court could not help the position, though it was rather unfortunate.

Mr. RILEY.—It was a mere slip owing to the fact that in one case there was cessation of work for a few weeks.

Mr. GLYNN.—It was rather a technical point.

Mr. RILEY.—Quite so; but there was a decision that the union could not lodge a claim on behalf of its members. The men naturally asked what was the good of recognising a Court that would not recognise their union, although the Act was based on the recognition of unions. From that decision came all the disaster; and, unfortunately, there was a Government in power in New South Wales at the time which was antagonistic to arbitration, and did not amend or renew the Act. This was a temporary measure for six years, and it expired by effluxion of time, the unsympathetic Government making no attempt to improve legislation which we knew was only experimental. The result is that we have had nothing but strikes, locks-out, and general industrial upheaval. Under the circumstances, I hope the Commonwealth Parliament will do its best to make the Act acceptable to the people of the country. If the High Court declares the amendments *ultra vires*, and thus completely annihilates the whole principle of arbitration——

Mr. DEAKIN.—It will not annihilate arbitration!

Mr. RILEY.—In the framing of the principal Act I give the honorable member for Ballarat credit for the best intentions; and we know that the late Mr. Kingston made strong efforts to procure an effective measure. If he were here to-day, I am sure that he would regret the many failures of the Act as the result of test cases brought before the High Court. Unless we can pass a Bill that will be beneficial and work smoothly we cannot expect either the industrial army of workers or the employers to be content. If we cannot secure arbitration for both sides on reasonable lines we shall have to return to the old method of settling disputes. I believe, however, that the position even under the existing law is infinitely better than it was under the old method of determining industrial differences. Two or three disputes have been settled even by the Federal Conciliation and Arbitration Court, and in that way great industrial upheavals have been averted. For example, the Court, after some years of fighting, has settled the trouble in the boot trade in a way that has given, I believe, satisfaction, whilst it has also effected settlements in regard to the pastoral industry and the seamen. In both those cases I believe the decision of the Court has given satisfaction.

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Mr. JOSEPH COOK.—Does the honorable member say that the Court has settled these troubles?

Mr. RILEY.—It has settled them for the time being. I am one of those who hope that our wants will never be settled for all time, and believe that as we progress and produce wealth with greater rapidity, the workers have a right to clamour for a larger return.

Mr. JOSEPH COOK.—Judging by the rate at which some of these cases have been settled, two or three disputes would occupy the whole time of one Judge.

Mr. RILEY.—There are many lawyers who would be pleased to be elevated to the Bench.

Mr. FAIRBAIRN.—We should need 100 to deal with all these industrial matters.

Mr. RILEY.—No.

Mr. LEAKIN.—There are 102 Wages Boards in Victoria alone.

Mr. RILEY.—I heard that for the first time a few days ago, and was much surprised. If the old State Arbitration Court under the New South Wales Act had been given a fair trial it would have been able to keep pace with its work, because it had dealt with all the big cases when an end was put to it.

Mr. DEAKIN.—The honorable member refers to the Court consisting of a Judge and a representative of the employers and a representative of the employés?

Mr. RILEY.—Yes. The Court, while it lasted was very satisfactory. I appreciate the arguments advanced by the honorable member for Angas, the honorable member for Flinders, and others who have dealt with the legal aspects of this measure. I believe that there is a great deal in what they have said. We can, however, only hope for the best. I trust that we shall give this measure a trial, and that when it becomes law, and a case relating to it is brought before the High Court, the Justices will not search section after section to ascertain what was the real intention of its framers, but will take the passing of the Act itself as an instruction that our intention is that crafts shall be recognised as part of an industry.

Sir ROBERT BEST (Kooyong) [5.17].—Perhaps one reason why honorable members opposite should seriously consider the passage of this measure has been supplied by the honorable member who has just resumed his seat. His speech, interesting as it was, was full of expressions of the gravest doubt as to the value of the Bill. First of all, the honorable member said it was wrong, and more or less courting disaster, to increase the already overwhelming duties of a one-man Arbitration Court. Then he feared that there were rocks ahead by reason of the constitutional difficulties standing in our way. All these difficulties he fully realized, but he invited us to join with the Government and their supporters in an effort to make the Bill as complete and effective as possible. My honorable friend spoke with a large experience, and the warnings given by him should of themselves be sufficient to induce honorable members to hesitate in their wild rush to pass this Bill. The honorable member for South Sydney realizes to the full the constitutional difficulties in the way, and the Opposition have been persistent in pointing out those difficulties to the Government and their supporters. We have asked them to realize that we are bound within the limits of the Constitution, and that therefore we have to consider the character of the measure that we can pass, having regard to those limitations. The Leader of the Opposition demonstrated the revolutionary character of the Bill, and he and other honorable members have shown conclusively that the proposed substitution of the craft union for the unit of industry practically means the recasting of the whole of the arbitration laws and amounts to a departure from the fundamental principles of those laws.

Mr. FENTON.—Is it a substitution that is proposed, or simply the inclusion of both industry and craft?

Sir ROBERT BEST.—It is practically a substitution that is proposed. The honorable member for Flinders ably and forcibly demonstrated that from a constitutional stand-point there are difficulties in the way of applying the craft principle to our present arbitration laws. The essence of the Constitution so far as this matter is concerned is contained in the provision giving us power to make laws with respect to conciliation and arbitration for the prevention and settlement of industrial disputes, and the Court has already held, as the honorable member for Flinders has pointed out, that "industry" implies the relationship of employer and employé. Thus, in this connexion we shall have, on the one hand, a craft union representative of the whole of Australia—for that is the object of this Bill—and, on the other hand, thousands of employers

without any cohesion and possessing no relatively common interest. Hence, there would not be in the ordinary course of affairs an "industrial dispute" as between the craft union, and the whole of the employers of Australia interested in any particular trade, unless it was artificially brought about, for the purposes of the Act. If there cannot be an "industrial dispute" in that sense there can be no constitutional power to deal with the dispute.

Mr. W. J. JOHNSON.—What about the Employers Federation?

Sir ROBERT BEST.—That is, in name, a federation of employers, but, in fact, is representative of only a limited number of the employers of Australia. Thousands of manufacturers and other employers of labour throughout the Commonwealth, have their own individual interests, but there is no common interest as between the one employer and the other. In these circumstances, therefore, this Bill contemplates a total departure from the fundamental principle of the idea of industrial disputes. It is looked upon with some degree of anxiety from this side of the House, because of that fact, and because also we believe that it subverts the Constitution. We believe that it destroys the scheme of the Constitution which gives to the Commonwealth certain arbitration powers in regard to large Inter-State matters, while it reserves full and complete power to the States themselves to deal with their own State industrial affairs. If this Bill is availed of to the fullest extent, by the whole of the crafts of Australia, then the power to deal with industrial matters is thereby transferred to the Commonwealth Conciliation and Arbitration Court, what industrial power can remain with the States? If the fullest advantage is taken of this measure, and if there is a craft union in connexion with every trade there will be practically no industrial power left to the States and the various industrial tribunals of the States will be mere obsolete machinery with practically nothing to do. This Bill, in such circumstances, would really subvert the Constitution, and must have the result of defeating the powers that were specifically reserved to the States themselves. It is difficult to see how it will be possible for an industrial dispute to arise as between the whole of the employers of Australia and the whole of the employés of a particular craft, yet that practically impossible condition of affairs is contemplated by this Bill. I am disposed to the view that, even if the Bill is passed, the awards must be confined to, and bind only, those employés who are contestants and parties to the dispute. Even if we assume that such an industrial dispute is technically possible, I am certain that the Bill is doomed to failure by reason of its utterly impracticable character. The Attorney-General stated that one of the objects of the Bill—and he urged this very strongly—was to cause the doors of the Federal Conciliation and Arbitration Court to be opened wider and wider so that it would be possible for every trade union to go to the Court at its pleasure. He then went on to argue that as a result there would be an award of a uniform rate throughout Australia in connexion with those respective trades.

Mr. POYNTON.—He never suggested anything like that. On the face of it the thing is absolutely absurd.

Sir ROBERT BEST.—I agree that it is absolutely absurd, but I will read what the Attorney-General said—

> Nothing is more conducive to disturbance than a differentiation in the rates paid to the men engaged in the same vocation, but in different industries.

He went on to say that he would take, as an example, industries *a*, *b*, *c* and *d*; all of a different character, but all employing a particular class of tradesmen who were members of one union.

Mr. POYNTON.—Under similar conditions.

Sir ROBERT BEST.—I am only stating what the Attorney-General said.

Mr. POYNTON.—No, the honorable member is misstating what he said.

Sir ROBERT BEST.—I have quoted from *Hansard*.

Mr. POYNTON.—I should like to see the quotation. The honorable member is not quoting from *Hansard* now.

Sir ROBERT BEST.—I am; it is unfortunate that the honorable member should contradict me when I tell him that I am quoting from *Hansard*.

Mr. POYNTON.—The honorable member said that the Attorney-General declared that the award would apply to the whole of Australia, and I said he did not.

Sir ROBERT BEST.—Does the honorable member suggest that the Attorney-General limited it to any portion of Australia?

Mr. POYNTON.—Yes.

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Sir ROBERT BEST.—The honorable member is wrong, because the Attorney-General did not limit it. He was talking of Australian industries in general, and I take him to mean what he says. He said that a differentiation in the rates paid to men belonging to the same union, but engaged in different industries, was calculated to cause serious discontent, and from that stand-point he urged the payment of a uniform rate. I can quite understand that, from a constitutional standpoint, the Attorney-General would do so. To have uniform rates for the whole of Australia, which is really one of the objects of the Bill, would be outrageously unfair. It would be unjust to fix for engine-drivers, carpenters, plumbers, and others working at Kalgoorlie the same rates as were paid to similar artisans in Victoria or New South Wales, where the cost of living is 30 per cent. less.

Mr. W. J. JOHNSON.—Did the Attorney-General suggest uniform rates?

Sir ROBERT BEST.—I can only quote his words. If the Bill is going to bring about the imposition of uniform rates, the amendment inadequately expresses its outrageous unfairness. Do honorable members consider that there should be discrimination, the Court declaring one rate for Victoria, another for Tasmania, and so on?

Mr. POYNTON.—The application of the common rule does not mean the imposition of a uniform rate everywhere.

Sir ROBERT BEST.—There is no common rule so far as the Commonwealth is concerned.

Mr. POYNTON.—The Court discriminated in making the shearers' award.

Mr. FENTON.—And in the Bootmakers' case.

Sir ROBERT BEST.—The award in the Bootmakers' case was binding only on the contestants, but they brought their influence to bear on the Wages Boards and other industrial tribunals to extend its universal application throughout Australia, and, so far as Queensland was concerned, time was given to permit of rates being raised to the uniform standard fixed by the award.

Mr. ROBERTS.—Does the honorable member deny that the Court has the power to discriminate?

Sir ROBERT BEST.—In discriminating, the President expressed the gravest doubt as to his power to do so, but his award has not been challenged. If we provide for discrimination, we increase our constitutional difficulties. The Constitution provides for absolute and complete freedom of trade throughout Australia. Section 92 enacts that—

> On the imposition of uniform duties of Customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

Section 51 empowers the Parliament to make laws with respect to trade and commerce with other countries, and among the States, but with it must be read section 99, which says that—

> The Commonwealth shall not, by any law or regulation of trade, commerce, or revenue, give preference to one State, or any part thereof, over another State, or any part thereof.

Again, section 51 empowers the Parliament to make laws with respect to taxation—

> But so as not to discriminate between States or parts of States.

While there is the greatest doubt as to whether there can be an industrial dispute under this Bill, it is certain that the Court is governed by paragraph xxxv. of section 51, which empowers the Parliament to make laws with respect to—

> Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State.

And it cannot, as is frequently done, call to its aid the other sections of the Constitution referring to trade and commerce, because they specifically declare that there shall be no preference or discrimination. This is not a new contention; it is an *obiter dictum* of the President himself. The constitutional pitfalls in our way are numerous. If, with craft organization, there are to be uniform rates, there will be no trouble, but the exercise of discrimination must mean the hampering of trade and commerce. The Bill makes it possible for every trade to register as an organization, and, as a consequence, all industrial power will practically be transferred to the Arbitration Court, which is against the scheme of the Constitution, and will be fraught with the gravest difficulty and danger. Victoria, after fifteen years' experience of Wages Boards, has discovered that awards should not in every industry cover the whole field, and that it is necessary to deal separately with branches of industries, and with particular areas. In January last, it was provided by the State Parliament that—

> Where a resolution is passed by both Houses of Parliament declaring that it is expedient to appoint any Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed anywhere in Victoria (whether in a factory or work-room or not) in any process, trade,

business, or occupation, or any group or groups of processes, trades, businesses, or occupations specified in the resolution, the Governor in Council may, if he thinks fit, from time to time—

(*a*) appoint one or more Special Boards for any process, trade, business, or occupation so specified, or for any branch or branches thereof, or for any group or groups thereof; and

(*b*) define the area or locality (including the whole or any part or parts of Victoria) within which the determination of each of such Special Boards shall be operative; and extend or re-define any such area or locality; and

(*c*) as between any two or more Special Boards, adjust the powers which such Boards, or any of them, may lawfully exercise, and for that purpose deprive any Special Board of any of its powers and confer them upon any other Special Board.

It has been found impracticable to impose uniform rates, even for Victoria. Except in a few industries, awards are confined to branches of industries, or to particular localities. In regard to engine-drivers, there have been appointed in Victoria Boards, one relating to gold-mining and coal-mining, and another dealing with all the factories throughout Victoria. It is competent for the last-named Board to determine that an engine-driver in one factory shall be paid a particular rate, and an engine-driver in another factory a particular rate; but coal-mining engineers and gold-mining engineers are dealt with by a particular Board of their own. In this connexion, a differentiation in the rates takes place, and a higher rate is paid for drivers in charge of winding engines, because they carry human freight. There are two Printers Boards in Victoria, one of which deals with the cities and towns, and the other with the country. We have the same experience with regard to saddlery and sawmilling. The power which the Governor in Council possesses of taking away certain powers given to one Board and transferring them to another, for the purpose of adjustment, has been exercised in two or three cases, such as that of the Carters Board, where quarrymen carters were attached to the Quarrymen's Board; and pastrycook carters were attached to the Pastrycooks Board. In this State Wages Boards have the power to deal, not only with industries over the whole State, but with the same industries, in detail, in various portions of the State where different conditions exist.

The Prime Minister and the Attorney-General spoke in high terms of the success of our Arbitration Court. I am prepared to say, at once, that any success that has been achieved by the Court has been achieved through the distinguished ability of its President, and that the work has been done, as far as he has been able to do it, ably, thoroughly, and conscientiously. The Attorney-General went on to say that "no testimony could be more eloquent as to the value of the Court than that all the unions are trying to get into it." Will my honorable friend think for a moment why this Court has become so remarkably popular? In existing circumstances, we cannot blame the unions for their anxiety to get into it as soon as possible. We cannot ignore the circumstance that the President of the Court has seen fit, no doubt in the conscientious discharge of his duty, to make generous awards so far as the workers are concerned, based, of course, on the present highly prosperous condition of Australia. I am not attempting to cavil at what the learned President of the Court has done; but the fact remains that, as Artemus Ward once said, there is a great deal of human nature about men; and consequently, as it has been the universal experience to secure very generous treatment at that Court, there is naturally a great desire to get into the Court. That fact has been brought about by reason of the *personnel* of the President of the Court. The Labour party, however, has not been always so anxious to have these cases dealt with by judicial tribunals, nor have these Courts always been so popular. I can refer to an unfortunate experience, so far as the Industrial Appeals Court of Victoria was concerned. In one case, an appeal was made to it from the Artificial Manures Board determination, which awarded 40s. 6d. to certain workmen for a certain class of work. The Court was presided over by one of our leading Judges, and a man equally as conscientious as is the President of the Arbitration Court. He saw fit to reduce the award from 40s. 6d. to 36s. The result was that he was most maliciously attacked in labour circles, and an agitation was started for a repeal of the Act. The Judge threatened to resign his position; but I believe a compromise was brought about whereby those good things which were enjoyed by him were to be shared in turn by each member of the Supreme Court bench. However, as a consequence, this industrial tribunal became quite an unpopular Court. We, therefore, must not be led away by the passing popu-

larity of the Commonwealth Conciliation and Arbitration Court. If one or two adverse verdicts or awards were given, the probabilities are that the experience of the Victorian Court would be repeated. I say this, because there is always a band of agitators ready to misconstrue what is done, and whose aim in life is to create discontent. While the conception of the Arbitration Court was great, and the anxiety of all of us was to secure a tribunal for the peaceful settlement of industrial disputes, and to put an end, so far as we possibly could, to locks-out and strikes, the experience in connexion with that Court has not been so completely satisfactory as one could wish. In fact, the experience of Arbitration Courts generally has caused us to think very seriously whether our ideal has been realized to the extent that we could have desired.

Mr. MATHEWS.—It was only because of its limitations.

Sir ROBERT BEST.—There are no such limitations in New Zealand, and I desire to tell the honorable member the result of arbitration proceedings there. That country, so far as its general economic conditions are concerned, is on very similar lines to our own.

Mr. MATHEWS.—I was alluding to Australia.

Sir ROBERT BEST.—I propose afterwards, if the honorable member so desires, to deal with our experience of arbitration in Australia. Let me first deal with New Zealand. I regret to have to say that there is a certain section in the community, whom I call political unionists, who are all for arbitration so long as the awards are in their favour, but so soon as the awards are not in their favour, no one is stronger in condemnation of arbitration than they are. That tendency has gone so far that these tribunals have been ignored, and in a number of cases awards have been defied instead of being generously accepted as it was anticipated under the provisions of the arbitration scheme that they would be.

Mr. MATHEWS.—Does not the honorable member see that they are human beings?

Sir ROBERT BEST.—I have admitted it, but arbitration cannot bind one side and not the other. The idea and scheme of arbitration is to arrive at a peaceful settlement by a determination which both sides are in honour bound to accept, whether it is for or against them. The following interesting extract from the *New Zealand Dominion* of 7th October, 1911, has come under my notice:—

A STRIKE COMING.
BIG INDUSTRIAL UPHEAVAL.
WORKERS TIRED OF THE COURT.
LABOUR LEADER'S OPINION.

Mr. POYNTON.—We want to know who wrote the article.

Sir ROBERT BEST.—The extract contains Labour leaders' opinions, which I do not despise, if honorable members opposite do.

Mr. SCULLIN.—They may be misquoted.

Sir ROBERT BEST.—Does the honorable member say they are misquoted before hearing them?

Mr. SCULLIN.—I guess that they are. We have had that experience here.

Sir ROBERT BEST.—I shall read them, and honorable members can verify them for themselves—

The statement made by the Honorable J. A. Millar in the House of Representatives yesterday in which he admitted that the Arbitration Court had failed to achieve in full the purpose for which it was intended has caused employers and labour leaders to think more than a little. When the Arbitration Act was first made law, unions crowded one another in their eagerness to register under it, but nowadays, as Mr. Millar admitted, the larger unions were one by one cancelling their registration, until presently there would be none left. His opinion was that the cause of the defection was the constitution or the *personnel* of the Arbitration Court.

Mr. MATHEWS.—Aha!

Sir ROBERT BEST.—Exactly. An honorable Judge of the Court, in the conscientious discharge of his duty, did not happen in all his decisions to make awards in favour of the men, and consequently he is to be violently attacked and condemned. That is my honorable friend's position.

Mr. MATHEWS.—His language at all times is biased.

Sir ROBERT BEST.—That is a most unfair thing to say—

He thought confidence in the Court might be restored if some one of great industrial experience, not a lawyer, were made President of it.

Mr. HOWE.—A most sensible thing.

Sir ROBERT BEST.—But honorable members opposite are now wildly infatuated with a Court which is presided over by a lawyer—

Mr. E. J. Carey, Labour candidate for Wellington North, when asked by a representative of this paper to state his views on the Minister's statement, declined to deal with it at length. He said that the subject had been exercising the minds of trades union officials for

some time, and that he was prepared to speak on the subject at his next election meeting on Monday. Labour, said Mr. Carey, had a constructive policy on the subject, more far-reaching than a mere change of the *personnel* of the Court as indicated by the Minister.

TOO LATE.

Mr. M. J. Reardon, Labour candidate for the Hutt seat, was more communicative. "It is not the Act so much as the Judge of the Court that is creating the hostility that is now apparent," he said, in answer to a question.

That is to say, a Judge who honorably, honestly and conscientiously does his duty is at once condemned—

Unfortunately the Minister has discovered the true position too late. The agitation from the Labour side against existing conditions has now developed until it has become an agitation against arbitration. Primarily it was an agitation against the decisions of the Court. From this it has been an easy transition to the conclusion that arbitration is not as good as the strike, and in view of the fact that the majority of the workers in New Zealand have had no practical experience of the strike for the last twenty years, the new creed is being swallowed. I am satisfied that nothing that is now done by Parliament or by anybody else will stall off the impending disaster of a strike. My own opinion is that it will come about the end of the present year, and that when it does come it will not be among those who have condemned arbitration so much, but among men who have given the present Court several trials. This view as to the early occurrence of the strike is not shared by a good many in the Labour movement. They think it is rather farther away than that—probably five or six months hence. An arrangement has been made to place the decisions of the Trades Conference before the Prime Minister, but, unfortunately, owing to his illness this had to be postponed. I had been entrusted with the task of dealing with the grievances of the unions against the President of the Arbitration Court. I felt that the task was an extremely painful one, but still we are all agreed that it is one that has become necessary.

What I think is due to happen is a very serious industrial upheaval, and then it will be for the Parliament of this country to determine whether the Act will be retained for the protection of unskilled labourers and women workers, or whether the action of those who have endeavoured to wreck the arbitration system is to be allowed to prevail. Of course, we realize that there are certain unions that can act unitedly and independent of protective legislation. They can have their agreements observed by resorting to force, but there are many such organizations not so situated. If these workers had not the course of law behind their industrial awards, free contract would prevail as between master and employé. And this would be to the detriment of the employés in those trades. My opinion about the cancellation of registrations of the unions is that the unions who take this step ought to have some consideration for the classes of labour that are not independent of the law, and that while they are warranted in withdrawing from the Act, since they feel that they can do better outside its scope, they are not warranted in creating an impression that the strike is preferable to arbitration for New Zealand experience is in the contrary direction. I hope that the Arbitration Act will be retained, but whether or not any alteration is now made in the *personnel* of the Court I am satisfied that we cannot undo the mischief that has been done in the last three years. This cannot be undone by anything short of a strike, and a strike will surely come. The fact is that every union in New Zealand is distrustful of Judge Sim, and having once made up their minds about this, they look round for a better method. Then they hit upon the strike. The strike notion has got into their blood, and nothing we can do can prevent a strike from happening.

He goes on to show that Conciliation Councils are of no value. What, however, I want to urge, is that amongst the Labour party in New Zealand, the value of arbitration settlements—and I regret that it should be so—has been seriously shaken. The Act came into force some twenty years ago, and worked very well for a while, but latterly there have been such protestations in favour of striking that the whole value of the legislation has been doubted. Indeed, it became necessary that an Act should be passed to strengthen the law. The new law came into force in 1908. It was, however, defied within twelve months. The case which arose out of the defiance of it was, I think, either the case of the miners, or one in connexion with the frozen meat industry. In the latter case, the slaughtermen were paid something like £1 for 100 freezers. They were able to earn something like £5 or £7 a week. When the award had nominally expired, but was in actual operation, and before a new award had been made, the slaughtermen determined on a strike, insisting on the payment of 25s. per 100, which would enable them to earn something like £7 to £10 per week. The point that I am urging in this connexion is that this is typical of several instances where strikes have lately taken place in New Zealand, and where parties have not been prepared to abide by the award of the arbitration tribunal, which was established with the express purpose of avoiding strikes. In New South Wales, the arbitration system came into operation in 1901, and within twelve months there was a serious strike.

Mr. SCULLIN.—Can the honorable member quote the case of a strike under the Commonwealth Act?

Sir ROBERT BEST.—I am dealing with the principle of industrial arbitration, and the reluctance of political unionists, when awards are given against them, to accept the wages paid under those awards.

Mr. SCULLIN.—Every award under the Commonwealth Act has been abided by.

Sir ROBERT BEST.—How many awards have there been under the Commonwealth Act?

Mr. SCULLIN.—Every one has been abided by.

Sir ROBERT BEST.—I believe that, under the Commonwealth Act—I speak subject to correction—there have been but three awards. One was an award affecting the shearers, the second affected the shipping trade, and the third was the bootmakers' award. We had better not probe too closely as to the shipping award at present, because connected therewith, to some extent, is a pending strike which is *sub judice*. The award affecting the bootmakers was only nominal, because it related to the contestants alone. Under all these awards, however, the workers have reaped substantial advantages.

Mr. FENTON.—Because they deserved them.

Sir ROBERT BEST.—I am not disputing that for a moment. What I am saying—and what I hope I am proving—is that when these awards have not been in favour of the workers, in several cases strikes have followed.

Mr. FENTON.—Where?

Sir ROBERT BEST.—In New South Wales, Victoria, and, particularly, Western Australia. As my honorable friend is so anxious to learn, I will give him some particulars. A compulsory Arbitration Act was passed in New South Wales in 1901, and within twelve months, there was a strike on the part of the Australian Workers Union. In January, 1904, there was a strike on the Teralba coal-field. An award came into force on the 1st of that month, and the men struck on 3rd January. One hundred and twenty men were summoned for a breach of the award, but the case was dismissed on the technical objection that the award had not stipulated that the men must work. Again, in 1904, there was the Newcastle strike. In that case 252 wheelers went out, refusing to work, and something like 5,000 to 6,000 miners became idle.

Mr. CANN.—Were they under an award?

Sir ROBERT BEST.—It was competent for the men to avail themselves of this peaceful tribunal which had been established for the purpose.

Mr. CANN.—They could not get there.

Sir ROBERT BEST.—They could have got there.

Mr. CANN.—No; they could not. An application was made to the Court to sit at Newcastle, and it was refused.

Sir ROBERT BEST.—My honorable friend knows very well that if there had been any great anxiety on the part of the men to have their case heard by the Arbitration Court, there would have been no difficulty in doing so. Ultimately, the Court made an order that the wheelers were to go back to work, and that if they declined, the miners should do their own wheeling. But the order was disregarded, both by the wheelers and the miners. The point that I am trying to illustrate is that the men in some cases, have not been prepared to accept awards of the arbitration tribunal, and that they have not, in other instances, seen fit to resort to this tribunal, which was constituted for the very purpose of the pacific settlement of industrial disputes. I need hardly remind honorable members of the Peter Bowling strike of 1909, with the facts of which they are familiar. We have also had experience of arbitration in Western Australia. The awards of the Court in that State have chiefly dealt with mining and saw-milling. The general experience there has been that when the awards were in favour of a union they were accepted, but when they were not favorable, they were defied. In Victoria the same antagonistic spirit has prevailed, fortunately in only some two or three cases. In the case of the Plate-glass Bevellers Board a certain award was made granting, I think, 48s. per week to the men. They went on strike, demanding 60s.

Mr. SCULLIN.—The honorable member is now arguing against Wages Boards.

Sir ROBERT BEST.—I am in favour of Wages Boards; but no scheme can succeed unless there be a general anxiety on the part of both employers and employed to make such peaceful settlements successful.

Mr. FENTON.—Why do not the employers register under the Federal Arbitration Court?

Sir ROBERT BEST.—The employers have accepted awards of the Court.

Mr. FENTON.—Why have they not registered?

Sir ROBERT BEST.—I do not know whether they have or not. But I do know that in those industries where employers have been cited to the Court they have accepted the decisions. In Victoria, in

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1910, there was a strike of the men in the Timber Sorters and Stackers Union, notwithstanding that they were affected by an award. Under these circumstances, I venture to contend that, unless there is going to be a willingness, and even an anxiety, on the part of all sides, to accept this means of settlement, we cannot possibly hope for success. I firmly believe that the awards would be accepted by the workers generally were they not badly led, and if discontent were not generated by paid agitators. The Wages Board system is completely in harmony with the Federal Constitution, which reserves industrial power to the States alone. The Wages Boards have been successful in this State, except in one or two cases.

Mr. MATHEWS.—It takes a long time to get a decision from the Wages Board. Sometimes men have to strike to get a decision.

Sir ROBERT BEST.—Where it takes a month to get a decision from a Wages Board, it takes twelve months, or even two years, to get a decision from the Arbitration Court.

Mr. W. H. IRVINE.—And another year to upset the decision, when given.

Sir ROBERT BEST.—As my honorable friend reminds me, it very often happens that, as soon as a decision is given, steps are taken to upset it. The experience of Victoria has been such that we are warranted in building our peaceful efforts towards industrial settlement upon these lines. According to an official return, up to December, 1909, a total increase of £3,500,000 has been paid to the workers under the determinations of Wages Boards; and I have no hesitation in stating that the total increase to the present time has approached £5,000,000. We have the experience of the working of Wages Boards to guide us.

Mr. MATHEWS.—The honorable member has talked about men receiving wages peacefully. There is always peace when the lamb is inside the tiger.

Sir ROBERT BEST.—There may have been abuses; but no one claims perfection for the Wages Board or any other tribunal. In my opinion, the scheme of this Bill is wrong, and the time has arrived when, in the light of our experience, not only under the Federal Arbitration Act, but also under the Wages Board system, we should take Wages Boards as the foundation of our industrial system; and, from that foundation, build up a means of dealing with disputes. No one is more anxious than I am that we should deal with the subject in a comprehensive and thorough way, I think that the Arbitration Court is not as satisfactory as it might be; and the remarks of honorable members on the other side have confirmed my opinion. I, therefore, wish to recall a scheme which embodied my opinion, and the view of my colleagues at the time, as to the proper means of dealing with this question. Our first aim was to encourage the States to deal with industrial matters; next, it was essential that a Federal tribunal should be constituted for the purpose of co-ordinating wages, having due regard to economic conditions, as far as possible, and removing the causes of unfair competition or differences between several States.

Mr. SCULLIN.—Can we do that under the existing Constitution?

Sir ROBERT BEST.—We intended to establish an Inter-State Commission. The Bill which I had the honour to introduce in the Senate provided that an Inter-State Commission, consisting of three persons, might call in experts or assessors in order to aid them in dealing with a particular industry, or that any member of that body might call to his aid these experts or assessors for the purpose of dealing with a special industry. It would, of course, deal with cases referred to it, and with appeals, and would possess original jurisdiction where no industrial tribunal existed in any State. Our idea was that legislative power should be given to the Inter-State Commission.

Mr. MATHEWS.—From this Parliament?

Sir ROBERT BEST.—Yes.

Mr. MATHEWS.—We have not the power to do ourselves what the late Government proposed to empower the Inter-State Commission to deal with.

Sir ROBERT BEST.—Our idea was, that, as power is given to the Governor in Council of a State, to deal in detail with Wages Boards, and with various industries, to bring about their complete adaptability to the conditions of the industries, the Inter-State Commission should have power to deal with the immediate conditions of each industry and, having regard to such conditions, to legislate accordingly in all those cases within its jurisdiction, including, of course, disputes extending beyond one State to another. That was proposed to be done in our Bill. The honorable member for Melbourne Ports

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takes the objection that, under the present Constitution, we have no power to do that. I would remind him that we have the power to do it in this way.

Mr. Archibald.—What would the High Court have said of your wonderful Commission, when you had fixed it up?

Sir ROBERT BEST.—The High Court would have been deeply indebted to Parliament for creating, pursuant to the terms of the Constitution, this additional piece of constitutional machinery.

Mr. Wise.—Why did not the late Government create it?

Sir ROBERT BEST.—Because we did not have the opportunity.

Mr. Wise.—You had, but you dropped the Bill in the Senate.

Sir ROBERT BEST.—We did nothing of the kind.

Mr. Wise.—You did.

Sir ROBERT BEST.—The honorable member is very dogmatic, and, of course, he knows everything.

Mr. Wise.—I know that it is a fact.

Sir ROBERT BEST.—The honorable member knows nothing of the kind. Honorable members are aware that, under the terms of the Constitution, it is possible for the States to delegate any legislative power to the Commonwealth Parliament.

Mr. Mathews.—They would tell us to go to Gehenna if we asked them to do so.

Sir ROBERT BEST.—The late Government arranged with the State Governments for the delegation to this Parliament of the necessary constitutional powers to establish the proposed Inter-State Commission.

Mr. Wise.—But they have never done so to this day.

Sir ROBERT BEST. — Of course, they have not. Had it not been for the calamity which shifted the last Government from office there is not the slightest doubt that this Parliament would now have the constitutional power to carry out a scheme which would be in harmony with the experience, and, I venture to say, the wishes, of the honorable member for South Sydney.

Mr. Mathews.—After going cap-in-hand to the Legislative Councils.

Sir ROBERT BEST.—By that means the necessary constitutional powers would have been secured. If that agreement were not carried out, we intended, as we announced at the time, to apply to the people for the necessary alteration of the Constitution.

Mr. Deakin.—Hear, hear!

Mr. Scullin.—Does not the honorable member know that the first attempt which was made in Tasmania was defeated by the Upper House?

Sir ROBERT BEST.—I do not see that that touches the point at all. If the Tasmanian Parliament would not agree to the delegation of the requisite constitutional power to the Federal Parliament, we proposed, with the sanction and the co-operation of a majority of the States, to ask for an alteration of the Constitution.

Mr. Scullin.—You would have done what we tried to do last year.

Sir ROBERT BEST.—There was the definite policy of the late Government to establish a means of securing industrial peace in the country. Since the Arbitration Court has become clogged, and we realize that, in nine cases out of ten, the President exercises the functions of an industrial expert rather than those of a Judicial Court, I do feel that the time has arrived when we should constitute a different tribunal. I strongly urge upon the House that an effective solution of this trouble is to have an adaptable tribunal, that is, a tribunal representative of employer and employé, with a Judge as chairman, and capable of exercising the functions of industrial experts, and with a knowledge of the industrial conditions in each trade. It would also be capable of exercising the legislative powers which are now exercised by the Arbitration Court. A Board of that character is, I venture to think, likely to succeed where the present tribunal cannot hope to succeed. If, by the passing of this Bill, we create additional work, and practically concentrate the control of all industries, in the Arbitration Court, we shall court failure and disaster, do injustice to the States, and subvert the Constitution, without advancing a scheme for securing industrial peace. The measure will, I fear, create means for further dispute, and the worst and most barbarous forms of strikes and locks-out.

Sitting suspended from 6.25 to 7.45. p.m.

Mr. HEDGES (Fremantle) [7.45].—It has been clearly shown on both sides of the House, especially by the honorable member for Flinders, the honorable member for Ballarat, the honorable member for Darling Downs, the honorable member for Angas, and others, that the proposed amendment of the Conciliation and Arbitration Act is more likely to increase than to reduce complications. I feel certain

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that the greater part of the people in Australia would welcome a solution of the present difficulty. No doubt industrial peace would be more than acceptable in any country, but the means by which to obtain it seem far away at present. The alteration of the definition of "industry" to include trades and callings will not, in my opinion, in any way reduce the trouble. The Federal Conciliation and Arbitration Court, and, I may say, some of the State Arbitration Courts, appear to have created difficulties instead of removing them. The Prime Minister said that but for the Arbitration Court there would have been many more disputes; but I do not agree with him, seeing that disputes have been created purposely to bring questions before the Courts both of the States and the Commonwealth.

Mr. WEST.—That is a compliment to the Arbitration Court.

Mr. HEDGES.—It is something like the compliment that the people in America paid, when, in order to start a cemetery, they had, in consequence of the healthy climate they enjoyed, to kill a man. The dispute in the timber trade in Western Australia was referred to the Arbitration Court of the State, but the decision was not accepted by the men. They held out for months, and agitators were sent all over Australia in an endeavour to prove that the trouble extended beyond the limits of a State. We all know that, when the matter was referred to the Federal Arbitration Court, no redress was given; and, in the end, an amicable arrangement was arrived at between the employers and the employés, who have been working very well under it ever since. I can also instance the arrangements made from time to time between the employers and the lumpers at Fremantle, and similarly in the mining industry at Kalgoorlie, without resort to arbitration. We may say that there has been industrial peace at Kalgoorlie from start to finish, so far as the miners are concerned, simply because both sides have the common sense to pick out their best men to meet together and fix up some reasonable settlement somewhat on the lines of the Victorian Wages Boards. All these are mutual arrangements made without reference to any Act of Parliament. In the past employers have been compelled to obey awards, but I know of no means by which employés can be compelled to obey them. The latter generally obey an award if it suits them, and at no other time; and I do not think there is any honorable member who could suggest how compulsion could be exercised. It is the old story of the man who said, "I do not believe in arbitration, for did we not refer our case to arbitration, and it went against us?" There is a general feeling amongst the men against both the State and Commonwealth Arbitration Courts; and there is no doubt in my mind that the Wages Board system, as adopted in Victoria, is the best possible means devised up to the present for obtaining industrial peace. In the case of the Wages Boards, so much can go unsaid, because each side sends representatives who thoroughly understand the subject, whereas, when they go before a Judge, both sides are practically fooling that Judge, and whoever can fool him most gets the best decision. As one of the present Judges of the High Court said, when speaking of the Inter-State Commission, "it must be recognised that legal knowledge is not necessary, or is not the best knowledge, for the settlement of commercial propositions." I should like Parliament to be able to approach a question of this kind without any quibbling, and devise some means, not only for settling disputes, but for suppressing the men who live by creating trouble between the two parties.

Mr. HOWE.—It is a very poor living.

Mr. HEDGES.—I have never tried it; but, perhaps, the honorable member speaks with authority. Throughout my life, I have always endeavoured to work amicably with employés, and have succeeded fairly well. If we are to have industrial peace, we must find a way to suppress those irresponsible men who try to bring themselves into notoriety at the expense of the trade unions or the employers. That class of agitator or person should be treated somewhat in the same manner as are offenders under the Licensing Act. Those who deal in liquor have to do so within certain hours and under certain conditions, and if they transgress the law they come under its penal provisions. I fail to see why the agitator, who is outside the limits of the Conciliation and Arbitration Act—who runs, as it were, a little union on his own—should not be treated just as the sly-grog seller is. I believe that every union, or body of men, registered under a Conciliation and Arbitration Act would join in demanding that such people should be subject to the penal provisions of the law.

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Mr. MATHEWS.—The honorable member knows very well that if it had not been for agitators the workers would never have obtained any redress of their grievances.

Mr. ROBERTS.—The pastoralists have just paid £30,000 to the lawyers to come between them and justice.

Mr. HEDGES.—I am not going into those questions more than to say that that money would not have been taken out of those people's pockets had it not been for the Federal Arbitration Court. In Victoria, there are about 100 Wages Boards doing good work; and I am glad to say that the system is being adopted in other States. It may be said that unions would be in a better position if they were registered under the Conciliation and Arbitration Act; but I believe they will never be a success until they are built on a different foundation. What I mean is that competency should be the first consideration, especially when a handicraft is in question. Much has been said here about lawyers, chemists, doctors, and others belonging to unions; but we have heard little of what members of these professions have to go through before they are admitted. They have to spend a great part of their lives in study, as many honorable members know from personal experience, and until they have passed examinations and shown their competency they are not allowed to be members of the profession. It would be better if the old system, once in vogue in England and other places, were adopted. I should like to see the time when young fellows would have to serve a certain term and prove their competency before being allowed to join a union. Under such circumstances, employers would be only too pleased to apply to the unions for men. I know of very few unions in which numbers are not considered before competency. I should like to see competency made the key that would open the door to the joining of a union. Under the old English system, it was impossible for a man to join a guild unless he could produce his indentures, bearing the signature of his late employer, to prove that he was a competent tradesman. Indeed, in those days a man could not obtain a position in London without producing his indentures. There is a time in the life of every young fellow when he thinks that he is hardly dealt with because he is compelled to stick closely to his calling, trade, or profession. Parents have a lot to do to keep their sons up to the mark, so far as their trade or profession is concerned, at a certain period of their lives; but in nineteen cases out of twenty these young fellows live to thank their parents for having kept them up to their work. If parents would adopt the same attitude nowadays, then young fellows, having completed their course, would join unions, and the unions would be looked upon as something worth registering and worth having in Australia. But what is the position to-day? In many cases, a union will demand the reinstatement of an incompetent man, or a man who has broken the working rules of his employer. I know of an instance where it was part of a man's work, one Sunday out of ten, to attend to some horses.

Mr. HOWE.—On a Sunday?

Mr. HEDGES.—Yes; even horses eat on Sundays. There were about ten drivers in the employ of the firm in question, so that each man had to go on duty about once in every ten Sundays, and he took the pay for that Sunday work. One of these men, however, left the horses without food one Sunday, and they were going out on the Monday morning without food or drink, when this neglect was discovered. When the man offended in this way a second time, he was discharged; but his brother drivers demanded that he should be reinstated, and that the man who dismissed him should be put off. That is the sort of thing that brings a union into disrepute. I may mention that the overseer was not put off, and that when the bulk of the men, other than the drivers, employed by the firm heard the facts, they said that the offending driver should be sent about his business. The awards of the Arbitration Courts, as at present constituted, will never be enforced, so far as the employés are concerned, until they are required by law to deposit with the Court a certain amount, to be forfeited in the event of disobedience of an award. A private employer, or a company, has assets which may be levied upon in respect of any fine for disobedience of an award; but as long as the position is as one-sided as it is at present, we shall never have industrial peace.

Mr. PAGE.—What amount does the honorable member suggest should be deposited with the Court by a registered organization?

Mr. HEDGES.—As a first step, I would suggest that, instead of calling upon the offending organization to pay a fine, we should disfranchise every member of it until after the next ensuing election. If the men were called upon to pay a fine, their wives

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and families might suffer; but if they knew that disobedience of an award would lead to their disfranchisement, they would think twice before they disobeyed it. Such a form of punishment would also bring to bear upon the men another important influence in that it would cause members of the Labour party, who represent these unions, to say to them, "Obey the awards of the Court, for if you do not, there will be no one to vote for us at the next election."

Mr. PAGE.—Does not the honorable member recognise the one-sidedness of his proposal? He would disfranchise thousands of employés, but let the employer go unpunished.

Mr. HEDGES.—The Act provides for penalties running up to £500, and in some cases to £1,000, for disobedience of an award, and I have already pointed out that the assets of an offending employer could be levied upon.

Mr. PAGE.—Then how does the honorable member account for the attitude of the pastoralists in the Conciliation and Arbitration Court?

Mr. HEDGES.—Surely I am not to be held responsible for everything that takes place in this country. Owing to special circumstances workers in different industries in Australia often receive higher rates of pay than would be awarded by any Arbitration Court. Having been through the Broken Hill rush, and also the Kalgoorlie rush, I can speak from experience. In the first-named case men were able to leave Adelaide at night, and to arrive next day at Broken Hill, where they found waiting them work for which they received three times the wages that were offering in the city from which they came. No award made by a Court could meet special circumstances of that kind. The position was the same at Kalgoorlie, where, perhaps, the highest wages ever paid in Australia, were paid in the early days. Men could earn there within a fortnight of their arrival sufficient to pay for their passage from the eastern States to Fremantle, and their railway fare thence to the gold-fields. I hope that we shall have many such rushes, for I like to see new districts developed, and new towns springing up. Men so situated would not be so foolish as to say, "We are governed by an award made by the Conciliation and Arbitration Court in Melbourne." With them it would be a question of supply and demand, and they would have a right to take advantage of the position.

Mr. CANN.—And strike?

Mr. HEDGES.—There is no question of a strike involved. Where there are five or six jobs looking for every man, higher wages are paid than where there are five or six men offering for every job.

Mr. CHANTER.—What wages would the men receive where the supply was greater than the demand?

Mr. HEDGES.—That can not be regulated by Acts of Parliament. I fear that we are legislating on the foundation of our continued prosperity. We have enjoyed a time of great prosperity, and long may it continue; but with a bad season or two there would be nothing to refer to the Conciliation and Arbitration Court. The attempt now being made to control from one centre all the industrial concerns of this great continent is something like trying to establish a successful irrigation scheme by running all the waters of a State into one given place, instead of impounding it in the several districts where it could be successfully used. Half-a-dozen rivers might be running into one stream, and on each of them a good irrigation system could be established. But what would be the position if we passed an Act of Parliament declaring that the people should divert all the water to one centre whence it could be pumped back to the points at which it ought originally to have been conserved, and at which it could be advantageously used? That is really what the Governments are trying to do in regard to industrial legislation. They are trying to bring the whole control of the industrial life of Australia into one given centre, whence it is to be pumped out again all over the Commonwealth, and sprinkled over every State. I should not be surprised to see in one of our comic papers a cartoon depicting a huge Commonwealth squirt spraying industrial awards all over the State. The Government and their supporters would have us believe that this system is to be carried out without cost to those concerned, but one of their number has admitted by way of interjection that it cost £30,000 to settle one industrial dispute through the medium of the Commonwealth Conciliation and Arbitration Court. Surely so expensive a system cannot be beneficial either to employés or employers. The best system to adopt is that of State control as far as possible. A uniform system of Wages Boards in all the States would be the foundation of industrial peace. Wages Boards, dealing with the same callings, are also

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necessary in different parts of the States, because local knowledge is always required in the settlement of local troubles. If there were a uniform system of Wages Boards for Australia, the settlement of industrial troubles could be left to them, with an appeal to the County Court Judges when there was disagreement, the Judges having the right to refer Inter-State disputes to the Commonwealth Arbitration Court. The provision in the Constitution enabling this Parliament to make laws with respect to conciliation and arbitration did not contemplate the establishment of a Court for dealing with all the trivial disputes purposely created by agitators. It was the settlement of disputes extending beyond the area of one State in regard to businesses like shipping that the framers of the Constitution had in mind. The success which Wages Boards have achieved in Victoria is attested by the fact that the system has been copied in other States. I believe that Wages Boards are better than Arbitration Courts. Judges know nothing of industrial matters. Their training may enable them to decide points of law, but no workman would admit that a Judge knew as much about his business as he or his fellows. No Judge, however honest and capable, knows the ins-and-outs of a business like those engaged in it. The members of an industry are more satisfied with an award given by a Board on which they have been represented than by any decision of a Court. The speech of the honorable member for Flinders made it clear to me that the Government has dealt with this question on the advice of a 30s.-a-week lawyer, when it should have secured the assistance of a £5,000-a-year man. The debate has shown that it is ten to one that the amendments proposed by the Government in this Bill are unconstitutional; and it is twenty to one that they will increase trouble, and, in fact, create chaos. But Australia expects us to devise means to obtain industrial peace; and, if Ministers sincerely desire to do this, they will put aside all party feeling, and propose a system for the settlement of disputes which will benefit this great country. Our country is second to none on earth; and I hope to see the time when employés and employers will be pulling together. When some of the horses in a team are holding back, and others are pulling, not much progress is made. In my opinion, the amendments proposed by the Government should be thrown on one side, and a uniform system of Wages Boards adopted. Nothing is to be gained by passing amendments which will not meet the case. The High Court has already declared much of our legislation to be unconstitutional. It has, for instance, ruled the union label and harvester provisions to be *ultra vires*. The proposals now under discussion will also be thrown into the waste-paper basket.

Mr. PAGE (Maranoa) [8.24].—After the doleful wail of the honorable member for Fremantle, I should like the Opposition Whip to put a little ginger into the debate. We miss him very much. Let me draw attention to the wording of the amendment of the honorable member for Ballarat, which honorable members may have read so often that they have lost sight of its meaning. It is that all the words after the word "That" be omitted from the motion, with a view to the insertion of the following words in place thereof:—

> No measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community.

After being closeted for four nights and days, this is the egg which the honorable members for Ballarat, Parramatta, and Darling Downs have produced. They are now trying to hatch it; but I predict that it will be addled. The honorable member for Parramatta was shadowed by the representative of the Sydney *Daily Telegraph*, the honorable member for Ballarat by the representative of the *Age*, and the honorable member for Darling Downs by the representatives of the Brisbane *Courier* and *Daily Mail*. With the help of the legal members on the front Opposition bench, they have not been able to bring forward anything better than this amendment. But there is no preference to unionists here. I can claim to be as much a legal authority as are the honorable members for Ballarat, Flinders, and Darling Downs, and I have a number of law books from which I can quote, just as they have done. What makes me sure that we are on the right track is the fact that the members on the Opposition benches are all calamity howlers. God alone knows what will happen. They do not, and we do not. Everything rests with the High Court. The debate is likely to prove the most valuable that we have had since the White Australia question was being discussed, because it will show the general

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public, and particularly the workers, whom the honorable member for Fremantle wants to put in their proper place——

Mr. HEDGES.—I did not say that.

Mr. PAGE.—The honorable member should carry his baby. He should not run away from it because it is illegitimate. The fact that we have legislation, not by this Parliament, but by the High Court, is not to be denied, and it is well that the people, and particularly the workers, should know it.

Mr. KELLY.—That was provided for in 1900 by the acceptance of the Constitution.

Mr. PAGE.—Not half-a-dozen members of this House understood thoroughly the provisions of the Constitution, and the people certainly did not understand it, when they voted for it. Although it is only twelve years since the Enabling Bill was passed through all the State Parliaments, I could not get a copy of the Queensland Bill twelve months ago when in the western parts of that State. I strongly opposed Federation, because I thought that we should do better by waiting.

Mr. HEDGES.—The referendum showed that the people understood the Constitution.

Mr. PAGE.—Had they understood the honorable member at the last election, they would not have returned him. I hold in my hand a list of the whole of the Acts relating to Australian industry, or affecting the workers directly or indirectly. With one exception the whole of those measures passed by this Parliament, have either been thrown out by the High Court, or been frittered away to such a degree that they are absolutely useless.

Mr. HEDGES.—Hear, hear! This will go with them.

Mr. PAGE.—I quite agree with the honorable member.

Mr. HANS IRVINE.—Then why waste time and money in discussing it?

Mr. PAGE.—That is what I ask the Opposition. Why do they tear their hair and work themselves into such a fury over this thing? If we are running to destruction, it is not the place of the Opposition to save us. It is for them to give us a shove along as quickly as they can, so that the "outs" may get in and the "ins" may go out.

Mr. HEDGES.—But you hurt others in the track when you run to destruction.

Mr. PAGE.—If the honorable member lives till I hurt him, I think he will live for ever. It is of no use for honorable members opposite to try to side-track me, or to draw a red herring across the trail. They know I am nervous.

Mr. KELLY.—The honorable member does not look like a languishing industry.

Mr. PAGE.—There is nothing languishing about the pile of material in front of me; but I intend to get the whole of it into *Hansard*, so that the people of Australia shall know what has taken place since Federation with regard to conciliation and arbitration. This debate is one of the best that has ever taken place, particularly from the workers' point of view. Several honorable members have denounced us, saying that we will not obey an award when it is given. Only two awards have been given for the whole of Australia, and both have been implicitly obeyed. One is the award by Mr. Justice O'Connor for the Australian Workers Union, and the other is the "shandy-gaff" award for the bootmakers. It is a strange thing that every member who has risen on the Opposition benches has stated repeatedly, and with very marked effect, "We believe in unionism, but—" and a very big "but," too. They balk at the "but," as a horse often balks at a fence.

Mr. HANS IRVINE.—Political unionism was the "but."

Mr. PAGE.—What about the political unionism of the Opposition? Not a word is said about that. We shall see at the next general election where their political unionism is. Supposing that honorable members on the other side do believe in unionism, as they say they do, there is, at any rate, no shadow of a doubt that we believe in unionism. I believe, and always have believed, in it. If honorable members opposite had suffered in the same degree that many of us have suffered for the cause of unionism, they would be strong on it, too.

Mr. KELLY.—My honorable friend looks a fine martyr.

Mr. PAGE.—Like the honorable member, I am ripening with age. No doubt, when he becomes my age, he will look a very pleasant martyr, too. No one is more anxious for conciliation and arbitration than I am. I have been through a strike. I have known what it is to go to bed hungry, and get up hungry, and with my youngsters wanting "tucker." I do not want to see anybody go through the same

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ordeal that I have been through; and I say unhesitatingly that I would sacrifice almost anything for compulsory conciliation and arbitration, whereby strikes would be averted. That is the feeling I have in my breast, and I have been preaching it ever since the 1891 shearers' strike in Queensland. If honorable members opposite believe in what they say, and are not speaking with their tongue in their cheek, let them assist in every possible way to bring about industrial peace throughout the Commonwealth.

Mr. GREENE.—I thought the honorable member was in favour of a strike every time.

Mr. PAGE.—If the honorable member only took care to listen to what I say, he would know that my view is this—a strike is the only weapon at present in the industrial workers' hands. If you take the right to strike away from him, he becomes impotent, and is no more or less than a chattel slave. I have the blood of Britons coursing in my veins, and if the honorable member for Richmond, or any other honorable member, thinks he is going to deprive me of a right without a fight, let him look out.

Mr. GREENE.—You cannot have compulsory arbitration and the right to strike, too.

Mr. PAGE.—We have compulsory conciliation and arbitration now in the Australian Workers Union, and, as I have said times out of number on the floor of this chamber, my advice always is, "Obey that award implicitly." That is also the advice of every one of our leaders in the Labour party. But when there is no award, or only a shandygaff arrangement, the right to strike should be inherent in every worker. Let me tell the honorable member for Richmond that men do not go out on strike for fun. There is no fun in it so far as the worker is concerned.

Mr. GREENE.—The honorable member means that, when the award does not suit them, they should strike.

Mr. PAGE.—I cannot tell the honorable member my position in any plainer language than I have already used. If a conciliation and arbitration award is given, both sides should obey it, and, so far as I am concerned, I shall do my best to make the workers obey it. In fact, I would go almost as far as the honorable member for Fremantle went. He said he would deprive them of their votes! When the honorable member for Fremantle made that suggestion, surely he did not realize its seriousness. If put into practice, it would deprive this House of some of its most voluble members.

Mr. PALMER.—Its greatest ornaments.

Mr. PAGE.—It all depends on what the honorable member calls ornaments. The honorable member for Echuca adorns the assembly in one way, the honorable member for Maranoa adorns it in a totally different way. The majority of the people of Maranoa believe in their adornment, and would not have the adornment which the honorable member for Echuca would confer upon them; while, perhaps, the constituents of the honorable member for Echuca would not accept an adornment for their district like the honorable member for Maranoa. As I told the honorable member for Richmond, there is no fun in going out on strike. The working man has nothing to lose but his labour, and his labour in 999 cases out of 1,000 means bread and butter for his wife, his children, and himself. It puts me in mind of a cartoon I saw once depicting a splendid dinner inside an alligator's mouth, with the words, "Take it, or work." If the man had taken it, the jaws would have come down, and he would have lost his life. The worker has to lose practically all that he has with which to buy food for his wife and family. Once a worker loses that money, it is gone from him for ever. There is no hope of his ever making it up, and so the honorable member for Richmond had better disabuse his mind of the idea that workers go out on strike for the fun of the thing. There is no fun in it for either side. I shall read a statement of the decisions of the High Court in regard to the measures passed by this Parliament for the alleviation of industrial trouble throughout the length and breadth of Australia, in order to let the people of the country know what the position now is. I propose now to assume the *rôle* of a lawyer without preference. These are the decisions of the High Court—

DECISIONS OF HIGH COURT.

Conciliation and Arbitration Act.

1. The Federated Amalgamated Government Railway and Tramway Service Association *v.* The New South Wales Railway Traffic Employés Association. Vol. 4, C.L.R., 488.

2. Jumbunna Coal Mine No Liability *v.* Victorian Coal Miners Association. Vol. 6, C.L.R., 309.

3. Rex *v.* The Commonwealth Court of Conciliation and Arbitration, *ex parte* Broken Hill Proprietary Co. Ltd. Vol. 8, C.L.R., 419.

4. The Federated Saw Mill, Timber Yard, and General Wood Workers Employees' Association of Australia *v.* James Moore and Sons Proprietary Ltd. and others. Vol. 8, C.L.R., 465.

5. The Amalgamated Society of Engineers *v.* The Australasian Institute of Marine Engineers. Vol. 9, C.L.R., 49.

6. Australian Boot Trade Employés Federation *v.* Whybrow and Co., and others. Vol. 10, C.L.R., 266.

7. Rex *v.* The Commonwealth Court of Conciliation and Arbitration, *ex parte* Whybrow and Co. Vol. 11, C.L.R., 1.

8. Australian Boot Trade Employés Federation *v.* Whybrow and Co., and others. Vol. 11, C.L.R., 311.

9. Federated Engine Drivers and Firemen's Association of Australia *v.* Mount Lyell Mining and Railway Company Ltd. and others. Vol. 17, Argus Law Reports Part 14.

10. The Marine Cooks, Bakers, and Butchers' Association *v.* The Commonwealth Steam-ship Owners Association. (Arbitration Court.) Vol. 2, C. Arb. Reports, p. 55.

Australian Industries Preservation Act.

1. Huddart Parker and Co. Ltd. *v.* Moorhead. Vol. 8, C.L.R., 330.

2. The King *v.* The Associated Northern Collieries. Vol. 11, C.L.R., 738.

Seamen's Compensation Act.

1. The Owners of s.s *Kalibia v.* Wilson. Vol. 11, C.L.R., 689.

Trade Marks Act.

(Union Label.)

1. The Attorney-General for New South Wales *v.* Brewery Employés Union of New South Wales. Vol. 6, C.L.R., 469.

Excise Act.

(Harvester Case.)

1. King *v.* Barger. (The New Protection.) Vol. 6, C.L.R., 41.

Every one of the Acts under which those cases were heard was mutilated. In fact, the whole of the cases, with the exception of that affecting the Australian Boot Trade Employés Federation, were declared by the High Court to have been determined under legislation that was *ultra vires*. If that is not legislation by High Court, tell me what is? I cannot go into the legal technicalities, but here is the point that I want to bring out. The Labour party did not introduce one of those measures. They were introduced by honorable members opposite.

Mr. HANS IRVINE.—Who were forced into doing so by the Labour party.

Mr. PAGE.—Fancy the honorable member for Grampians having the audacity to say that the gentlemen who sit around him were forced into doing anything against their will! The idea is preposterous. How could they have been forced? Who could force me into doing anything that I did not want to do?

Mr. HANS IRVINE.—No, but the honorable member and his party forced them.

Mr. PAGE.—I have no recollection of anything of the kind. The Bills were introduced by the honorable member for Ballarat, the honorable member for Darling Downs, and the honorable member for Angas, all of whom were Attorneys-General. In fact, the whole of the Opposition front bench is full of lawyers at this moment. There they are, sitting like crows upon a fence, ready to pounce down on a few poor maggots! Surely those gentlemen ought to have known it if the measures for which they are responsible were *ultra vires*. They were rogues, or they were fools, if they did not know. Either they introduced these measures wilfully or they did not understand what they were doing.

Mr. KELLY.—The honorable member himself says that this Bill is going to be thrown out by the High Court. He is supporting this Bill wilfully. Is he a rogue or a fool?

Mr. PAGE.—I never said such a thing; or, rather, if I did, let me correct myself at once. I do not think that the Bill will be declared *ultra vires*. If there is one thing more than another that convinces me that it is not, it is the way the lawyers opposite are opposing it. At any rate, I am quite willing to take the risk for the sake of making the compulsory Conciliation and Arbitration Act effective. To-day it is ineffective, and we have good reason to believe that this measure will serve the purpose for which it has been introduced.

Mr. PALMER.—In spite of what the lawyers say?

Mr. PAGE.—Does the honorable member believe all the lawyers tell him? I gave him credit for having more sense. If he had read the judgments of the High Court he would have known that the Judges were equally divided with regard to this legislation, and that it was the Chief Justice's verdict that decided the matter. How do honorable members opposite explain that? Is that the judgment of one man or of two or three? I listened to the honorable member for Darling Downs very intently on Friday last. He quoted from a number of legal authorities to show why this measure was unconstitutional. The whole of his argument concentrated round the point that we were going to allow one man to control the whole of the industries of Australia. Is that the cause of contention? With all due deference to the Chief Justice of Australia—and I believe that

he is one of the soundest lawyers in the Commonwealth—I venture to say that he is the one man who has determined that so much of our legislation is *ultra vires*.

Mr. Deakin.—There are five Judges.

Mr. PAGE.—There are, but when there are two on one side and two on the other, who decides? The Chief Justice.

Mr. Deakin.—Three against two.

Mr. PAGE.—If two honorable members in this House, sitting on the Ministerial side, came to one conclusion, and two members of the Opposition came to an opposite conclusion, and Mr. Speaker decided between them, would he not do exactly as the Chief Justice has done in so many of these cases?

Mr. Deakin.—There were three independent judgments.

Mr. PAGE.—I admit that; but still there is the position—this one man does the trick. If he had not done it, the trick would not have been done. I find no fault whatever with these judgments. I have read a good many of them, and I do not envy the lawyers their job. I have had "a good go" at these books during the last two or three days.

Mr. Deakin.—"A fellow feeling makes us wondrous kind."

Mr. PAGE.—The lawyers earn their money; I am satisfied about that. Being a layman—and one of the "common or garden" variety of laymen at that—I must say that some of these judgments are couched in plain unvarnished language that any ordinary individual can understand. I expected to find a lot of legal phrases and technicalities. But the language is as clear as any man could possibly desire it to be. As I have said, I do not find fault with them. What I am finding fault with is that it seems very peculiar to me—as it seems very peculiar to the ordinary working man outside—that the awards should be upset in such a manner. There is one case in particular in which the Registrar had registered a union and an award had been given. The case was sent to the High Court, and a question of jurisdiction was raised. The award was ruled out by the Court—rightly, I believe, after reading the judgment. But, Mr. Speaker, why cannot we have a Board with two men on it representing the employers, and two representing the employés, to go through their mutual differences and refer any question of law to the Judge?

Sir Robert Best.—That is what we say.

Mr. PAGE.—I do not think that any reasonable man—any man who has at heart the benefit of his union, or the cause of industrial peace and the welfare of Australia—would refuse to accept that position. He would accept it gladly. That is how the matter appeals to me. Notwithstanding what others have said, there is only one point of difference as regards compulsory conciliation and arbitration between the honorable member for Flinders and myself. He does not believe in State and Commonwealth servants coming under an award of the Court. There we differ. But I say that if we could make it compulsory for employés and employers to come together in that way, I would vote for it. Something should be done, and done speedily, to bring about conciliation and arbitration in a proper spirit. We should not have it as it is at present, so that if an award pleases, it is obeyed, and if it does not please, the parties will not have it. I do not know whether I would be in order in referring to the case just concluded affecting the Australian Workers Union. It has cost our union some thousands of pounds.

Mr. Deakin.—It is said to be worth £100,000 a year to those who have won.

Mr. PAGE.—I do not think that.

Mr. Deakin.—The honorable member for Werriwa says so. He obtained the information from one of the organizers or leaders of the Australian Workers Union.

Mr. PAGE.—I have not gone into it in that way.

Mr. SPEAKER.—Order! I ask the honorable member not to discuss that matter.

Mr. PAGE.—I am sorry for transgressing, sir. The time has come when something will have to be done by both sides of the House to stop this spending of money on conciliation and arbitration cases. In conversation with several lawyers, I found that they are not anxious that this state of things should continue. Of course, many of us say at times that the lawyers carry on cases for the purpose of making money. But there are plenty of other ways of making money without making it out of conciliation and arbitration cases; and the men who are engaged in this particular business are quite willing that something on the lines I have suggested should be brought about. With regard to the judgments given by the High Court against the Arbitration Court, it is right and proper, I think, that the awards should be

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quoted in this debate. I do not intend to quote them fully, because, after perusing several volumes of the reports, I made a discovery which saved me a lot of time. I discovered that all I wanted to know was published at the beginning of the reports; but I did not make that discovery until I had gone through several volumes. It is said that a person who is learning a thing anew, always takes the longest road before he finds the shortest one. I only intend to quote a few of the cases, and particularly that which is known generally as the new Protection case. Notwithstanding what has been said both here and outside, I am satisfied that the Government of the day were faithful and true in introducing the Excise Tariff (Agricultural Machinery) Bill. I believe that they thought that they had the power to do that which they tried to do. I do not want to condemn any Government, or any individual. I believe that the Government of the day tried their best, and failed.

Mr. DEAKIN.—They followed the advice of their Attorney-General, who afterwards held the same opinion as a Judge of the High Court.

Mr. PAGE.—The honorable member refers to Mr. Justice Isaacs?

Mr. DEAKIN.—Yes.

Mr. PAGE.—That is, I think, an answer to the honorable member for Echuca. There is the position in a nutshell. Who was more disappointed at the judgment in that case than were the workers in connexion with the agricultural implement industry? Some of them went so far as to say that it was a put-up job. Now, there was no job about the matter at all. What was done was done in all good faith by the Government of the day; and, as I said before, we got legislation by the High Court. The workers of Australia are beginning to be alive to the fact that there is something radically wrong in the state of Denmark when we pass legislation here and the High Court knocks it out. One can get on a platform and speak for hour after hour, but one cannot make them understand the position.

Mr. BRENNAN.—The High Court did not knock out the Act, but merely interpreted it.

Mr. PAGE.—I would like the honorable member to tell me what the High Court did with the Act if they did not knock it out. It is no good, and when a man is knocked out he is no good; that is a certainty. The Chief Justice winds up a judgment with very few words, and that puts the kibosh on the Act. Whether it is knocked out or knocked in or knocked endways, it is out all the same. I am not complaining, I repeat, about the High Court, but the people are. I venture to say, in passing, that when we take the next referendum and distribute the debate on the amendment of the Leader of the Opposition, we shall dance to quite another tune. This matter is affecting the people vitally, and it is said that one cannot hurt a man worse than by touching his breeches' pocket. That is just what the High Court is doing, and it is one of the best object-lessons that the people can have before we take the next referendum. I hold in my hand a letter which was casually referred to by the honorable member for Dalley, but it contains one or two little items which I think call for notice from me as a member of the House of Representatives, and a member of the Australian Workers Union. It is, I see, signed by Mr. Walpole. I congratulate honorable members opposite upon having their old friend back in harness. He is one of the best organizers we have ever had in the Commonwealth, and is paid by the Employers' Federation. We have nothing to cavil about with regard to this gentleman, I can assure my honorable friends. This is the gentleman who gained notoriety a few years ago in Victoria by telling the people of Lilydale that for the workers marriage was a luxury, and that the employers were not going to pay for them to have more pints of beer and to get married. If marriage is a luxury, then God help this country. The letter reads as follows:—

THE CENTRAL COUNCIL OF EMPLOYERS OF AUSTRALIA.

Oxford Chambers, Bourke-street,
Melbourne, 21st October, 1911.

Dear Sir,

I have the honour, by direction of the Conference of Employers of Australia, sitting in Melbourne, to bring under your notice the following series of resolutions passed relating to the Amending Bill *re* Conciliation and Arbitration, now before your House, with a view of placing the employers (the other parties to the contract) views on this very important matter.

It is just as well that the resolutions should go on record, because I agree that the employers have the same right of protest as have the employés. Last night the honorable member for Balaclava appeared at a little shivoo given by some of the toniest of the tonies, and said that the people will rise up in rebellion against this class legislation. That is just what they did at the

last Federal election. Up to that time what did we have but class legislation? Until the creation of this Federal Parliament with a Senate and a House of Representatives elected by those of the full age of twenty-one years, when did we have representative government in Australia? When did we see or hear the voice of the people until that event? But in ten years from the inception of Federation what did we find? We found a whole reversal of form in favour of this dastardly Labour party. I have related times without number how Labour members were treated in Queensland fifteen or sixteen years ago. To-day the Labour party occupy the Treasury benches, and have what no previous Federal Government had, and that is a majority of Labour men in each House of this Parliament. At the last election the people spoke with one emphatic voice. It was no one State more than another which spoke; all the States spoke, and even Conservative Tasmania sent more than her quota.

Mr. SPEAKER.—Order.

Mr. PAGE.—I admit, sir, that I was transgressing. I was carried away by my feelings. These are the resolutions to which I have referred—

That the Prime Minister and Parliament be advised that this Conference of delegates, now sitting, representing the Employers' Federation of New South Wales, Victoria, Queensland, South Australia, and West Australia, are opposed to any further amendment of the Commonwealth Conciliation and Arbitration Act, as expressed in the Amending Bill now before the Federal House, on the following good and sufficient grounds:—

Before I read the grounds of their objection I would mention that this very Bill has brought together the whole of the manufacturing class from one end of Australia to the other. We are slowly consummating what the honorable member for Flinders suggested should come, and that is that all the employers should be united on one side and all the employés on the other. Then, I venture to say, we shall have compulsory arbitration of the best type. The resolutions continue—

(*a*) That the proposed Amending Bill endeavours to give the Court (consisting of one Judge only) autocratic powers over the freedom of both workers and employers unknown in any British community, and instead of bringing about conciliation and peace, must only intensify the friction existing between the parties before the Court.

(*b*) That the establishment of Wages Boards in Victoria now spread to all the other States, and the abandonment of Compulsory Arbitration Courts in certain States.

They do not say why Courts were abandoned. They were not abandoned because they were not workable, but because it was thought that in many instances the worker was getting too fair a deal. The Governments of the day brought in amending Bills to do away with the Conciliation and Arbitration Acts, particularly in New South Wales. In Western Australia a Government went out on a Wages Board system as against compulsory conciliation and arbitration, and what do we find? To-day they are floundering about for another policy.

Sir ROBERT BEST.—Has the Labour Government of New South Wales repealed the Wages Board Act, then?

Mr. PAGE.—What opportunity have the Government had of passing legislation, let alone repealing any?

Sir ROBERT BEST.—Do they propose it?

Mr. PAGE.—I am not in the confidence of any Government, not even the Commonwealth Government; and I cannot say what is proposed. I venture to say, however, that the majority of the unionists of New South Wales are in favour of compulsory conciliation and arbitration.

Mr. ATKINSON.—Has the honorable member noticed a debate in the New Zealand Parliament indicating that the opinion is there held that arbitration has run its course?

Mr. PAGE.—I have not, and I do not think I shall; it is quite enough for me to deal with the Commonwealth without turning to New Zealand.

(*b*) That the establishment of Wages Boards in Victoria now spread to all the other States, and the abandonment of Compulsory Arbitration Courts in certain States, have the approval of both workers and the public. This is shown in the hundreds of trades now either placed, or about to be placed, under Wages Boards in the different States. The satisfaction with their results, in the public mind, is best shown by the refusal of a large majority of the voters against the further extension of industrial powers to the Federal Parliament at the late Referenda.

What is the use of constantly referring to what took place on the 26th April? I do not remember ever reading or hearing of any honorable member on either side referring on that occasion to Wages Boards or Arbitration Courts—

(*c*) Finally, that the Act has gone far beyond the scope intended by the framers of the Constitution when inserting section 51, sub-section 35, whose *raison d'être* was to deal with

> a possible Maritime Strike. It has completely failed to carry out the one object of its creation—the stoppage of strikes, or sympathetic strikes by those under the Court; and such action has been supported by members of the Federal Parliament and Ministers of the Crown. Strikes and threats of strikes against the agreements of the Court in other places where Compulsory Arbitration exists are common, and can only be expected as a natural result, as compulsion is the antithesis of freedom and repugnant to the British race.
>
> I am, Sir, yours obediently,
>
> ROBT. WALPOLE, Secretary.

I am with Mr. Walpole and the Employers Federation a long way, but I wish they would stick to the truth. I do not know whether they think we are foolish, or never read, when they put such stuff as that before us. It may suit their purpose for a time, but it has no more influence on me than water has on a duck's back. I should have liked to hear from the honorable member for Fremantle what he meant by his reference to "thirty-shillings-a-week lawyers." Never in the whole course of my existence did I ever know of a lawyer who worked for 30s. a week.

Mr. HUGHES.—If the honorable member will furnish me with that lawyer's name I shall have him "fired out" of the union.

Mr. PAGE.—I am pleased to have that promise, because it shows a strong indication of preference to unionists; and I shall endeavour to obtain the name for the Attorney-General. The first judgment of the High Court to which I desire to call attention is that given in the case of *The King* v. *Barger*, an action by the Customs authorities. The Chief Justice on that occasion said—

> In determining whether a particular law is or is not within the power of the Commonwealth Parliament to enact, regard must be had to its substance rather than to its literal form.
>
> The circumstance that an indirect effect may be produced by the exercise of an admitted power of legislation is irrelevant to the question whether the legislature is competent to prescribe the same effect by direct law. So are the motives which actuated the legislature and the ultimate end desired to be attained.
>
> So long as the limits of the power of taxation are not transgressed, Parliament may select the persons or the things in respect of which the exercise of power is to operate.
>
> If the control of the domestic affairs of the States is in any particular forbidden by the Constitution, either expressly or by necessary implication, the power of taxation cannot be exercised so as to operate as a direct interference with those affairs in that particular.
>
> The selection of a particular class of goods produced in Australia for taxation by a method which makes the liability to taxation dependent upon conditions to be observed in the industry in which they are produced is as much an attempt to regulate those conditions as if the regulation were made by distinct enactment. . . .
>
> Properly construed the Act imposes taxation upon implements which are not in fact manufactured under described conditions to be ascertained in prescribed modes, but does not render any conditions unlawful. It is, consequently, not a regulative Act which a State could pass in the same terms, but an exercise of the power of Excise taxation, and, if passed by a State Legislature, would be invalid.
>
> As the Act merely imposes Excise taxation, section 55 of the Constitution is not contravened.
>
> The proviso does not discriminate between localities at all, but describes standards applicable to Australia generally, irrespective of its division into States or parts of States, and does not offend against the prohibition contained in section 51 (ii.) of the Constitution.
>
> *Per Isaacs, J.*—The discrimination forbidden by section 51 (ii.) of the Constitution is between localities considered and treated as States and parts of States, and not as mere Australian localities or parts of the Commonwealth considered as a single country.

This was in reference to an Act under which it was desired to secure, as a *quid pro quo* for increased import duties on harvester machines, that fair and reasonable wages, adjudged by the Court, should be given. The case was not struck out as the honorable member for Batman said, but the award was not allowed, it being practically held that the Act was *ultra vires*. In the Engine-drivers' case Mr. Justice Higgins said—

> It is quite clear that the learned President, in inquiring into the existence of such an industrial dispute as is necessary to giving jurisdiction, is no more bound by the ordinary rules of evidence than he is in hearing the merits of the dispute.
>
> . . . . . .
>
> In proceeding on prohibition, the evidence taken before the Arbitration Court may, of course, be brought before this Court on affidavit in the ordinary way, but the Court could not act upon any evidence which would be inadmissible under the ordinary law of evidence.

Mr. Justice Higgins expressed himself in no uncertain language with regard to the engine-drivers, with the result that it was held there was no jurisdiction, as was also held in the case of the Broken Hill Proprietary Company, and that of the union label. If there was one question more than another on which this House was less divided, it was in regard to the union label. The Attorney-General of New South Wales

had issued a writ against the brewery employés union of that State; and Mr. Justice Isaacs said—

Workers' trade marks, as dealt with and defined in the Trade Marks Act 1905, Part VII., are not trade marks within the meaning of section 51, pl. xviii. of the Constitution.

The meaning of the terms used in the Constitution must be ascertained by their signification in 1900.

It is a necessary implication from pl. i. of section 51 of the Constitution that the power of Parliament does not extend to trade and commerce within a State, and consequently the power to legislate as to internal trade and commerce is reserved to the States by section 107 to the exclusion of the Commonwealth. When the intention to reserve any subject-matter to the States, to the exclusion of the Commonwealth, clearly appears, no exception should be admitted to that reservation which is not expressed in clear words. . . .

The Court cannot be called on or with propriety assume to declare an Act of Parliament unconstitutional unless such a decision is absolutely necessary, and a party seeking such a declaration must show some legal cause of complaint. . . .

Held (per Griffith, C.J., Barton and O'Connor, JJ., Isaacs and Higgins, JJ., dissenting)—(1) that the plaintiff companies were persons aggrieved by the registration, and were therefore proper plaintiffs; (2) per Griffith, C.J., Barton, O'Connor, and Isaacs, JJ., Higgins, J., dissenting, that the plaintiff Attorney-General, as representing the public of his State claiming to be injured by the legislation in question, was a proper plaintiff; (3) per Griffith, C.J., Barton and O'Connor, JJ., Isaacs and Higgins, JJ., dissenting, that the suit was rightly framed, injunction and not *quo warranto* being the appropriate remedy under the circumstances, and that the plaintiffs were entitled to the relief prayed.

The result was the same in the case of the federated boot trade employés, the railway servants, the Industries Preservation Act, and the Seamen's Compensation Act. I shall not read these judgments, except in the case of the Seamen's Compensation Act, which I think ought to be placed on record, as it was one of the measures that was passed at the close of last session. At the very first opportunity presented of testing this Act, the High Court ruled it out on the ground that we had no jurisdiction. In the case of *The Owners of the s.s. Kalibia*, appellants, and *Alexander Wilson*, respondent, it was held that—

A Judge in Chambers has power to set aside an order made *ex parte* by another Judge under section 13 of No. 29 of 1909. An order made for the detention of a ship under that section is a judicial order, from which an appeal lies to the High Court.

Per Griffith, C.J.—A power conferred upon a judicial officer, *eo nomine*, to make an order to the prejudice of another, is *primâ facie* judicial.

When a judicial order has been obtained *ex parte*, the party affected by it may apply for its discharge.

A ship was chartered to carry cargo from New York to Australian ports. While the ship was at Adelaide, the chief officer, at the request of the charterers' agent, agreed to take charge of a small package, which had been consigned from New York to Brisbane by another ship, and had been discharged at Adelaide by mistake.

The chief officer carried the package in his cabin from Adelaide to Brisbane, and delivered it there to the charterers' agents. The package was not entered in the ship's manifest, no bill of lading or shipping note was signed in respect of it, and no freight was paid for it, the transaction being treated as a voluntary courtesy on the part of the chief officer. *Held*, that the package was not cargo within the meaning of section 4 of No. 29 of 1909.

Decision of Gordon, J., *in re Wilson*, 27 W.N., 73 reversed on this point.

The provisions of section 4 of the Seamen's Compensation Act 1909, in so far as they purport to regulate purely intra-State trade, are *ultra vires*, section 51 (1) of the Constitution.

After stating the facts of the case, and giving certain reasons for the judgment of the Court, the Chief Justice said—

For these reasons I am of opinion that the Act was not within the powers of the Parliament, and is wholly invalid.

I have not thought it necessary to refer to the argument based on pl. iii. of section 76 of the Constitution, which, I think, is quite untenable.

The Seamen's Compensation Act was introduced to protect seamen; and had it successfully run the gauntlet of the High Court, the widows and families of the seamen on board the ill-fated *Yongala* would have been provided for to-day. As it is, they are not, and some of them went to law, only to find that they had no redress. That is the position in a nutshell. It is the desire of the Labour party that the principle of conciliation and arbitration shall be carried out in its entirety. No matter what capital the Opposition may try to make out of my statement that I am for the striker every time, that is absolutely our desire. I wish it to be distinctly understood that I alone am responsible for any statement that I make in this House. I "carry the baby" myself, and am quite willing to carry it. I do not desire that any other man shall be saddled with the responsibility for my utterances in this Chamber; but, knowing what I do, and feeling as I do, my sympathies are with the strikers every time. I am not in favour of strikes, for the reason that, whether the men win or lose, they are, in fact, the losers every time, and their wives and families must suffer. My experience of big strikes in Australia is that women are better strikers than are men. I have known women, in several instances, to implore their husbands not to go "scabbing" or

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"blacklegging," but to stand their ground and go down with their colours flying. Under the condition of affairs that prevailed until a few years ago, men were slow to go on strike; but the tyrants of those days were the best organizers we ever had. The tramway employés of Brisbane are being subjected to tyranny by their employers, and I venture to say that Mr. Badger is the best organizer that the Tramway Union has. Let him continue on the track he is at present following, and if there is no "moral suasion" before long, my name is not Page. Tyranny drives men to do things that they would never think of doing in other circumstances. It is tyranny that drives them to think and act as they would not otherwise do. During the shearers strike of 1891 in Queensland, there were sent to gaol men who had no more criminal intent than has any honorable member of this House. But many who were then lodged with criminals at St. Helena are to-day occupying some of the highest positions in the Federal and State Parliaments. I sincerely hope, both as a member of this House and as a unionist, that the Bill will pass in its entirety. We shall then see whether the croakers of the Opposition—the calamity howlers—or the Government are right. I have so much confidence in the Government as to believe that they think they are on the right track, and consider that what they are doing is not to benefit themselves, but to alleviate the sufferings of the men, women, and children, not only of to-day, but of the years to come. I feel satisfied that, in the days to come, the workers will thank God that there was a Labour party in the National Parliament to try to bring about a better condition of things, both socially and industrially, than existed when they set out upon the work.

Mr. GREENE (Richmond) [9.37].—One of the chief points made by the honorable member for Maranoa, in the course of his speech, was that something would have to be done to stop the spending of large sums of money to secure awards; while another point raised by him referred to the difficulty that arises from time to time owing to the High Court declaring certain Acts to be unconstitutional. Unfortunately, one of the disadvantages of a Federal system of Government is that there must be a High Court, or some similar tribunal, to stand between the two sets of Parliaments which the sovereign people of Australia have set up. There being one sovereign people who can delegate only one sovereignty, it necessarily follows that once that sovereignty is bisected, there must be set up some intermediary body to declare when, where, and how far, either the one or the other of those Parliaments has exceeded that quantum of sovereign power vested by the sovereign people in their several Parliaments. That, if honorable members please, is one of the weaknesses of a Federal system; but, under our Federal system, we have probably the most democratic form of government that the mind of man has ever devised.

Mr. FENTON.—At the present time, the honorable member means?

Mr. GREENE.—I was speaking, not of any particular Government, but of the form of government existing under the Federal Constitution. I did not suggest for a moment that those who occupy the Government benches at the present time are more democratic than are the Opposition. The point I was making was that it was one of the necessary evils, if you like, of a Federal system of government, that certain legislation should be held from time to time to be unconstitutional.

Mr. WEST.—It is not necessarily so; if we had the same power to provide for arbitration as the States possess there would be no trouble.

Mr. GREENE.—Even then, we should not get away from the judgments of the High Court in respect of other matters. The honorable member for Maranoa referred to decisions of the Court declaring unconstitutional certain enactments that were not entirely confined to the arbitration power. As to the other point raised by him, that something would have to be done to stop the spending of money to secure awards, I think it has been pointed out very effectually in this House that the steps which the Government of the day are taking to amend our existing industrial legislation, so far from being likely to reduce the expenditure of the unions in obtaining awards, will tend rather to impose upon them yet another financial burden. Notwithstanding the doubts which the honorable member expressed at the opening of his speech as to the *bona fides* of the members of the Opposition in their desire to see the principle of arbitration extended in the Commonwealth, I think it will be conceded that the general belief of all the members of this Chamber, with, perhaps, very few exceptions, is that it is by some system of compulsory arbitration that we shall best secure industrial peace and, with that, the

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industrial progress and prosperity of this great country. We must all admit, also, that ever since we started along this particular pathway to try to devise means whereby employers and employed could be brought together in such a way that their difficulties and differences could be amicably settled, we have been experimenting. We have been trying to find out the best possible means to secure the ends that we all have in view; and, although we may differ, and differ very widely, as to the means whereby those ends are best to be secured, that should not cause doubt to be thrown upon the *bona fides* of members in their desire to see this very desirable state of affairs brought about in Australia. The arbitration that we have known in Australia until now has been, both in the States and in the Commonwealth, on the lines of industrial organization. The disputes that have been dealt with have been those between employers and employés in homogeneous industries. In many cases the organization, so far as the employés have been concerned, has also been on the lines of craft unionism, the members of a craft being all engaged in the same industry. Arbitration requires the existence of two parties having a matter in dispute between them and a third party as arbitrator. On one side there must be the employers, and on the other the employés. To secure the representation of both, there must be a common basis of organization. Then an arbitrator can hold level the scales of justice. The Government, however, propose to depart widely from the present system, and to follow the suggestions of counsel for the claimant in the case of the Federated Engine-drivers Association. He argued that the community of interest is not between those producing the same commodity, but between those employed in the same class of labour. His point was that if there was community of interest between the employés, the Court need not consider whether there was community of interest between the employers. But arbitration with only one party before the Court would be impossible. Under such circumstances, the Judge, instead of being an arbitrator, would be a dictator, and legislator. The industries in which engine-drivers are employed number pretty well all in the Commonwealth. If a Judge were called upon to make a determination regarding the wages, hours, and conditions to be observed throughout Australia for engine-drivers he would have to investigate the affairs of all those industries. That would be a terrific task to set any one man.

Mr. W. H. IRVINE.—As a judicial inquiry, it would be impossible.

Mr. GREENE.—It is doubtful whether any man could undertake it at all, however willing and able. Yet that is the task which the Government proposes to set the President of the Arbitration Court. The question must also be asked: Would the Court, in making an award, be able to discriminate between one State and another? The honorable member for Maranoa desires that unions shall not be put to great expense by arbitration proceedings, but if the Bill becomes law, the scope of inquiries will be immensely extended, so that they must take longer, and cost more. Consequently, the cost of getting an award will, in many cases, be infinitely more than in the case which the honorable member cited a little earlier this evening.

Mr. PAGE.—Surely that should not debar us from doing the right thing?

Mr. GREENE.—I do not know that it should, but I draw the honorable member's particular attention to the fact that the President of the Arbitration Court, in the judgment which he recently gave in the shearers' case, said that he had grave doubts whether it was possible to discriminate between one State and another. Consequently, if any award was given in an industry of that sort, he would probably think it incumbent upon him to grant an absolutely mechanical wage from one end of the Commonwealth to the other. The Sydney *Worker* of 11th October published the whole of his judgment verbatim. According to that report, he said—

> As a result, the grounds for the discrimination in favour of the pastoralist on the south border of the Murray against the pastoralist on the north are so elusive and unsubstantial that I must refuse to make the distinction in rates for shearing.
>
> If any discrimination in rates ought to be made as between States, the rate ought to be lower for Queensland, for the sheep generally are in Queensland easier to shear, and the tallies are greater for a day's work, and, owing to the prevalence of dry weather in the shearing months the average earnings from start to finish are higher.

He practically said, therefore, that had it been in his power to grant discrimination in the shearing rates, he would have reversed the decision of his predecessor, and fixed lower rates for Queensland than for Victoria, New South Wales, and South Australia. He went on to say—

> The decisions of the High Court, however, raise a doubt whether, even if a discrimination would be just, I have power to make a

discrimination in favour of the Queensland pastoralists against those of the other States. For the claimant has not asked for such a discrimination, and none of the respondents have asked for it in their answers.

Consequently, if the engine-drivers went to the expense of going to the Court and getting an award under this Bill, unless he made an absolutely mechanical award from one end of the Commonwealth to the other, the President of the Court himself has said that, in his opinion, it would in all probability be unconstitutional.

Mr. BRENNAN.—I think the honorable member for Flinders contended that it was decided that such a discrimination was permissible in the case of the woodworkers.

Mr. GREENE.—I am simply quoting the statement of the Judge of the Court for what it is worth.

Mr. W. H. IRVINE.—I doubt whether he was forced to that conclusion by the decisions of the High Court.

Mr. GREENE.—At any rate, I have quoted what he said. I would ask the honorable member for Maranoa to watch that the Government do not, by passing this Bill, hold out to the workers, to whose interests the honorable member would never do anything detrimental, a bait which will lead them to apply for awards at far greater expense than they have to go to now, and obtain them only to find that the whole basis of the measure is unconstitutional. The Government should be careful to see that that does not happen. If the recent referenda had been carried, this Bill would have had a much more serious effect than it probably will have now; but we must not lose sight of the fact that the Government intend to re-submit those questions to the people. If they do get the powers asked for, of course the Bill will operate. At present there is no power to make a common rule, and, consequently, no award is binding on those who are not parties to it. If those industrial proposals, as submitted at the referenda, are subsequently adopted by the people, and the power to make a common rule is given, we shall have an infinitely worse position than that which obtains to-day. As soon as a common rule can be made, those who are not parties to an award will nevertheless be bound by it. In industries which are scattered all over Australia, whilst under craft organization there is a community of interest among the employés, there is none among the employers.

Mr. WEST.—Explain where there cannot be.

Mr. GREENE.—What community of interest can there be between the mine-owners of Western Australia, the saw-millers of Northern Queensland, the butter-makers on the Richmond River, the soap-makers of Sydney, and the jam-makers of Hobart? Can the honorable member show me any basis of organization covering industries so widely dissimilar and scattered as they are? Whilst there is a basis of organization as far as some of the employés, such as the engine-drivers, are concerned—the men being all of one craft—there is of necessity no such basis for employers. The honorable member for Cook pointed out last week the difficulty that exists. There is no desire on this side of the House to interfere with organizations of employés as such. All that we are contending for is that an award of the Arbitration Court shall be confined to an industry. Suppose that an industry such as jam making applies for an award. There is nothing whatever to prevent the secretary for the engine-drivers appearing before the Court and putting in a claim on behalf of the members of his union, provided, of course, that we make it legislatively possible. The same may be said with repect to the saw-milling, the freezing and other industries. I am sure that every one who had the pleasure of listening to the honorable member for North Sydney was very pleased to have the benefit of his experience, But at the same time I do not think that any honorable member who has spoken from the Ministerial benches has in any way answered the case which the honorable member for Cook put before us.

Mr. HOWE.—The majority of the workers in New South Wales would not approve of what the honorable member for Cook said.

Mr. GREENE.—The honorable member for Dalley stated that the greater number of the employés in New South Wales do not approve of this particular form of arbitration.

Mr. HOWE.—I say unhesitatingly that outside one organization they do not approve of it.

Mr. GREENE.—Nevertheless they have availed themselves very largely of the facilities given to them under the existing industrial law.

Mr. HOWE.—It was a case of that or nothing.

Mr. GREENE.—Notwithstanding the faith which the honorable member for North Sydney has in the old New South

Wales Arbitration Court—and naturally he has faith in it as he was a member of the Court—I claim that unionism has never advanced with such rapid strides as has been the case during the period when the Wages Board system has been in operation in that State.

Mr. RILEY.—That is due to the general prosperity.

Mr. GREENE.—If general prosperity would have tended in any particular direction it would have been rather against unionism, because it is adversity rather than prosperity that drives men to band together. Numerically, the unions have grown as they never grew before during the period the Wages Board system has been in existence. Whilst during three years and two months under the old Arbitration Act, only thirty-nine awards were obtained——

Mr. CANN.—What was the reason for that?

Mr. GREENE.—The reason was that the process is slow.

Mr. RILEY.—No; the Court was stuck up by High Court decisions.

Mr. GREENE.—There was only one Court to deal with all the cases. Consequently the Court became clogged with work. The unions waited a long while to get their cases heard, and workers and employers alike were more or less disgusted.

Mr. WEST.—The Government was answerable for that.

Mr. GREENE.—The Government brought forward a Wages Board Bill, and, notwithstanding the bitter opposition of every Labour man in the State Parliament —who obstructed it at every stage, and voted against it on the third reading—the Liberal Government succeeded in passing the measure into law. During the first two years of its operation, up to the 30th July, 1910, 103 unions registered under the Act, and in two years they secured no fewer than 100 determinations. There were eighteen Wages Boards sitting at that particular moment. Sometimes there were as many as twenty-eight Boards sitting at one time.

Mr. CANN.—The biggest unions would not register under the Act.

Mr. GREENE.—Notwithstanding that the largest unions refused to register, that magnificent record was enabled to be put up in less than two years, whilst the Arbitration Court in more than three years only dealt with thirty-nine awards. In the first place we have to remember that the Arbitration Court in New South Wales was dealing with one State only. Here we are dealing with the whole of the Commonwealth, and, consequently, we are adding to the difficulties of the Arbitration Court six-fold, because we have six States to deal with. We are giving to its jurisdiction a much greater scope, and once we permit this particular class of organizations to register and appeal to the Court, then we shall practically drag in every industry throughout the Commonwealth. The industry with which my constituents and I are more particularly concerned is the rural industry. And great as the difficulties are in any organized industry confined to great centres of population—to mining, or any industry of that sort—once we bring under the operation of this law, agriculture, dairying, horticultural pursuits, and so on, we shall add, and add enormously, to the difficulties. Honorable members think, I presume, that if this Bill be passed into law the Rural Workers' Union, which is being formed from one end of the Commonwealth to another, will be one of the first unions to apply for an award. At the present time I repeat there is no power to make a common rule. Perhaps we need not be very much alarmed, because there will be a necessity to cite before the Court practically every farmer throughout the Commonwealth. But the moment my honorable friends get their constitutional proposals accepted by the country the Court will have power to make a common rule, and then, of course, the award will apply to rural workers from one end of the Commonwealth to the other. When the question of including the rural workers was considered here last session, I opposed the proposal. I do not think we have yet devised a system of arbitration which is applicable to the rural industries. I do not think that we have yet obtained a system which is sufficiently flexible to meet the varying needs and conditions, and the various circumstances in which they are carried on. Again, I do not think that any system has yet been devised which is sufficiently elastic to meet the various seasonal changes.

Mr. HOWE.—You never will find such a system.

Mr. GREENE.—Precisely. I have an idea, which I do not want to take up time in giving to the House to-night. I may say, however, that I think something might be done which would help matters a little, and the foundation of the scheme I would suggest is that it must be limited in the scope of its operation to small areas. Unless that is done we shall never get a system of arbitration in regard to the rural industries which will work out

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with anything approaching equity or justice, or which will not hamper them in a way which I am sure will militate against our producing interests.

Mr. HOWE.—Will the Wages Board system do that?

Mr. GREENE.—No. It is not, in my opinion, a system, as it is now constituted, which would meet the existing difficulties in regard to rural pursuits. But when we come to attempt to apply this system we shall get the worst results which can be conceived of. Take such rural industries as wheat-growing, dairying, horticulture, viticulture, lucerne-growing, potato-growing, grazing, and, finally, purely agricultural farming, and fancy a judge being allotted the task of regulating all these rural industries, carried on as they are in every part of the Commonwealth under varying conditions. Wheat-growing, for instance, is carried on in different ways in various parts. Dairying is carried on under different conditions in various parts. Horticulture is also carried on in very different ways in various parts. May I ask the Attorney-General if he assents to the adjournment of the debate at this hour?

Mr. HUGHES.—If the honorable member will conclude his speech to-morrow within a reasonable time.

Mr. GREENE.—Yes.

Mr. FISHER.—Within ten minutes, I understand.

Mr. DEAKIN.—Within not more than fifteen minutes at the outside.

Mr. GREENE.—I ask for leave to continue my speech to-morrow.

Leave granted; debate adjourned.

ADJOURNMENT.

CLOSE OF DEBATE: DINNER TO MEMBERS: LECTURE ON IMPERIAL CONFERENCE.

Mr. FISHER (Wide Bay—Treasurer and Prime Minister) [10.17].—In moving—

That this House do now adjourn,

I wish to intimate that the Government desire the debate just adjourned to be closed to-morrow. Honorable members will remember that to-morrow we are to have the honour of dining with the President of the Senate and the Speaker of the House of Representatives, and so it is proposed to ask the House to adjourn at 6 o'clock. It is hoped that the final word in the debate just adjourned will be said by half-past 5 o'clock, when the Attorney-General wishes to reply. That is the condition on which the honorable member for Richmond was allowed leave to continue his speech to-morrow.

Mr. DEAKIN (Ballarat) [10.18].—There will be no desire on this side of the House to prolong the debate. We shall have not more than three or, at the outside, four speakers to-morrow and they will be brief. If similar brevity obtains elsewhere it ought to be easily possible to finish the debate at the time mentioned.

Mr. JOSEPH COOK (Parramatta) [10.19].—I observed from the press to-day that last night the Prime Minister addressed the public of Australia, or, at any rate, the public of Melbourne, on the subject of his recent mission to the Imperial Conference. As there was a very meagre report of the proceedings of last night, will the right honorable gentleman give the House an opportunity to hear him on the question? We should have had an opportunity before of hearing a statement from the Prime Minister concerning his mission to the heart of the Empire, because nothing could be more important, fraught as it is with great consequences to Australia. So far, however, he has not deigned to say a word on the matter to the House.

Mr. RILEY.—The honorable member should have attended the lecture.

Mr. JOSEPH COOK.—I should like to hear a similar lecture in this House, because we are entitled to a statement of some kind.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.26].—When I was asked on behalf of the University graduates to address them, I felt I ought to accede to the request. Originally it was intended that the lecture should be delivered in a smaller room, but those who had the management of the affair took the arrangements into their own hands, and I gladly fell in with what they had done. If an opportunity offers, I shall have no objection to say a few words to honorable members; but those who have read the report will see that I dealt, not only with the Conference I had the honour to attend, but with the principles, genesis, and growth of Imperial Conferences, referring to my honorable friend the honorable member for Ballarat and other distinguished statesmen who took part in earlier gatherings. I was concerned more with the growth of the Conference principle than with the work done at the Conference of this year.

Mr. JOSEPH COOK.—I am making no complaint of what the honorable gentleman said last night, but of what he has not said here.

Question resolved in the affirmative.

House adjourned at 10.28 p.m.

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Senate.

Wednesday, 25 October, 1911.

The PRESIDENT took the chair at 3 p.m., and read prayers.

ASSENT TO BILLS.

Assent to the following Bills reported :—

Supply Bill (No. 3).
Statutory Declarations Bill.

MINISTERIAL STATEMENT.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [3.1].—By leave, I desire to inform the Senate that E. A. Roberts, Esq., M.P., has been sworn in as Honorary Minister.

SPECIAL ADJOURNMENT.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [3.2].—Owing to a function which is to take place in Parliament House this evening I desire to mention that, for the convenience of those honorable senators who may wish to go to their homes before dinner, it is proposed to ask the Senate to adjourn at 6 o'clock.

PERSONAL EXPLANATIONS.

Senator RAE.—On Friday last I unintentionally voted in favour of the third reading of the Naval and Military Decorations Bill, which I had opposed through its passage. When the question was put I did not hear any one but myself call for a division, and until I heard the bells cease to ring I was not aware that a division was in progress; after you, sir, had named the tellers it was too late for me to cross the floor. As I have been twitted with having spoken in one way and voted in another, I wish to put it on record that the vote was given quite unintentionally on my part.

Senator MILLEN.—Was it unintentional on the Minister's part?

Senator W. RUSSELL.—When Senator Millen was speaking to the second reading of the Electoral Bill the other day I interjected that in South Australia there were at least two party newspapers. I am reported —and I do not blame the reporters for the error; perhaps I did not speak very clearly —as having said that the *Register* was "a dirty rag." I did not mean to make that statement, and it would not be true if I did. I meant the *Critic*, and I think that it is a dirty rag still. I desire to withdraw the statement in reference to the *Register*, and to let it be properly understood that it was the *Critic* to which I referred.

PAPERS.

MINISTERS laid upon the table the following papers :—

Papua—Ordinances of 1911—
(1) Aliens.
(2) Arms, Liquor, and Opium prohibition.
Lands Acquisition Act 1906—Return of land disposed of under section 63 (2)—Old Post Office site, Leura, New South Wales.
Northern Territory—Reports by Mr. W. S. Campbell, ex-Director of Agriculture for New South Wales, regarding the suitability of certain lands in the Northern Territory for agricultural purposes, &c.

The CLERK laid on the table—

Return to Order of the Senate of 19th October, 1911—
Receiving Post Offices—Number in each State, &c.

PRESS CABLE SERVICE.

Senator CHATAWAY.—I desire to ask the Vice-President of the Executive Council whether the return in connexion with the press cable service is available? I understood that it was to be tabled last week.

Senator McGREGOR.—I cannot say offhand whether the return is ready or not, but I shall make inquiries, and see that its production is facilitated in every way.

LAND TAX.

Senator WALKER.—When does the Vice-President of the Executive Council expect to be able to supply the information which I asked for in regard to the Federal land tax?

Senator McGREGOR.—I heard no later than yesterday that the information is being collected, and will be furnished to the Senate as soon as possible.

ELECTORAL BILL.

SECOND READING.

Debate resumed from 20th October (*vide* page 1696), on motion by Senator PEARCE—

That this Bill be now read a second time.

Senator VARDON (South Australia) [3.10].—On Friday last, when discussing this crude, ill-advised, and badly-drawn measure, I dealt with the abolition of postal voting, and endeavoured to show that the odium of refusing a vote to those who will be too far away from their homes on

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election day to be able to record it at a polling booth, except, perhaps, at the cost of a day's pay, to women in ill-health, and to aged and infirm persons, must rest on the Labour party. It is their responsibility altogether. The more comprehensive system of absent voting which was referred to by the Minister of Defence in his speech is confined to two classes, namely, sailors and those who may be at sea. That is proved in the memorandum compiled by the Chief Electoral Officer, who states distinctly that those persons alone will benefit by the provision. I think I have shown that there is no provision in the measure referring to a by-election, and consequently that, if there should happen to be a by-election, a man who is outside his own district will not be able to record his vote unless it is intended to throw open the whole of the polling places in the Commonwealth. I wanted to know how the system of compulsory enrolment is going to be enforced. I think that the Vice-President of the Executive Council said that the Department may call out the military or use the police for the purpose, but it seems to me that that part of the Bill will be a dead-letter. I do not see very well how it can be enforced.

Senator GIVENS.—Will it not be as easy to enforce that system as the law for the compulsory registration of births, deaths, and marriages?

Senator VARDON.—I do not think so. A vote is given to every person who is over the age of twenty-one years, and I do not see how you can compel these persons to enroll. Persons are coming of age every day. The Constitution gives to every adult person the right to vote, but how long are persons to be allowed after coming of age before they will be required to go and register their names on an electoral roll?

Senator GIVENS.—They will run the risk of incurring the penalty if they do not register.

Senator VARDON.—The Bill does not contain a provision for that purpose. It does not set out how long these persons are to be allowed to enroll.

Senator MCGREGOR.—How long are persons allowed in which to register the birth of a child, or the death of a relative?

Senator VARDON.—That does not affect the question. The Bill, I repeat, contains no provision for the purpose.

Senator MILLEN.—The Acts to which the Minister refers do.

Senator VARDON.—In the States there are laws which provide for these things being done; but, as I said, there is no provision in this measure. People are getting married every day.

Senator LYNCH.—More so since the Labour party came into power.

Senator MILLEN.—And there are more divorces since then, too!

Senator VARDON.—I am glad to hear that announcement from Senator Lynch, and I presume that the Labour party will, as usual, take credit for all the good things which happen in the Commonwealth. I feel quite sure that they have assurance enough to appropriate any kudos. What time is a woman to have after she changes her name by marriage before she is to be bound to inform an electoral officer of the change, in order that she may appear on the roll under her new name? There is nothing in this Bill dealing with the matter, and under the provisions for compulsory enrolment a woman in such circumstances might incur a penalty through ignorance. Why should we compel people to enroll and then compel them to vote when there is no guarantee that they will secure representation as a result of their vote?

Senator GIVENS.—This Bill does not compel a man to record his vote.

Senator VARDON.—No, but it compels him to enroll, and the idea in compulsory enrolment is that electors may exercise the franchise. My complaint is that when a man is enrolled and has voted, he is given no assurance of representation on account of his vote. Why is it that people are indifferent in this matter? Why is it that every political organization worries about getting people on the roll?

Senator HENDERSON.—No, getting them off the roll.

Senator VARDON.—Does the honorable member mean to say that the Labour party endeavoured to keep people off the rolls?

Senator HENDERSON.—I mean to say that the Liberal party do. They collect hundreds of names with a view to keeping them off the rolls.

Senator VARDON.—I am willing to take Senator Henderson's word for it that the Liberal party are guilty of all the crimes under the sun, moon, and stars. I hope the honorable senator will be satisfied if I admit as much as that. Let me say that there is no party so wicked as the Liberal party, and no party so virtuous as the Labour party. Now that I

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have made that admission, I may be permitted to proceed without interruption. I ask why people are indifferent in this matter, and why, notwithstanding Senator Henderson's interjections, all kinds of efforts are made by all political parties to have people enrolled who they think will vote for them? Why is it that people do not voluntarily enroll themselves? It is because it may be quite useless for them to do so. I will give an instance. I take the division of Hindmarsh, and I ask of what use is it for any supporter of the Liberal party to record a vote in that division? He will know that there is not one chance in one thousand that he will ever secure the election of a man for that constituency to represent his views.

Senator McGREGOR.—That is a God-send, any way.

Senator VARDON.—That may be the way in which the Vice-President of the Executive Council looks at it. But there may be some districts in which a Labour supporter would feel that it would be of no use for him to record his vote, since he could not secure representation. Would that be a God-send also?

Senator McGREGOR.—No; a misfortune.

Senator VARDON.—The misfortunes for one side are God-sends for the other. Why should we perpetuate the system under which this takes place? Why should we not have a system under which we might encourage men to vote with an assurance that they would be given representation if they recorded their votes?

Senator GIVENS.—Every person could not be represented. If I were in a minority of one in the whole country, how could I be represented unless I could put myself into Parliament?

Senator VARDON.—If Senator Givens were in a minority of one in the whole country, and desired a representative all to himself, he would be a glutton, and would want too much.

Senator GIVENS.—I was showing the fallacy of the honorable senator's argument.

Senator VARDON.—No one would be so silly as to suggest that a party of one is entitled to a representative. But if a person belonged to any considerable party he could be given representation.

Senator GIVENS. — If the party numbered 1,000 or 10,000 it could not get representation in the Senate.

Senator VARDON.—I think it could. At the last Senate election the Labour party secured 2,021,090 votes, and by those votes secured every vacancy and the whole of the representation.

Senator MILLEN.—That is to say, the party had a majority in each State.

Senator VARDON.—Yes, I am taking the total number of votes polled. The Liberal party polled 1,997,029 votes, and did not gain a single seat. I have not the slightest idea that such a thing will happen at the next Senate election, but if it did the result would be that the whole of the representation of the Commonwealth in the Senate would be held by one political party. I say that, no matter what party that was, it would be a calamity.

Senator GIVENS.—Some twenty years ago the Labour party had no representation in Parliament. The honorable senator's crowd had it all. Was that a calamity?

Senator VARDON.—We are living now in an advanced age. I say that, if what happened at the last Senate election occurred also at the next, it would be held to justify the desire of some members of the Labour party for the abolition of the Senate.

Senator NEEDHAM.—Who are they?

Senator SAYERS.—Senator McDougall.

Senator VARDON.—I do not refer to Senator McDougall, or to any one else in particular. But there is a section of the Labour party who desire the abolition of the Senate.

Senator LYNCH.—What do members of the honorable senator's party say about the Senate?

Senator VARDON.—They always take a common-sense view of these things.

Senator LYNCH.—They say that it is now a mere echo of the House of Representatives. Sir John Forrest has said that, for one, if the honorable senator wants names.

Senator VARDON.—Has Senator Lynch finished his speech? I do not like to make statements unless I have some authority for them. I have here an extract from the *South Australian Register*, which, I am glad to hear, is not a dirty rag, although it was declared to be one.

Senator W. RUSSELL.—No. I referred to the *Critic*.

Senator VARDON.—I quote from the issue of 4th February, 1911. It is a report of a Labour Conference held in Sydney. There had been some differences of opinion between the State Government and the Federal Labour party with regard to

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the action to be taken at the referenda. I read this in the report—

Mr. Holman asked with great earnestness if he might be permitted to be heard on a most important matter. He asked permission of the Conference, now that the time for opposition had passed, to receive as notice of new business for the consideration of the Conference the matter of the whole remoulding of the Federal Constitution. He wished it to be thoroughly understood that he only asked permission to move the motion as new business.

I shall refer only to the third paragraph of the motion, which was as follows:—

(3) That the Inter-State Conference immediately take into consideration the remoulding of the whole of the Federal Constitution with the view of the abolition of the Senate and the High Court.

Mr. Holman added—

That was the only way the Federal Constitution could be made democratic.

Later on it is said—

Mr. Senator Gardiner hoped Mr. Holman would not tell the press the fact that the Labour party intended to amend the Constitution in the direction he had urged. It might defeat the referenda proposals if it leaked out. Let them first get in the thin end of the wedge by carrying the referenda proposals.

Senator W. RUSSELL.—Grace Watson used to quote that.

Senator VARDON.—The report states further—

Mr. J. C. Watson moved that permission be granted to Mr. Holman to move the motion of which he had given notice as special business.

What became of the motion I do not know. But the report shows that as Senator McDougall said the other day, there is a desire on the part of a section of the Labour party to abolish the Senate. It discloses a desire, not only to abolish the Senate, but also the High Court, to provide, as it is said, a thoroughly democratic Constitution.

Senator RAE.—Will the honorable senator say what connexion this has with the Electoral Bill?

Senator VARDON.—I wanted to show that there might be, as was claimed, a justification for the abolition of the Senate, unless an alteration is made in our electoral system which will prevent one party only being represented here. There is a remedy for this difficulty, and it is proportional representation.

Senator MILLEN.—What the honorable senator is asking for is representation of the people and not of the States.

Senator VARDON.—Yes.

Senator MILLEN.—Then the honorable senator is willing to abolish equal representation of the States?

Senator VARDON.—No, I would not abolish equal representation of the States. I have asked what representation the States would get here if what I have suggested were to happen.

Senator MILLEN.—A minority from an individual State has no right to representation in the Senate at all.

Senator VARDON.—I am glad to say that I am thoroughly opposed to my leader, Senator Millen, on that point. I hold that there should be majority rule in Parliament, and that there should be minority representation. We have single electorates for the House of Representatives, and the preferential vote might be adopted in that case. It is only a kind of homœopathic dose of proportional representation. It is all right so far as it goes, but it does not go far enough. It simply secures the representation of a relative majority in single electorates. I ask why we should not adopt a system of true proportional representation? That is the only safe, sound, scientific and democratic principle to adopt. It was advocated by the late Thomas Hare as far back as 1853, though some such system had been adopted in Denmark to a certain extent two years before. It was indorsed by so high an authority as John Stuart Mill, who in his *Autobiography* makes reference to the subject in the following terms—

This great discovery, for it is no less, in the political art, inspired me, as I believe it has inspired all thoughtful persons who have adopted it, with new and more sanguine hopes respecting the prospects of human society, by freeing the form of political institutions towards which the whole civilized world is manifestly and irresistibly tending from the chief part of what seemed to qualify and render doubtful its ultimate benefits. . . . I can understand that persons, otherwise intelligent, should, for want of sufficient examination, be repelled from Mr. Hare's plan by what they think the complex nature of its machinery. But any one who does not feel the want which the scheme is intended to supply; any one who throws it over as a mere theoretical subtlety or crotchet, tending to no valuable purpose and unworthy of the attention of practical men, may be pronounced an incompetent statesman, unequal to the politics of the future.

That is the testimony of a great political economist. Miss Catherine Spence, who was one of the finest women Australia has ever known—a reformer, both social and political, a philosopher, a philanthropist, a novelist, and an out-and-out Democrat—advocated a system of proportional representation for a great many years. Miss Spence passed away not long ago, and I am only sorry that she did not live long

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enough to see some such system adopted throughout Australia. All thoughtful persons admit that single electorates and block voting are unsatisfactory. This is what the Prime Minister of Great Britain, Mr. Asquith, said, when approached upon the subject—

I agree that it is impossible to defend the rough and ready method which has hitherto been adopted as a proper or satisfactory explanation of the representative principle. It is not merely that under our existing system a minority in the country may return a majority of the House of Commons, but what more frequently happens, and what I am disposed to agree is equally injurious in its results, is that you have almost always a great disproportion in the relative size of the majority and minority in the House of Commons as compared with their relative size in the constituencies.

Senator MILLEN.—There are very unequal electorates in Great Britain.

Senator VARDON.—That may be so, but the truth of what Mr. Asquith said was proved at the British elections of 1906. On that occasion the Ministerialists polled 3,395,811 votes, and secured 513 seats. If they had secured seats in proportion to votes polled they would have had 387. The Unionist party polled 2,494,794 votes, and secured only 157 seats. If they had secured seats in proportion to votes they would have had 283. The Ministerial majority in votes was 901,017, but their majority in seats was 356, whilst they were only entitled to a majority of 104. On the 22nd May, 1909, a deputation from the Manchester Liberal Association waited on the Home Secretary, Mr. Winston Churchill. The spokesman of the deputation said—

The point on which we wish to speak to you to-day is the reform of the present system of voting, which we hold to be out of date, archaic and in great need of reform.

Mr. Churchill's reply abundantly bore out Mr. Asquith's declaration "that it was impossible to defend the present rough and ready method." He said—

I think the present system has clearly broken down. The results produced are not fair to any party, nor to any section of the community. In many cases they do not secure majority representation, nor do they secure an intelligent representation of minorities. All they secure is fluke representation, freak representation, capricious representation.

There can be no greater condemnation of the system of single electorates and block voting than that conveyed in Mr. Winston Churchill's words. Speaking with regard to the representation of minorities, the late Lord Acton said—

The one pervading evil of democracy is the tyranny of the majority that succeeds by force or fraud in carrying elections. To break off that point is to avert the danger. The common system of representation perpetuates the danger. Unequal electorates afford no security to majorities. Equal electorates give none to minorities. Thirty-five years ago it was pointed out that the remedy is proportional representation. It is profoundly democratic, for it increases the influence of thousands who would otherwise have no voice in the Government; and it brings men more near an equality by so contriving that no vote shall be wasted, and that every voter shall contribute to bring into Parliament a member of his own opinion.

If that be true—as I think it is—Lord Acton's testimony in favour of adopting the system which I am now advocating is certainly strong. No Democracy, with adult suffrage, is complete without proportional representation. I know that the Vice-President of the Executive Council is an ardent advocate of this principle. I have heard him discuss it with great earnestness and fervour, supporting it very strongly. Therefore, I fully expect his help and vote for an amendment which I intend to propose to secure proportional representation in the election of senators.

Senator E. J. RUSSELL.—With six senators returned by each State, it is easy to get minority representation.

Senator VARDON.—I shall be very glad to hear my honorable friend on that point. I believe that the righteousness of this principle is generally recognised by political experts who have thought about it, many of whom have advocated it from time to time. It does provide for true representation, it is thoroughly democratic, and it really does mean "one man one vote," and "one vote one value."

Senator MILLEN.—Then the honorable senator would abolish equal representation in the Senate to give each vote the same value?

Senator VARDON.—Why should not every vote have the same value?

Senator MILLEN.—That is the logical consequence of what the honorable senator has been arguing

Senator VARDON.—Very well; it is democratic.

Senator CLEMONS.—Say "Yes"!

Senator VARDON.—I am advocating this principle, not from any party standpoint, because a great question of this kind ought to be considered above party. When you are seeking to get the very best system of representation, you should not, at the same time, seek advantages for one party over another. You should desire to secure advantages for the people generally. When an elector knows that his vote will

count if it be recorded, he will use it. That is the point on which I insist in regard to compulsory enrolment. If you want people to vote, encourage them in every way, not merely by putting their names on the electoral rolls, but by inducing them to record their votes at election time. When a man knows that his vote will have some effect, he will take a greater interest in an election. He will know, even if he belongs to a minority, that he has an opportunity of securing the representation of that minority in Parliament according to its strength. Under the present system, you may get minority rule. The system which I advocate is simplicity itself. With the system of education which we have in Australia any voter is capable of going to a polling booth and marking his ballot-paper according to his preferences. For the returning officer, the working out of the results is simply a mathematical proposition. I am not asking the Senate to take a leap in the dark. The system has been adopted, and wherever it has been tried it has been proved satisfactory. It was adopted in Belgium with excellent results, and has also been tried in Tasmania. The Tasmanian elections of 1909 gave each party representation according to its strength. The Tasmanian Legislative Assembly is the only legislative body in Australia truly representative of the people. The system adopted there gave each political candidate a run for his money.

Senator WALKER.—Is the system still used in Tasmania?

Senator VARDON.—Yes. Each elector is perfectly free to vote as he likes, without injury to his party, and without vote splitting. After the election in Tasmania, the Premier of the State called for an official report on the working of the new system. Amongst other things, this is what the officer said—

> The working of the system from the point of view of the returning officers was an unqualified success. No serious difficulty of any kind was found in conducting the scrutiny. Scrutinies for two of the districts were carried out in country towns where the number of persons available for the choice of a staff was small. But here, as elsewhere, no serious difficulty was found.

From the point of view of the electors, it is interesting to know the number of informal ballot-papers. The results show that the number of informal votes throughout Tasmania, excluding one electorate, was less than 3 per cent., whilst in the case of the electorate of Wilmot it was only 3.44 per cent. The average was 2.86 per cent. In the face of these figures, the idea that the elector does not know how to vote is absurd, because 2.86 is a very small percentage. It will be found that, under the Federal system, at the last election for the Commonwealth, the proportion of informal votes was considerably higher than that. I believe that in one case it was as high as 5 per cent. The system, therefore, has been well tried. Mr. Braun, the burgomaster of Ghent, says—

> During the four years that proportional representation has been applied to the communal elections of Ghent, every one has been able to appreciate the happy effects of the reform. Everybody recognises that, far from being endangered, the material prosperity has increased, and the ameliorating and pacifying effects of the altered electoral method have even exceeded the expectations and hopes of its advocates.

Another gentleman in Belgium has also borne testimony to the beneficial effects of this system of representation. Count Goblet d'Alviella, Secretary to the Belgium Senate, says—

> 1. We have gained the consciousness that the groups of deputies fairly represent the proportional forces of the respective parties.
>
> 2. We have secured for each party the absolute right to choose and return its own leaders.
>
> 3. We have introduced more sincerity into the electoral platforms.
>
> 4. Political life has never been more active; it has even reached several districts where there had been no contest for more than twenty years.
>
> 5. We have everywhere diminished party animosities, and all parties are satisfied with the working of the system.

The author of this pamphlet writes—

> The following additional advantages may fairly be claimed for proportional representation :—
>
> 6. It widens the choice of electors. Whenever the official nominee is unacceptable, the electors can nominate a further candidate without affecting adversely the representation of the party in Parliament.
>
> 7. It would insure the election of the ablest men of all parties, thus strengthening the *personnel* of Parliament.
>
> 8. It would assist in the restoration of the authority of Parliament, for no member who adhered to his election promises need fear to criticise, if necessary, the expenditure and administration of the Executive; his re-election would depend upon the continued support of those electors who were in agreement with his views.
>
> 9. The influence of party organizations would not overshadow that of Parliament; their power would be limited to that which legitimately arises from organization; their approval would not, as now, be essential to any successful nomination.

The evidence of these gentlemen, coming as it does from a country where the system

has been in operation for a considerable time, ought to carry some weight with the Senate. We cannot adopt the system for the House of Representatives, but we might insert in the Bill a provision for proportional voting which would be a step towards the other system. I intend, in Committee, to submit an amendment which, if carried, will, I believe, render unnecessary provisions for compulsory enrolment and compulsory voting. The voters will then take so much interest in the elections that I think they will voluntarily enroll and vote. More than that, a Parliament elected under the system will, I hold, faithfully represent the people as a Parliament ought to do. I propose to ask the Senate to insert, as new section 150, the following provision :—

(1.) In elections for the Senate the voter shall mark his vote on his ballot-paper by placing the number 1 in the square opposite the name of the candidate for whom he votes as his first preference and by placing the numbers 2, 3, 4 (and so on as the case requires) in the squares opposite the names of the remaining candidates so as to indicate the order of his preference for them.

(2.) Where an elector votes before a Registrar before polling day or where an elector votes in accordance with the regulations relating to absent voting, the manner in which a voter shall mark his vote on his ballot-paper shall be prescribed by the regulations, but so that the principles contained in the preceding sub-section relating to the marking of first and other preferences shall be observed.

Senator ST. LEDGER.—Will that apply to elections for the House of Representatives?

Senator VARDON.—It will, if the system of preferential voting is adopted, but I am dealing now more particularly with elections for the Senate. I hope that my proposal will be adopted, and so provide for what I believe is the true system of representation. That is, that all parties may be represented according to their strength, that the majority may rule, and that the minority may be heard.

Senator MILLEN.—That amendment is only intended for securing preferential voting?

Senator VARDON.—It will secure proportional representation.

Senator MILLEN.—I do not think so.

Senator VARDON.—If my amendment is carried I shall ask the Senate to insert a schedule providing for the adoption of the quota and the counting of the votes.

I desire to refer to the proposals of the Government relating to the wicked newspapers. Proposed new section 181A reads—

(1.)—The proprietor of every newspaper shall cause the word "advertisement" to be printed as a headline in letters not smaller than long primer to each article or paragraph in his newspaper containing electoral matter, the insertion of which is or is to be paid for or for which any reward or compensation or promise of reward or compensation is or is to be made.

Penalty: Five hundred pounds.

I should like to ask the Honorary Minister why long primer, simply?

Senator ST. LEDGER.—What is long primer?

Senator VARDON.—The provision does not even say long primer capitals. It does not describe the kind of long primer which has to be used, but simply refers to bare long primer. Does not the Honorary Minister think it necessary to insert great primer? And would it not be better to define the sort of great primer? Great primer expanded Gothic, for instance, would be broad enough to carry the announcement over two columns of the newspaper, and then there would be no mistake about its publication. It would catch the eye immediately, and persons would say, "Hallo, we have the newspaper now, and here is the advertisement for which we have been looking." I would point out to the Honorary Minister, who knows all about the printing trade, that as the provision stands the newspapers might get long primer hair-line condensed, and the print would be so fine that no one would be able to read the advertisement. If my honorable friends opposite must have this provision enacted, why not provide for the use of characters about which there can be no mistake? I am sure that the Honorary Minister will recognise the force of my remarks and provide that the announcement must be published in types so large that "he who runs may read," and there can be no mistake. He ought, however, to make an exception. I think that, in order to carry out the principles of the measure, he ought to provide that Labour newspapers shall be excepted from the operation of this provision. I do not think it is fair to make a Labour newspaper advertise these matters. They are altogether too pure to descend to anything that would be wrong, or to do anything which might be unfair to electors generally. I hope that on this provision the Honorary Minister will move an amendment exempting Labour news-

papers from its operation. Not for one minute do I wish to see them laid open to a penalty of £500. I have too much respect for them. I recognise their integrity and honesty, and so on; and so I do not desire by any chance that they shall be laid open to a penalty of that amount. I hope that the Minister will take my suggestion into consideration. Proposed new section 172A reads—

(1.) Every organization, association, league, or body of persons which has, or person who has, in connexion with any election, expended any money or incurred any expense—

(*a*) on behalf of, or in the interests of, any candidate, or

(*b*) on behalf of, or in the interests of, any political party,

shall in accordance with this section make a return of the money so expended or expense so incurred.

I wish to ask the Minister whether he cannot make it quite clear that a trade union comes within the definition? If he will provide that, besides the bodies named, trade unions shall each make a return of moneys which they collect and spend in any way for electoral purposes——

Senator FINDLEY. — Any organization coming under the provision will have to make a return.

Senator VARDON.—Yes; but I want to be sure that trade unions do come under the provision.

Senator RAE.—I have no objection to the amendment suggested.

Senator VARDON.—Surely the Minister should be quite willing to do what I have suggested. According to an extract from the *Age* of this morning, two delegates have been expelled from a party because they would not pay some political levy. It shows that we need to be careful in this matter. It proves that money is collected and spent for political purposes. The extract reads—

Recently D. McNeill and T. Johnson, delegates from the South Seaham and West Wallsend miners' lodges respectively, were expelled from a meeting of the delegate board because they would not pay a levy imposed on behalf of the Political Labour League. A meeting convened by the two delegates was held at West Wallsend.

Mr. T. Hoare, who presided, stated that their political freedom was endangered by the attempt of the Colliery Employés' Federation to force its members to contribute to the P.L.L. Every effort had been made by the industrial workers of the world, the Socialist Labour party and others to frustrate the attempt of the Colliery Employés' Federation and the Political Labour League to take away from the men the liberty that has been so dearly paid for by the pioneers of the working class organization, but in vain. In his opinion the time had arrived when all those who wished to preserve their political freedom must sink their differences of opinion and appeal to the Equity Court to restore the rights these political coercionists had taken away. He stated that similar meetings would be held in other centres.

Here is distinct testimony that levies are made and that money is collected to be paid to a Political Labour League simply to help forward matters at elections. If that is so, I feel quite sure that the Minister cannot refuse to make it perfectly plain that when trade unions collect money from their members in this way, and use it for electioneering purposes, they should each make a return showing how much they have spent, and how it was spent.

Senator MCGREGOR.—So they do.

Senator RAE.—If anything is wanted to make the provision clear, I shall vote for an amendment.

Senator VARDON.—I am very glad to hear that statement. In conclusion, I wish to say that my desire is to secure to the people a proper system of representation. When that is done, all inducements for fraud and corruption will be removed.

Senator MCGREGOR.—Are they not properly represented now?

Senator VARDON.—I could name persons who have told me that they have not voted for sixteen or twenty years simply because they never got representation.

Senator MCGREGOR.—Oh, God help them!

Senator VARDON.—If my suggestion is adopted, elections will be fought, not on personalities, but on principles.

Senator MCGREGOR.—Then your party will never get representation, as they have no principles.

Senator VARDON.—I am quite prepared to run the risk of that. If the honorable senator thinks that, he must consider that I am very foolish to advocate an amendment which, if adopted, will mean my political extinction; not that that would matter very much, I suppose.

Senator W. RUSSELL.—It does not square with the past, anyhow.

Senator VARDON.—I have a political reputation as good as that of the honorable senator.

Senator W. RUSSELL.—Not on the franchise.

The PRESIDENT.—Order!

Senator VARDON.—I am not advocating this amendment from a party standpoint, but on broad national grounds.

Senator W. RUSSELL.—Are you not?

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Senator VARDON.—I understand that the honorable senator who interjects does not know anything else but a party standpoint, and never did.

Senator W. RUSSELL.—You know that that is not correct.

Senator VARDON.—I desire to introduce a system of voting which will be democratic, sound and scientific, one which will discourage illegal practices and unfair methods, and put the Commonwealth in the van in the matter of electoral reform.

Senator FINDLEY (Victoria—Honorary Minister) [4.1].—On Thursday afternoon we had a long and a bitter speech from the Leader of the Opposition. In this Chamber we have had many lengthy speeches, but it is long since I heard a speech which occupied so much time, and meant so little, as that which we heard from his lips. It occupied about 180 minutes, and I should say that during the major portion of that time the honorable senator was engaged mainly in shadow-sparring.

Senator MILLEN.—In dealing with interjections from yourself and others.

Senator FINDLEY.—The honorable senator began by attacking two or three minor provisions of the Bill because, in his opinion, they were superfluously worded. He then said that, because there were one or two unimportant printer's errors in the Bill, it was worthy of condemnation, and had been hastily drawn. Then he worked himself almost into a white heat on the assumption that the Bill contained something which he afterwards found it did not contain.

Senator MILLEN.—No. You wanted to put in the Bill something which it did not contain.

Senator FINDLEY.—Later, without attempting to testify whether the principle of voting by post was sound or unsound, the honorable senator made, coldbloodedly, the statement that, because it was bad for the Labour party and good for the party which he represents, he fought like a Tasmanian devil in the interests of his party for its protection.

Senator MILLEN.—That is not true, and you know it.

The PRESIDENT.—Order!

Senator FINDLEY.—I venture to say that my statement is absolutely correct.

The PRESIDENT.—I think that Senator Millen knows that it is not in accordance with the Standing Orders to interject that a statement made is not true, and that the senator making the statement knows that it is not true.

Senator MILLEN.—I have no desire to violate the Standing Orders, sir, as I hope you will recognise from my general deportment here. But I should like to know under what standing order I can give a flat denial to a statement which is an absolute travesty on what I did say.

The PRESIDENT.—The honorable senator knows that interjections are altogether disorderly. Any honorable senator may interject that a statement made by another senator is incorrect; but to say that the statement is not true, and that the speaker knows that it is not true is altogether out of order.

Senator MILLEN.—I withdraw anything I have said which is a violation of the Standing Orders, and will take another opportunity of bringing home to the Senate what I desire to communicate.

Senator FINDLEY.—I leave it to the fair sense of honorable senators who were present when Senator Millen delivered his lengthy speech as to whether my statement that he deliberately charged this party, and this Government, with desiring the abolition of postal voting on the ground that it was inimical to this party—is not correct.

Senator MILLEN.—Hear, hear! That is what I said.

Senator FINDLEY.—If the honorable senator is within his rights in charging this party with desiring the abolition of postal voting because it is harmful, in his opinion, to themselves, I am quite within my rights in charging the Opposition party with being desirous of retaining the postal vote because it will be helpful to them.

Senator MILLEN.—Yes; but your first statement was that I said that that was the reason why I was fighting for the retention of postal voting.

Senator FINDLEY.—I still repeat what I said.

Senator MILLEN.—Then the honorable senator repeats what is not correct.

Senator FINDLEY.—We ought to discuss principles apart from party. I venture to say that every member of the Senate who has had any experience of the operation of postal voting has long since arrived at the conclusion that no matter how many safeguards surround the system they will be evaded, and the system will not

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give satisfaction to a majority of the members of the Senate, or of another place.

Senator MILLEN.—To what party do the majority of the members of the Senate belong?

Senator FINDLEY.—We are desirous of bringing about purity in our electoral system, and that postal voting has not had a tendency in that direction has been manifested on more than one occasion.

Senator ST. LEDGER.—For instance?

Senator FINDLEY.—We need not go further than the city of Melbourne for an instance. The result of one election for Melbourne was in favour of a certain gentleman who died some time ago in the Old Country, but when the seat was again contested it was won by the previously unsuccessful candidate, mainly because of the undue influence exercised under the postal voting system at the first election.

Senator MILLEN.—The honorable senator should give us some proof of that undue influence.

Senator FINDLEY.—At the first election a considerable number of votes were recorded by post, and at the second election there was a very considerable diminution in the number of votes so recorded.

Senator MILLEN.—How does that prove undue influence?

Senator FINDLEY.—It was proved beyond the shadow of a doubt that numbers who ought to have gone to the poll were influenced to vote by post.

Senator MILLEN.—That does not show influence as to the way they voted.

Senator FINDLEY.—I do not know what honorable senators opposite require, In the first case, a certain gentleman was returned by a fairly substantial majority, while at the second election for the same seat the number of postal votes recorded was considerably reduced, and the unsuccessful candidate at the first election was successful.

Senator MILLEN.—Is that why the Government are against postal voting?

Senator FINDLEY.—No.

Senator MILLEN.—It looks like it.

Senator FINDLEY.—I am against postal voting, because I believe that no matter how the system is safeguarded it will be found to be unsatisfactory.

Senator MILLEN. —To the honorable senator.

Senator FINDLEY.—To everybody who desires purity in election contests. Senator Millen quoted the number of votes recorded by post throughout the Commonwealth at the last general election. He quoted the figures correctly as 29,249, but he might have gone a little further, and have shown to what extent postal voting was adopted in the different States. It does not follow that the whole of these people will be disfranchised by the abolition of postal voting.

Senator E. J. RUSSELL.—Not one-half of them will be.

Senator FINDLEY.—I do not believe that one-half that number will be inconvenienced by the abolition of the system.

Senator MILLEN.—The honorable senator admits that the other half will be.

Senator FINDLEY.—Senator Millen in his plea for the retention of the postal voting system said that its abolition would inconvenience the aged, the sick, and infirm. The honorable senator pleaded particularly for the women folk also. He pleaded for aged and infirm men, and sick women folk.

Senator VARDON.—Hear, hear.

Senator FINDLEY.—An honorable senator cheers the statement. Let me say that the time was, and it is not so very long ago, when certain persons belonging to the party with which Senators Millen and Vardon are associated to-day would not give every man a vote.

Senator RAE.—Or any woman.

Senator FINDLEY.—And would not, in any circumstances, give a woman a vote, because they said she was unworthy of a vote, and if she were given it would not be able to exercise it intelligently.

Senator VARDON.—Rubbish.

Senator FINDLEY.—It was rubbish. That is what we said of it—that it was absolute rubbish.

Senator MILLEN.—And now that they have been given a vote, the Government do not wish them to exercise it.

Senator FINDLEY.—The time was when it was said that every man should not have a vote.

Senator MILLEN.—By whom?

Senator FINDLEY.—By persons belonging to the honorable senator's party.

Senator MILLEN.—I remind the honorable senator that he is dealing with my speech now.

Senator FINDLEY.—I am, and I am dealing with the honorable senator as the leader of a party that at one time denied that every man should have a vote.

Senator MILLEN.—No.

Senator FINDLEY.—It has been said by members of his party that some men

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were entitled to more consideration than others in connexion with our electoral system.

Senator MILLEN.—Who said that?

Senator LONG.—Many of the party still hold that view.

Senator FINDLEY.—Some still cherish a life-long regret that one-man-one-vote ever became the established electoral law of the country.

Senator MILLEN.—There has never been a party in the Federal Parliament opposed to universal suffrage.

Senator FINDLEY.—Let me remind the honorable senator that in the first Federal Parliament the only State that was represented on adult suffrage was the State of South Australia. I well remember a meeting held in the supper-room of the Melbourne Town Hall after the establishment of Federation when an amendment was proposed, that the franchise for the Commonwealth should be an adult franchise—one adult one vote. And such was the bitter opposition shown to that proposition that a division was called for, and those in favour of it won only by a small majority.

Senator SAYERS.—That was only in Victoria.

Senator FINDLEY.—It was proposed for the whole of the Commonwealth. It was highly amusing to me to hear honorable senators opposite pleading for aged and infirm men and sick women. To hear Senator McColl pleading for sick women! The honorable senator, when he had the opportunity to do so, would not give either a sick or a strong woman a vote for the State Parliament of Victoria. Yet he had the brazen-faced audacity the other night to get up in his place here and say that the Labour party do not desire to have a full or complete roll.

Senator MILLEN.—The Minister may use the word "brazen," but apparently Senator McColl may not.

The PRESIDENT.—Order! I should like to point out to Senator Millen that on the occasion to which he refers an honorable senator rose to a point of order, and asked me whether I thought the word "brazen" was in order. I said that it might be out of order if objected to as being offensive.

Senator MILLEN.—I did not intend any reflection upon you, sir. I wished to draw Senator Findley's attention, as one of those who objected to the use of the word by Senator McColl, to the fact that he now uses it himself.

Senator FINDLEY.—I did not object to the word.

Senator MILLEN.—The honorable senator did. I do not object to it. I think its use is entirely parliamentary.

Senator FINDLEY.—I shall say that the honorable member had the cool audacity the other night to say that we wished to deny to sick women the right to vote, although when he had the opportunity to do so he refused in the Victorian Parliament to confer the right to vote on women. Now the honorable senator has the boiler-plated impudence to get up in his place in this chamber and say that the Labour party do not desire a full or complete roll because it would mean disaster to them. Let us examine that statement. For the election of the first Federal Parliament we had not a full or complete roll, and Labour secured eight members in the Senate and sixteen members in the House of Representatives, or a total of twenty-four. At the next Federal elections, with fuller and more complete rolls, Labour secured fifteen seats in the Senate and twenty-four in the House of Representatives, or a total of thirty-nine. From the next election, with a still larger and more complete roll, due to an increased population and better facilities to enable people to get their names on the roll, the Labour party came back with fifteen in the Senate and twenty-six in the House of Representatives, or a total of forty-one. And at the last Federal election, with the biggest roll in the history of the Commonwealth, and the highest percentage of electors voting, according to Senator McColl's reasoning, the result should have been disaster to the Labour party. But what happened? We came back twenty-three strong in the Senate and forty-two strong in another place, or a total of sixty-five. And we are here to-day.

Senator MILLEN.—Honorable members are there in spite of the referenda.

Senator FINDLEY.—We are here, and if there was anything in the reasoning of Senator McColl we should be in a hopeless minority, because of the completeness of the roll, and the big percentage of votes recorded at the last Federal elections. Every member of the Senate, I hope, is desirous of bringing about the most complete and satisfactory roll for the Commonwealth. I believe every one will admit that to-day there are innumerable names on

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the rolls which ought not to be there, and that no matter what pains or care are taken by the Electoral Department and its officers it is absolutely impossible to bring about an entirely satisfactory roll. In the departmental memorandum it is shown that although the Electoral Department may know that an elector whose name is on the roll for a particular division has removed to another division, as soon as the name is removed from the roll of the division which he has left it is automatically removed also so far as an election for the Senate is concerned. That is an injustice to the elector. It may happen that the names of persons who have long since left the division will remain on the roll for it, and although such persons are entitled to vote somewhere their votes may considerably influence an election in a district where they do not reside. I say that the persons who live in a division, and only those persons, should vote at an election for that division. The way to bring about a better roll is to adopt compulsory enrolment. Senator Millen says that we shall need to have one-half of the population chasing the other half to bring compulsory enrolment about. We have considerably over 2,000,000 electors on the Commonwealth electoral rolls. Does Senator Millen imagine for a moment that we shall require one-half that number to bring about compulsory enrolment? Let us examine the queries presented to us by the Opposition in regard to the difficulties of compulsory enrolment. In the first place, let me say that policemen are going from door to door to-day armed with copies of rolls, with cards which have to be filled in, and with copies of regulations, which are supplied to every householder. Thousands of copies of these regulations have been printed and circulated. I believe that everybody in the Commonwealth is to-day aware of the fact that compulsory enrolment is to be, or, as a matter of fact, has been initiated, and that if they do not comply with the terms of the regulations they will be liable to be punished.

Senator MILLEN.—No.

Senator SAYERS.—Are they in force yet?

Senator FINDLEY.—No, not yet. The present rolls will be compiled in a double way. The police will assist as well as the cards.

Senator MILLEN.—The word "double" is a very unfortunate word for the honorable senator to use.

Senator FINDLEY.—I mean that the practice now adopted will insure a much more satisfactory roll than would otherwise be the case. The police, who take the rolls with them, may or may not put names on the rolls or remove them, but in addition they supply every one with cards.

Senator MILLEN.—Is the honorable senator dealing with the system proposed to be created under this Bill, or the system now in operation?

Senator FINDLEY.—The system we are initiating now is the card system.

Senator MILLEN.—The honorable senator means the system proposed by the Bill.

Senator FINDLEY.—The card system will provide for compulsory enrolment. And, after the roll now being compiled is completed, those who do not send in their names on the cards supplied to them will be liable to be punished.

Senator MILLEN.—How are they to send them in?

Senator FINDLEY. — One would imagine that there were a thousand and one difficulties in the way of the average person becoming enrolled as an elector.

Senator MILLEN.—We want the system explained.

Senator FINDLEY.—Senator Millen knows that there is an income tax operating in this State. A small paragraph, sometimes in an out of the way part of a newspaper, appears calling the attention of business men to the fact that on a certain day income-tax returns must be furnished at a certain place, and that forms for the purpose can be obtained at the Income Tax Office, or at a post office. We do not require an army of men to hunt up all those who are required to send in income-tax returns.

Senator MILLEN.—Where do the policemen come in of whom the honorable senator was talking just now?

Senator FINDLEY.—We do not send out forms to every one liable to pay land tax. We put a paragraph in the newspapers telling people that such forms may be obtained at certain places.

Senator MILLEN.—Is that what the Government propose to do in connexion with the card system?

Senator FINDLEY.—We propose to leave cards at every place which people usually frequent. But, before we do so, we do what has not been done in connexion with income-tax or land-tax returns. We circulate a regulation notifying every one in Australia over the age of twenty-one

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years that, after a certain date, they must enrol themselves as electors, and that, if they remove from one electoral division to another, they must notify the Electoral Department of the change, or otherwise they will be liable to a penalty. When I was referring to our proposal to abolish postal voting I mentioned that 29,249 postal votes were recorded at the last Federal election. It is interesting to note how these votes were recorded. New South Wales being a larger State, having a larger population, and the people being more scattered than in Victoria, a larger number of votes by post might have been expected to be recorded there. Senator Millen himself urged that extra facilities should be afforded to people to vote in States with scattered populations. Now what are the facts. In New South Wales at the last election the number of votes recorded by post was 6,219.

Senator MILLEN.—What was the percentage of electors who did not vote at all?

Senator FINDLEY.—I am not concerned about that.

Senator MILLEN.—But it is material.

Senator FINDLEY.—The electors had every opportunity of recording their votes either at the ballot-box or by post.

Senator MILLEN.—No.

Senator FINDLEY.—The honorable senator was concerned about the number of electors who voted by post. I intend to show the number who recorded their votes by post in the different States. Victoria is a smaller State than New South Wales, and its population is much more compact. Consequently, the difficulties in regard to voting in this State are not nearly so great as they are in New South Wales. Yet the number who recorded their votes by post in Victoria was 14,049—more than twice the number who voted by post in New South Wales.

Senator HENDERSON.—Most of those resided in the cities.

Senator FINDLEY.—A considerable number of those votes were recorded in the city of Melbourne.

Senator Lt.-Col. CAMERON.—Are there not more females in Victoria than in New South Wales in proportion to population?

Senator E. J. RUSSELL.—In proportion to the total votes polled the number of votes recorded by post in Victoria was still greater at the last referenda.

Senator FINDLEY.—The total of votes by post in Victoria was made up of 6,341 votes by males, and 7,708 by females. In Queensland 4,020 votes were recorded by post, in South Australia 1,751, in Western Australia 1,977, and in Tasmania 1,233.

Senator SAYERS.—Can the honorable senator give the number of males and females who voted by post in each State?

Senator FINDLEY.—Yes. I have already given those details for the State of Victoria. In New South Wales 2,894 males, and 3,325 females voted by post; in Queensland there were 1,638 males and 2,382 females; in South Australia 960 males and 791 females; in Western Australia, 1,127 males and 850 females; and in Tasmania 530 males and 703 females. It will be seen that in Western Australia the number of males who voted by post exceeded the females. It must not be supposed that because we intend to abolish postal voting under this Bill, those who voted by post at the last election will be entirely disfranchised. I do not think that anything like that number will fail to record their votes at the ballot-box. The probabilities are that a considerable number of those who recorded their votes by post at the last election will take other means to vote when they find that the old system is no longer operative.

Senator VARDON.—The Government would shut off the balance.

Senator FINDLEY.—No matter what system is adopted somebody will suffer. Senator Millen remarked that the Minister of Defence, in introducing this Bill, had said that we intended to introduce a substitute for voting by post in the form of absent voting, and he complained that we intended to provide for that method of voting by regulation. He was very indignant that such a provision should be left to regulation. Perhaps Senator Millen is not unmindful of the fact that absent voting at the present time is left to regulation.

Senator MILLEN.—No. There is a great deal in the Act itself dealing with absent voting.

Senator FINDLEY.—I repeat that absent voting is left to regulation. What we desire to do under this Bill is what is already done in regard to absent voting under the existing Act.

Senator MILLEN.—What about Form Q? That is provided for in the Act itself.

Senator FINDLEY.—We intend to abolish postal voting, but I am now dealing with absent voting.

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Senator MILLEN.—Form Q deals with absent voting.

Senator FINDLEY.—Senator Millen knows very well that a certain procedure has to be followed with regard to all regulations made under Federal Acts. What will be done with these regulations when they are framed?

Senator MILLEN.—We do not know what the regulations will provide

Senator FINDLEY.—The honorable senator will know. He is not such a parliamentary novice as to be unaware that regulations have to be laid upon the table of the Senate for a certain time, and that if in the meanwhile no objection is taken to them they have the force of law.

Senator MILLEN.—Will the Government put in their Bill a provision providing for a corresponding form to Form Q?

Senator FINDLEY.—We intend to provide for absent voting by regulation, and I will tell the honorable senator, in case he has forgotten, what is meant by a regulation. The Acts Interpretation Act 1904 provides that—

> Where an Act confers power to make regulations all regulations made accordingly shall unless the contrary intention appears—
>
> (*a*) be notified in the *Gazette*;
>
> (*b*) take effect from the date of the notification or from a later date specified in the regulations;
>
> (*c*) be laid before both Houses of the Parliament within 30 days of the making thereof or if the Parliament is not then sitting within 30 days after the next meeting of the Parliament; but if either House of the Parliament passes a resolution of which notice has been given at any time within 15 sitting days after such regulations have been laid before such House disallowing any such regulation such regulation shall cease to have effect.

In ninety-nine cases out of a hundred regulations made under a Federal Act are laid before Parliament, and they cannot have the force of law if objection is taken to them.

Senator MILLEN.—That was not my point at all. My point was that the Government are leaving to regulation what was previously dealt with by the Act itself.

Senator FINDLEY.—The honorable senator need not attempt to quibble in that way, because he knows that we are abolishing postal voting.

Senator MILLEN.—I am not now referring to postal voting, but to absent voting.

Senator FINDLEY.—Absent voting is dealt with in this Bill in the same way as it is dealt with under the existing law.

Senator MILLEN.—Is there in the schedule to this Bill anything corresponding to Form "Q" under the existing law?

Senator FINDLEY.—No, not in the present Bill.

Senator MILLEN.—But Form "Q," under the law as it stands to-day, deals with absent voting. It is now proposed to deal with the system by regulation.

Senator FINDLEY.—Harking back again——

Senator MILLEN.—The honorable senator passes over that point. Let him deal with it. He has contradicted me. Let him demonstrate that I am wrong.

Senator FINDLEY.—I have said several times that absent voting is left to regulation.

Senator MILLEN.—The honorable senator said just now that this Bill dealt with absent voting in the same way as does the existing law.

Senator FINDLEY.—Let me deal with another point raised by Senator Millen—in regard to compulsory enrolment. Whilst the honorable senator did not object to compulsory enrolment, he did not utter a word in favour of it.

Senator MILLEN.—I see no utility in it at all.

Senator FINDLEY.—What the honorable senator did say was this—

> If we desire a healthy roll it is far better that we should say to electors, "The obligation is yours to become enrolled; we do not bother about it at all."

In other words, if we want a healthy roll, we should, according to the honorable senator, say to all electors, men and women, that the obligation to secure enrolment is theirs, and that Parliament will not bother about them. Therefore, the fewer facilities we give people to secure enrolment the better. I am, however, of opinion that by placing facilities in the way of electors to become enrolled, we shall secure a healthy roll, and that by simply leaving the matter in the hands of electors, we shall obtain nothing better than an unhealthy system, and one deserving to be condemned. I venture to say that if we were to abolish the card system, and were to dispense with the services of the policemen, contenting ourselves with saying to the electors, "On a certain day you have to enroll, and if you do not you will not be able to vote," we should have smaller polls than we have to-day.

Senator MILLEN.—The Government say that in regard to the land tax, and it is also said in regard to the income tax.

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Senator FINDLEY.—But it is compulsory for people to fill up schedules in regard to income tax and land tax.

Senator MILLEN.—The Government do not send policemen round to help electors in regard to taxation.

Senator FINDLEY.—I am afraid that the honorable senator is tying himself up in a knot. He makes an analogy between income, land tax, and the enrolling of electors. But behind the income tax and the land tax there stands the stalwart form of the policeman, and there is a substantial penalty awaiting citizens if they do not fill in the required returns.

Senator MILLEN.—The policeman does not go round and do the work for the taxpayer.

Senator FINDLEY.—I am satisfied that the system of compulsory enrolment now proposed will give us a better roll, a much less costly roll, and a roll that will afford more satisfaction to every candidate who stands for election, either for the Senate or the House of Representatives. The honorable senator argued that compulsory enrolment ought to be followed by a system of compulsory voting. But it would be impossible to make compulsory voting effective. I defy any honorable senator to devise an effective scheme.

Senator MILLEN.—I quite agree with the honorable senator, and, therefore, compulsory enrolment is worthless.

Senator FINDLEY.—It is possible to compel people to enroll, and by so doing you can insure a fuller roll. By means of a completer roll you will get a larger percentage of votes recorded at elections. But at the same time it would be impossible to compel men and women to record effective votes. We all believe in voting by ballot. The secrecy of the ballot must be maintained. You cannot tell whether a vote recorded by any particular person is effective or non-effective unless you nullify the ballot system. I feel sure that there is no desire on the part of any honorable senator to do that.

Senator DE LARGIE.—To have compulsory voting you must have compulsory enrolment. You could not have the one without the other.

Senator MILLEN.—But the Government are proposing the one without the other.

Senator FINDLEY.—I believe strongly in compulsory enrolment, but nothing up to the present has convinced me of the possibility of compulsory voting; because, while you might be able to compel any number of men and women to go to the polling booth, you could not, because of the secrecy of the ballot, compel them to record effective votes. Why should you introduce a system that would exempt from punishment those who would go into a polling booth and wilfully render their votes informal, whilst punishing those who stayed away from the poll altogether?

Senator MILLEN.—Why punish a man if he does not enroll when he need not exercise the vote after he has enrolled?

Senator FINDLEY.—I am satisfied that the proposed system of compulsory enrolment will lead to a higher percentage of votes being recorded at each general or by-election. It must have been the experience of thousands of persons who have interested themselves in elections that those who have made the greatest noise about the defects of the electoral system were those who had not taken the trouble to enroll themselves In many cases this was due to sheer carelessness. But if people know that they will render themselves liable to be punished if they do not enroll, and do not notify the Department of a transfer, thousands of names will be added to the rolls which are not upon them to-day. In attacking this Bill, Senator Millen said inferentially that it is a class Bill.

Senator MILLEN.—A party Bill.

Senator FINDLEY.—That means the same thing.

Senator MILLEN.—So that honorable senators opposite admit that they are a class party.

Senator FINDLEY.—We are a class party. I have always contended that we are a class party. We should not be worth our salt if we were not a class party. But in reality the only class in this country which is not a class in the true sense is the working class—which is the nation. The honorable senator said—

> If this Bill passes into law it means that the only man who will be able to launch an appeal before the Court of Disputed Returns will be he who is in a position to pay, not only his own costs, but possibly the costs of both his successful opponent and of the Department.

The honorable senator objected to the elimination of the £100 limit as to costs.

Senator MILLEN.—No; I objected to the introduction of the Government as a party.

Senator FINDLEY.—The honorable senator objected to the limitation as to costs, also urging that only a rich man would be able to contest a case before the Court of Disputed Returns.

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Senator MILLEN.—It is not very material; but, if the Minister will allow me to correct him, my statement was that the elimination of the £100 became more serious, in view of the fact that the Government were claiming the right, through the Electoral Office, to become a party to a disputed election. The £100 itself was not material.

Senator FINDLEY.—Anyhow, my honorable friend will admit that he dealt with that aspect. But I would point out that the elimination of the £100 will have the opposite effect to that which he anticipated. During the last few years a number of cases have been contested in the Court of Disputed Returns, and in half-a-dozen cases which I can cite Parliament has been appealed to for monetary assistance to the respondents. The most recent case—Crouch *v.* Ozanne—the Judge said was frivolous. Mr. Ozanne was put to a considerable expenditure of effort and money, and all the costs which he could get from Mr. Crouch were £100, although his costs amounted to considerably more than that sum. I think that, in the Riverina case, the costs of Mr. Chanter amounted to considerably more than £100. In about half-a-dozen cases Parliament has been appealed to for monetary aid to those candidates against whose return petitions had been unsuccessfully lodged. The elimination of this maximum of £100 will cause a candidate to hesitate before he goes in for a speculative chance, and some of these appeals have been merely speculations. An unsuccessful candidate will hesitate before he appeals to the Court against the return of the man who has been declared elected when he knows that if the costs should be high, and he should be found to blame, he will have to bear his share of responsibility. In respect to the appearance of the Electoral Branch, I believe that, in the Crouch *v.* Ozanne case, charges were made by Mr. Crouch in respect to the administration of some of the departmental officers on election day. But those officers and the Department itself had a complete answer to the charges, but they were not allowed to appear. To give the Department an opportunity to appear when its officers are involved and its administration is attacked, and to empower the Judge to award costs against those who, in his opinion, are at fault, is, I think, a step in the right direction.

Senator MILLEN.—The Bill goes beyond that.

Senator FINDLEY.—There are one or two other matters I wish to deal with.

Senator MILLEN.—Before the Minister passes away from that point, will he say whether he will be agreeable to an amendment limiting the right of the Department to appear when its administration is subjected to review?

Senator FINDLEY.—I like the Bill as it is.

Senator MILLEN.—The Bill goes much beyond what the Minister has just stated.

Senator FINDLEY.—I think that I have stated the case fairly well. The Department will have an opportunity to appear in respect to cases which come before the Court, and it will be able to protect itself and also the Government.

Senator MILLEN.—And fight the case of one of the candidates?

Senator FINDLEY.—No.

Senator MILLEN.—It will.

Senator FINDLEY.—What object would the Department have in fighting the case of a candidate?

Senator MILLEN.—I am not here to deal with objects but to point out opportunities.

Senator FINDLEY.—The Department will only appear in the Court when its administration is attacked.

Senator MILLEN.—Put that in the Bill and I shall be satisfied.

Senator FINDLEY.—There are lots of things with which the honorable senator would be satisfied if we amended the Bill in accordance with his wishes.

Senator MILLEN.—Well, that justifies my statement to the Senate.

Senator FINDLEY.—In respect to recounts, the honorable senator found fault with clauses 25 and 26, but I think his criticism was hardly fair. In order that the provisions may be understood I shall read them —

25. Section one hundred and sixty-one A of the Principal Act is amended by adding thereto the following sub-section :—

"(3.) If the Commonwealth Electoral Officer for the State refuses, on the request of a candidate, to direct a recount of any ballot-papers, the candidate may, in writing, appeal to the Chief Electoral Officer to direct a recount of those ballot-papers, and the Chief Electoral Officer may, as he thinks fit, either direct a recount of the ballot-papers or refuse the appeal."

26. After section one hundred and sixty-one A of the Principal Act the following section is inserted :—

"161B.—(1.) At any recount the officer conducting the recount may, and at the request of any scrutineer shall, reserve any ballot-paper

for the decision of the Commonwealth Electoral Officer for the State.

"(2.) The Commonwealth Electoral Officer for the State shall decide whether any ballot-paper reserved for his decision in pursuance of this section is to be allowed and admitted or disallowed, and rejected.

"(3.) In the event of the validity of the election being disputed the Court of Disputed Returns may consider any ballot-papers which were reserved for the decision of the Commonwealth Electoral Officer for the State, but shall not order any further recount of the whole or any part of the ballot-papers in connexion with the election unless it is satisfied that some mistake or error in connexion with the counting has been made which renders a recount necessary."

Senator Millen took strong exception to the last few lines of proposed sub-section 3.

Senator MILLEN.—No; to the whole limitation.

Senator FINDLEY.—Suppose that these words were eliminated, would the Court not desire the fullest possible evidence that a mistake or an error had been made before it would consent to grant a recount of the votes?

Senator MILLEN.—Take out the whole limitation on the power of the Court.

Senator FINDLEY.—The honorable senator not only desired the elimination of these words, but quoted from a report which was made not long ago in respect to the Riverina case, and he wanted, if he possibly could, to embody in the Bill the recommendation contained in the report. What did that recommendation mean?

Senator MILLEN.—I did not read any recommendation.

Senator FINDLEY.—The honorable senator, if I remember rightly, referred to this recommendation.

Senator MILLEN.—Look at the *Hansard* report and see the portion of the report which I did read. I did not read any recommendation from the Commission. I do not know what they recommended.

Senator FINDLEY.—I do not want to do the honorable senator an injustice. If my memory serves me rightly, and I hope that the honorable senator will correct me if I am wrong, in the report it was recommended that a candidate should have an opportunity of demanding a recount, and, as far as I remember, he desired that such a provision should be made in this Bill.

Senator MILLEN.—Yes.

Senator FINDLEY.—If this concession is granted to one party it ought to be granted to another. Let us examine the proposal. At Senate elections in New South Wales and Victoria there are more than two parties. On the last occasion in New South Wales there were three parties, and it may be that at the next election there will be four parties. At the last election Senator McDougall topped the score on behalf of his party with 250,000 votes. I believe that the highest score for the Fusion party was slightly over 200,000 votes, and the Socialist party, if I remember rightly, scored about 13,000 votes. Does Senator Millen seriously contend that a candidate belonging to a party, no matter how small a number of votes a member of that party may poll, should have the right to demand a recount of the votes?

Senator MILLEN.—You are making an absurdity of the argument.

Senator FINDLEY.—If the concession is to apply to a candidate who scores 250,000 votes, why leave out a man who represents a party, which, though small in number to-day, is growing in strength every year? The same thing might well be said of the Labour party. A few short years ago the votes it polled were small in number as compared with those which it polls to-day. If this proposal is to apply at all, it cannot have a one-sided application. It should have a general application. Therefore, it should not be entertained for one moment that any candidate standing on behalf of a party should have the right to demand a recount.

Senator SAYERS.—So he should, if he is prepared to put up a penalty. Make a penalty and let him put it up.

Senator FINDLEY.—Candidates have every facility now to get what they want. What takes place in regard to counting? First a count is made by the Assistant Returning Officer. Then a recount is made by the Divisional Returning Officer.

Senator MILLEN.—No, a recount may be refused by both these officers—that is the point.

Senator FINDLEY.—A count cannot be refused by the Assistant Returning Officer.

Senator MILLEN.—I am speaking of a recount.

Senator FINDLEY.—An appeal may be made for a recount.

Senator MILLEN.—And may be refused.

Senator FINDLEY.—"May."

Senator MILLEN.—That is the case I am dealing with. A recount was refused in the Riverina case.

Senator FINDLEY.—It may be refused. I hold that unless the strongest

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possible reasons can be shown that an error or a mistake has been made, a recount of the votes polled in a division or in the State should not be granted.

Senator MILLEN.—I agree with the honorable senator, but I say that when a *primâ facie* case has been made out, a man should have the right to a recount.

Senator FINDLEY.—Under those circumstances the Court would hardly refuse a recount.

Senator MILLEN.—But this provision will bar the Court; it says that the Court must have absolute proof that an error or a mistake has been made, and not that a *primâ facie* case must be made out.

Senator FINDLEY.—If the Divisional Returning Officer refuses to recount the votes there is an appeal to the Chief Electoral Officer.

Senator MILLEN.—Who may refuse a recount.

Senator FINDLEY.—I cannot think it is possible that a high official would, unless he were absolutely certain that they were correct, refuse a recount.

Senator MILLEN.—Why did they refuse in the Riverina case?

Senator FINDLEY.—Then the candidate can appeal to the Court.

Senator MILLEN.—No.

Senator FINDLEY.—If it can be shown to the Court that an error, or a mistake in counting has been made, it can grant a recount.

Senator MILLEN.—But how can a man prove that an error has been made unless he has had a recount?

Senator FINDLEY.—That brings us back to the original contention of the honorable senator who, apparently, cannot get the idea out of his mind that every candidate should have the right to a recount.

Senator MILLEN.—No.

Senator FINDLEY.—I do not go so far as that. If we were to grant that concession to every candidate, we should have never-ending work, and, of course, no finality. I feel satisfied, in my own mind, that the Court will take into consideration——

Senator MILLEN.—My objection is that the provision does not allow the Court to deal with the matter.

Senator FINDLEY.—The Court will take into consideration the application for a recount, and also the possibility of error.

Senator MILLEN.—But the Bill will not allow the Court to deal with that. It provides that an error must be proved to the satisfaction of the Court.

Senator FINDLEY.—Surely, if we eliminated these words from the Bill, the Court would not grant a recount unless it was thoroughly satisfied that there had been an error.

Senator MILLEN.—How is the Court to know that?

Senator FINDLEY.—What does it bring us back to? That honorable senators opposite do not want these words retained, but desire that every unsuccessful candidate should have the opportunity to demand a recount.

Senator MILLEN.—No. I want to secure to a person the right to show the Court that it is reasonable that there should be a recount.

Senator FINDLEY.—I am satisfied that the provision in the Bill will grant enlarged facilities to candidates to get what they have not been able to obtain under the principal Act. I do not see that any member of the Senate need have the slightest fear on that score. I now desire to say a few words in respect to the provision relating to advertisements in newspapers. The other day, when Senator Millen was, as I have said, shadow-sparring for an hour, or thereabouts—and I meant that in all seriousness—he singled out for special criticism a newspaper which has won a name for its fairness and the mental pabulum it provides from week to week. It is owned and controlled by working men, and cannot, by any stretch of the imagination, be called a hireling press. It is co-operatively and collectively owned. I venture to say that, with the exception of those lines which men in their spare moments contribute, every line it prints is paid for, and paid for as well as every other newspaper pays for its contributions. That it is a party newspaper is undeniable. It would not be worth calling a newspaper if it were not. It came into existence over twenty years ago. It was started in Queensland, and by a few men who blazed the track and knew what persecution and martyrdom meant. Senator Sayers may laugh, but this is a sad and serious story. These men blazed the track, pioneered the bush, and were black-listed from one end of Australia to the other. One of the first editors of the Queensland *Worker*—which, in my opinion, has been rightly called the workers' bible in that State—was a man who made great sacrifices. His opinions

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could not be bought and sold like some opinions can be bought and sold in the journalistic world nowadays.

The PRESIDENT.—Will the honorable senator indicate how he intends to connect his remarks about the starting of a newspaper and journalism generally with the provisions of this Bill?

Senator FINDLEY.—On Thursday last, sir, an attack was made on this newspaper, and I am endeavouring, in my humble way, to reply to that attack. I am trying to point out, if you will permit me to proceed, that to all newspapers, whether they are party organs or what Senator Millen called hireling press organs, the Bill applies; it makes no invidious distinction in regard to one newspaper or another.

Senator MILLEN.—No; but it makes a big difference between a subsidy and a specific payment for a special article.

Senator FINDLEY.—The Queensland *Worker* was edited at the commencement by William Lane, who, I understand, gave up a position worth £600 a year, to take a position at a salary of £200 a year, in order to advocate the Labour cause. Other men contributed money and brains to the newspaper. Later, the Sydney *Worker* was established; and almost simultaneously with the birth of those two weekly Labour journals, there came into existence a Labour party. The two newspapers I referred to are essentially party organs advocating the Labour party's platform. There are in Australia to-day other party newspapers. There is a newspaper in Adelaide which had a humble beginning, and which is known as the *Herald*. It has grown, until to-day it is a daily paper having, I understand, a larger circulation than any other daily paper in South Australia. There is to-day in Tasmania a Labour daily called *The Post*. There is in Broken Hill to-day another Labour daily. These newspapers have been brought into existence by great sacrifices on the part of men who, in some cases, have put their all into the ventures, and by many who have gone into the business of canvassing day and night. There will, I sincerely hope, be in existence before another twelve months have passed a daily morning newspaper published in Sydney and controlled by the working classes.

Senator MILLEN.—That is the newspaper which the party opposite are building up by forced levies.

Senator RAE.—There are no forced levies.

Senator FINDLEY.—Forced or voluntary; when a man joins a party he knows why he does so, and what he will be called upon to do.

Senator READY.—And that the majority will rule.

Senator FINDLEY.—He knows that in every organization, whether political or industrial, majority rule obtains. With regard to the compulsory levy of which Senator Millen speaks, I may inform him that, at one time, those who believed in the establishment of the proposed newspaper were in a minority, but by persistent effort they have become a majority. Those who were in the minority a short while ago are now as enthusiastic about the establishment of this daily morning newspaper as they were previously in their opposition to the proposal. This newspaper will spring into existence, and, from time to time, other morning newspapers published in the interests of the Labour party will also be established. The clause of this Bill, against which such strong criticism was levelled by Senator Millen, will apply to them equally as to every other party organ in Australia.

Senator MILLEN.—Not unless they are made to show their subsidies.

Senator FINDLEY. — The Labour party, above all other political parties, have nothing to hide, and they do not desire to hide anything.

Senator MILLEN.—They hide more than any other party. Let the honorable senator insert the word "subsidies" in the clause.

Senator FINDLEY.—On Thursday afternoon last, Senator Millen quoted voluminously from the annual report of the Australian Workers Union.

Senator SAYERS.—How did the honorable senator get it, I wonder?

Senator FINDLEY.—Anybody can get it.

Senator MILLEN.—Then why did they refuse it to me at the *Worker* office in Sydney?

Senator FINDLEY.—Anybody can get it at any time he desires. The Australian Workers Union publish an annual report from time to time. We want our political opponents to publish their reports in the same way. It is because we cannot get them to publish what it costs them to conduct elections and referenda that we desire this provision of the Bill to have a general

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application. It was said, whether with or without justification, that untold wealth was spent at the referenda on 26th April last.

Senator SAYERS.—I can prove that, in Queensland, more was spent by the honorable senator's side than by the other. At Chillagoe, they had two organizers at work at £6 per week.

Senator FINDLEY.—We have no objection to the expenditure of money, but we have a strong objection to the violation of the Act of Parliament which limits the amount of money which may be expended in connexion with elections or referenda. That a seemingly unlimited fund was available for some people at the last referenda was evidenced, not by inch advertisements, but by double and treble column advertisements, by special illuminations at the street corners, and by thousands of extra large posters on hoardings throughout Australia. We do not object to that, but we want to know who pays for it, and whether there has been any violation of our electoral law in connexion with it.

Senator MILLEN.—The Government do not object to the expenditure?

Senator FINDLEY.—It all depends.

Senator MILLEN.—The honorable senator said just now that they did not.

Senator FINDLEY.—We do not object to it provided that it is within the limit set by the law.

Senator MILLEN.—The honorable senator is becoming a law-upholder now, is he?

Senator FINDLEY.—I always have been. Our honorable friend opposite waxed wrath in regard to the proposal for the abolition of paid canvassers.

Senator MILLEN.—Yes, whilst the other side keep organizers going.

Senator RAE.—Honorable senators opposite can have as many as they like.

Senator MILLEN.—What is the use of pretending? The honorable senator knows that every organizer of a trade union becomes a political canvasser.

Senator FINDLEY.—Day and night the organizers of the Liberal party are vigilant. They are ever on the march. They boast about the number of meetings they have addressed, and the number of converts they make from time to time. They are not satisfied with visiting distant places to address meetings from platforms, but they have armies of men and women going from door to door——

Senator RAE.—Lying.

Senator CHATAWAY.—Just like the Labour party.

Senator MILLEN.—Except that they have not so many.

Senator FINDLEY.—I should be sorry to belong to any party responsible for half the tarradiddles attributed to the Liberal party. Some of the statements made do no credit to men and women who call themselves fair-minded. There ought not to be any member of the Senate, or any person outside, no matter to what party he belongs, who is not in favour of the abolition of paid canvassers. Canvassing is a violation of the vote by ballot. If we believe in the secrecy of the ballot, why should we permit men or women to go from house to house asking electors for whom they intend to vote?

Senator MILLEN.—Does the honorable senator not do that from the platform? Does he not ask the electors to vote for him?

Senator FINDLEY.—I can truthfully say that I have never, to my knowledge, asked a man or a woman to vote for me personally. I have asked people to vote for the party to which I belong; and so long as I have breath in my body I shall continue to do so. There is nothing in this Bill to prevent honorable senators opposite employing men or women to get people to vote for their party.

Senator CHATAWAY.—Nothing to prevent them employing them?

Senator FINDLEY.—I defy any one to point to any provision in the Bill to prevent the Liberal party, the Fusion party, the party with so many aliases that one almost forgets what its real name is——

Senator CHATAWAY. — The honorable senator's party will have its aliases directly. Its members are already ratting on each other.

Senator FINDLEY.—We have but one name for our party, and it has been the same ever since it came into existence.

Senator CHATAWAY.—What about the Socialists and the Independent Socialists?

Senator FINDLEY.—They can call themselves what they like. Let me inform honorable senators that provision is made in the New Zealand Act for the abolition of canvassers, and no one ever heard of any hue and cry from one end of the Dominion to the other because their employment is not permitted.

Senator MILLEN.—The honorable senator admits that canvassing may go on so long as it is not paid for.

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Senator FINDLEY.—In our party there are thousands of men and women who work, not with any expectation of fee or reward, but for the good of the party as a whole.

Senator MILLEN.—They are gratuitous political canvassers because they are paid as organizers.

Senator FINDLEY.—On the other side there are very few canvassers, men or women, who will do anything unless they are paid for it.

Senator MILLEN.—Hence this Bill?

Senator FINDLEY.—No. At the last referenda, and at the last general election, there was a big fund available, and some folk in this city, and in every city in Australia, participated in it. Let me quote the following from the 5th schedule of the New Zealand Act in respect to canvassing, and with that quotation I shall draw my remarks to a close—

Part I.: Persons legally employed for payment—

(1) One scrutineer for each polling-booth in each polling place, and no more, who may or may not be an elector.

(2) A number of clerks and messengers (who shall not be voters) for conducting business in the committee-rooms, not exceeding one clerk and one messenger for each polling-place in an electoral district.

(3) One secretary.

Part II.: Legal expenses—

(1) The personal expenses of the candidate.

(2) The expenses of printing, and the expenses of advertising in newspapers.

(3) The expenses of stationery, postage, and telegrams.

(4) The expenses of holding public meetings.

(5) The expenses of a number of committee-rooms, not exceeding one committee-room to each polling-place in an electoral district.

(6) Expenses in respect of miscellaneous matters, not exceeding Twenty-five pounds, so, nevertheless, that such expenditure be not incurred under this head in respect of any matter constituting an offence under this Act or in respect of any matter or thing payment for which is expressly prohibited by this Act.

Under section 219 of the Act it is declared to be an illegal practice to employ any person as a canvasser for payment or promise of payment. Let me say, in closing, that I believe that this Bill will make for the purity of elections. I believe that it will insure a bigger and a more complete and a much more satisfactory roll than we have had since the commencement of the Commonwealth. I believe that some who have taken strong exception to its provisions will find, after it has been in operation for a time, that they have been mistaken, and that some views that they have expressed in regard to the injury it is calculated to do them or their party will be found to be groundless. I commend the measure to the Senate feeling satisfied that when it reaches Committee it will be found to require very little amendment.

Senator McCOLL.—I wish to say a word by way of personal explanation. I understand that in my absence the Honorary Minister stated that in the State Parliament I was against women's suffrage. A reference to the record of my votes in the Victorian *Hansard* will show that that statement is not correct.

Senator Lt.-Colonel CAMERON (Tasmania) [5.19]. — The first question that occurs to me in connexion with this matter is, What necessity is there for the Bill at all, or for any of the alterations of the existing law which it proposes? It seems to have been introduced for two main purposes. The one is to introduce a system of compulsory enrolment, and the other, which seems to me to be quite unnecessary, is to abolish the postal voting system, without any attempt being made to meet the injustice that will arise in consequence. I do not wish to impute motives, and I dislike the imputation of motives by honorable senators on either side. But I should like to say that if fault can be found with the operation of the postal voting system, surely the administrators of the existing Act are strong enough to see that those who violate its provisions incur the penalties provided for such violation. It seems to me that it is merely a question of the proper administration of the law, and that it is quite unnecessary to pass an amendment which will inflict injustice upon certain people. No one can deny that the abolition of the postal voting system will inflict injustice upon two classes of people who have hitherto been given, and who ought to receive, some consideration. I do not ask for sympathy, but for consideration and justice, for these electors. There ought to be no adoption of the methods of the Chinaman, who burns a house down in order to destroy an unfortunate rat. That is what is proposed by this drastic Bill—to repeal an honest endeavour in the existing Act to give all classes of voters at all

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events an opportunity to register their wishes at an election. It is not a question of whether the Labour party did not receive as many postal votes as their opponents. If that be true, the position may be reversed at the next election. I think the reasonable attitude to observe is to consider whether we shall be right in doing a serious injustice to a certain class of people, when all that is necessary to remedy any evil arising from the existing law is that it shall be administered in such a way as to make an example of any one who has been shown to have violated its provisions. I understand from what has been said that cases of the abuse of the postal voting system are known, and I ask, if that be so, why the Government do not make an example of the persons concerned? If I were in a position to administer a law of the kind, I should certainly, before proposing so drastic an alteration of it, endeavour to put it into operation and deal out justice to those who have violated it.

Senator RAE.—A case of the kind is mentioned in this morning's *Age*.

Senator Lt.-Colonel CAMERON. — Then let the law be put into operation, and thus prevent similar evil-doing in the future. It would be the proper course to follow. Even if only a few persons, to put the matter in the most favorable light for this Bill, take advantage of the postal voting provisions of the existing Act, why should we deprive them of their natural right to be placed in a position to record their votes. That is a very serious point. I trust that the regulations will be so framed that justice will be done to all classes of persons.

Senator W. RUSSELL.—This is not a party question.

Senator Lt.-Colonel CAMERON.—I hope it is not. Therefore I trust that the honorable senator will support the view that I am expressing. With regard to canvassers, I do not pay very much attention to what is proposed, though very much is made of it on both sides. I am satisfied that canvassing will go on in some shape or form as long as politics endures. All that I wish to insist upon is that canvassing, if it takes place at all, shall be conducted in a clean, straightforward, honest way by both parties. If one party canvasses in a particular manner, I see no reason why the other should be penalized. I warn honorable senators on the Ministerial benches, who now occupy their places so pleasantly, so confidently, and so modestly, that they will not be there always, and that before many years have passed, they may have to give place to advocates of quite a different system of politics.

Debate (on motion by Senator CHATAWAY) adjourned.

Senate adjourned at 5.28 p.m.

House of Representatives.

Wednesday, 25 October, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

SUGAR COMMISSION.

Mr. KELLY.—I wish to know whether the delay in circulating the instructions to the Sugar Commission is due to the fact that the Government, since they were laid on the table, have taken into consideration the need for altering them? Are they being altered?

Mr. TUDOR.—A line was added after they were laid on the table, but full publicity was given to the addition, which was with a view to amplifying the inquiry. I shall be pleased to supply the honorable member with a copy of the Commission, if he desires it.

Mr. GROOM.—With a view to assisting you, Mr. Speaker, in coming to a decision on a matter on which you said you had not fully made up your mind yesterday, I ask whether your attention has been drawn to the statement in Todd's *Parliamentary Government of England*, Vol. 2, page 439, that the composition of Royal Commissions is a fair subject for parliamentary discussion.

Mr. SPEAKER. — I am extremely obliged for assistance from any honorable member at any time, but adhere to the position that I took up yesterday, that any discussion regarding a Royal Commission must be on a specific motion.

WHEAT CABLE.

Mr. FENTON.—Has the Minister of External Affairs read the letter in to-day's *Age* which contains this statement—

It seems a most extraordinary thing that Australia, with its six highly-paid Agents-General in London and its High Commissioner for the Commonwealth cannot obtain a weekly *Mark-lane Express* cable giving the spot price of

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wheat in the London open market, together with that authoritative journal's comment upon present surroundings and future prospects.

Will the Minister endeavour to have that information provided for the producers of Australia?

Mr. THOMAS.—I had not read the letter until the honorable member drew my attention to it. I shall look into the matter, and see if it is possible to do something of the kind suggested.

COMMONWEALTH BANK BILL.

Mr. SPEAKER reported the receipt of a message from His Excellency the Governor-General, recommending an appropriation for the purposes of this Bill.

PAPERS.

MINISTERS laid upon the table the following papers:—

Reports by Mr. W. S. Campbell, ex-Director of Agriculture, New South Wales, regarding the suitability of certain land in the Northern Territory for the purpose of agriculture, and for the establishment of experimental farms.

Ordered to be printed.

Lands Acquisition Act—Return of land disposed of at Leura, New South Wales (old post-office site).

NEWSPAPER REPORTS.

Mr. MATHEWS.—I wish to ask you, Mr. Speaker, a question as to the privilege enjoyed by newspapers in reporting what takes place here. A question was yesterday put to the Minister of Defence by the honorable member for Balaclava to which a full reply was given. That reply has been distorted by the *Age*, part of it being omitted from the report, although in justice to the Minister it should have been given.

Mr. KELLY.—Is this a question of privilege?

Mr. MATHEWS.—Yes.

Mr. KELLY.—I take it that the honorable member will conclude with a motion.

Mr. MATHEWS.—The report in the *Age* is as follows:—

The Minister is aware that boys have to walk or pay their own train fares, but in view of the limited distances shown, no hardship is entailed thereby." The latter portion of this statement was not written in italics. In a previous part of the reply it was mentioned that the furthest distance the St. Kilda boys would have to walk was 3½ miles, from the east portion of St. Kilda to the Port Melbourne Town Hall; the furthest the naval cadets would have to walk to Williamstown was from 5 to 7 miles. And yet it was no hardship for children of fourteen or sixteen years, on whom the Labour Government has thrown the responsibility of defending Australia, to walk 4, 6, or 7 miles, drill for a couple of hours, and then walk back again, because the Government which makes them drill will not pay their train fares.

The reply did not show that they would have to walk 7 miles.

Mr. SPEAKER.—Is the honorable member asking a question?

Mr. MATHEWS.—This is a question of privilege. I ask whether newspapers are allowed to distort what takes place here.

Mr. SPEAKER.—Is the honorable member asking a question, or does he propose to conclude with a motion?

Mr. MATHEWS.—I am asking you, sir, a question as to the privilege of newspapers to distort what takes place in this House.

Mr. SPEAKER.—Will the honorable member state his question?

Mr. MATHEWS.—I am doing so, but I have first to read what took place. The reply to the question put yesterday was—

If any naval cadet at a distance from the drill halls desires, he can be transferred to the military training centre near his home, as sufficient numbers of naval cadets can be obtained within easy walking distance of the drill halls at Williamstown and Port Melbourne.

Are newspapers allowed to distort the replies of Ministers to questions put in this Chamber in any way they feel inclined? As a matter of fact, one would think——

Mr. SPEAKER.—Order!

Mr. MATHEWS. — That the naval cadets had to walk to Port Melbourne, whether they wanted to or not.

Mr. SPEAKER.—The honorable member has no right to attempt to get in a statement when I rise to call him to order. I would further point out to the honorable member and to others that it is not fair to the Chair for them to rise to ask a question as a matter of privilege, and then to debate the question, because it is impossible for me to know what an honorable member is going to say. I would ask honorable members not to follow that course. In reply to the question put by the honorable member, I have to say that, while in some cases misstatements are made which the House generally, with myself, regrets, at the same time I have no control whatever over newspaper reports.

Mr. CHANTER.—Has the attention of the Minister representing the Minister of Defence been called to the paragraph, or has he noticed it? If so, what does he propose to do in regard to it?

Mr. ROBERTS.—My attention was drawn to the paragraph. I do not know that

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the Minister of Defence intends taking any action regarding it, but I may in the circumstances express my deep regret that any newspaper should seek to take advantage for party political purposes of any little dissatisfaction which may exist consequent upon the establishment of a new system of defending our country—a system which received the unanimous approval of the Parliament of the Commonwealth.

IMPORTED FOODS AND MEDICINES.

Dr. MALONEY asked the Minister of Trade and Customs, *upon notice*—

How many orders have been issued to prevent misleading statements being made upon labels, wrappers, and coverings of foods, medicines, &c., during the past twelve months?

Mr. TUDOR.—Four hundred and eight. In addition to these, seventy-two preparations have been analyzed and instructions issued to the effect that such preparations contain no drugs which have to be disclosed under Commerce Act Regulations, and bear no extravagant or misleading claims.

TRAWLER.

Mr. HEDGES asked the Minister of Trade and Customs, *upon notice*—

When he intends to send the trawler *Endeavour* to test fishing areas on the Western Australian coast?

Mr. TUDOR.—I shall be very pleased, if it be possible, to send the trawler *Endeavour* to Western Australia at a reasonably early date. It is proposed, after certain work is completed on the Victorian coast, to conduct investigations in South Australian waters, after which it is hoped she may be able to proceed to the West.

AUSTRALIA-AMERICA STEAM-SHIP SERVICE.

Mr. FINLAYSON asked the Minister of External Affairs, *upon notice*—

1. Whether he is aware of a proposal to revive the San Francisco-Australian steam-ship service?
2. In view of the early opening of the Panama Canal, and the consequent increased opportunities for extension of Australian trade, will he consider the early appointment of commercial agents in the chief cities of the United States and Canada?
3. Is the Government disposed to give practical encouragement to proposals for the establishment of regular steam-ship services between Australia and America?

Mr. THOMAS.—The answers are as follow:—

1. Yes.
2 and 3. Both these matters will be considered.

METEOROLOGICAL DEPARTMENT.

Mr. GROOM asked the Minister of Home Affairs, *upon notice*—

1. Whether he will state what is the number of voluntary observers in connexion with the meteorological work in each of the States?
2. Does the Meteorologist consider it advisable that the number of voluntary observers be increased in any of the States?
3. If so, will he state what assistance is granted to those who are willing to act as voluntary observers?

Mr. KING O'MALLEY.—The answers are as follow:—

1. New South Wales, 2,006; Victoria, 935; Queensland, 493; South Australia, 519; Western Australia, 616; Tasmania, 154.
2. Yes; in Queensland, Western Australia, and Northern Territory particularly.
3. Rain gauges are distributed free to voluntary observers, provided the situation is considered suitable, and that such observers agree to conform to the regulations of the Meteorological Bureau as to time of taking observations and time of transmission.

DEFENCE: AEROPLANES.

Mr. FINLAYSON asked the Minister representing the Minister of Defence, *upon notice*—

1. How many applications have been received in response to the offer by the Commonwealth Government of a prize of £5,000 for a flying machine?
2. Has the prize been awarded; and, if not, why not?
3. Is the Government disposed to increase the amount of the prize, or to relax the condition which requires the inventor to part with his patent rights?

Mr. ROBERTS.—The answers are—

1. Forty-five entries were received.
2. The prize has not been awarded, because no entrant submitted a machine for preliminary trial.
3. The competition having lapsed, the Government do not propose to again bring it forward. The Estimates will disclose what the Government propose to do in relation to the encouragement of aviation.

CONCILIATION AND ARBITRATION BILL.

Second Reading.

Debate resumed from 24th October (*vide* page 1772), on motion by Mr. HUGHES—

That this Bill be now read a second time;

Upon which Mr. DEAKIN had moved—

That all the words after the word "That" be left out, with a view to insert in lieu thereof the following words:—"no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community."

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Mr. GREENE (Richmond) [2.47].—I was endeavouring to point out last night that, difficult as would be the task of the Court in making an award where a claim was put forward by a craft organization spread over many industries, it would be infinitely more difficult for the Court to make an award in a claim made, for instance, by a workers' union in the rural industries. I enumerated the different branches of rural industry, and showed how each branch was conducted under widely differing conditions in different parts of Australia. Contrast the dairying industry as carried on in Gippsland, where the settlers are struggling to make a home in densely-timbered country, with the same industry as conducted at Bacchus Marsh. The same award could not possibly be applied to such widely differing circumstances. When the whole Commonwealth is taken, the conditions vary still more widely. The same thing applies with more or less force to practically every branch of rural industry. If all rural pursuits were carried on upon the simple basis of each farmer going in solely for wheat-growing, or dairying, or horticulture, or potato-growing, or lucerne-growing, or grazing, the Court would still find almost insuperable difficulty in settling an award which would govern the whole of Australia. But the actual fact to be faced is that these branches of rural industry are rarely carried on solely by one farmer. Dairying is often associated with horticulture, or with potato-growing, or with lucerne-growing. Then we have grazing associafed with dairying, and, sometimes, with lucerne-growing. Again, we very often have, for instance, potato-growing associated with horticulture. I could go on almost indefinitely enumerating various combinations if I were not limited to time. What I submit is, under the circumstances, the great difficulty in arriving at any general conditions. How can one set of conditions be applied when there are all these great variations?

Mr. FENTON.—I do not see the application; the man who milks the cow picks the fruit.

Mr. GREENE.—Yes; but when it comes to wages, hours, and conditions, and such an investigation as the Court will have to make in order to arrive at an award with any degree of justice, and when these complex questions are met at every turn, how will it be possible for one man to lay down a common rule with one rate of hours and wages?

Mr. PAGE.—No one asks that.

Mr. GREENE.—If that is not asked for, the Government proposal still asks one man and one Court to settle the wages and conditions over the whole of the Commonwealth; and that is an absolutely impossible task. We might find some industrial Willis—some man so entirely consumed with his own egotism, and having such a great belief in his own infallibility that he would be willing to undertake the task. I have no doubt that a man like our Minister of Home Affairs, for instance, with a great belief in his own powers, might possibly accept the commission; but that would not make the proposal just or equitable. If any one did make the attempt, and an award were given, it would be the merest travesty of justice, and could not work equitably from one end of the Commonwealth to the other. That applies with almost equal force to any widely-spread craft organization which is scattered over a great number of industries. It is impossible for any one Judge to conduct a judicial inquiry into the whole of the circumstances covered by the cases raised and come to anything like a just determination.

Mr. PARKER MOLONEY.—There is provision for a delegation of power.

Mr. GREENE.—That does not matter, because one man has finally to determine. If one Judge is sitting in one Court and another Judge in another, and an award is sought in an industry which is spread over the whole of Australia, that award must cover the continent. There may be power under the Act for a Judge to have associated with him other men, but the extent and scope of the award is throughout the Commonwealth. The time I have at my disposal is practically gone; I agreed to speak for not more than a few minutes, and I am perfectly willing to be bound by that promise. Whatever the intention of the Bill may be, my own impression is that it amounts to an attempt to get around the constitutional limitations of our industrial power, to make every dispute an Inter-State dispute, to break down our Wages Board system, and to destroy the industrial powers of the States under the existing Constitution. It is an attempt to change the whole basis of industrial legislation as we have heretofore known it, and to set in its place neither more nor less than a sort of despotic industrial Cæsarism. Whether that be the object or not, I believe it will

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be the effect if the Bill is carried into law. To avert that the amendment has been moved; and, for the reasons I have given, I shall support the amendment.

Mr. MATHEWS (Melbourne Ports) [2.57].—There is an amendment before us, but the debate seems to have narrowed itself to the question of whether Wages Boards are sufficient without extending the powers of the Arbitration Court, and whether the craft or the industry should be the unit. The honorable member for Kooyong must smile to himself when he regards the friends he has now in his advocacy of Wages Boards. He must remember how, for years, his present friends fought him and the Government with which he was associated in the Victorian Parliament against the application of any industrial legislation whatever. During the referenda campaign we had the whole of the reactionaries of Victoria advocating the worth and value of Wages Boards; and they dilated for hours on the great good the Boards have done for the workers. Yet the same arguments used now against the extension of the powers of the Arbitration Court were used by the same gentlemen against the adoption of the Wages Board system.

Mr. TUDOR.—The Legislative Council of Victoria knocked out the system last week.

Mr. MATHEWS. — The Legislative Councils of Australia are determined to prevent, as far as possible, any extension of Wages Board conditions to the workers of Australia. Any legislation of the kind we have now has been wrested from them by force of a certain character that, perhaps, it will be impossible to exert in the future.

Mr. GROOM.—Have there not been many Wages Boards established in Victoria recently?

Mr. MATHEWS.—Yes; but there have been just as many opposed. The very gentlemen who stumped Victoria during March and April last in advocacy of Wages Boards are now loud in their declamations against the extension of the system. It is contended by honorable members opposite that the Wages Boards are so efficient that it is altogether unnecessary to give greater powers to the Court. Why do the workers desire Arbitration Courts in preference to Wages Boards? Any honorable member could answer the question, and the answer would be sufficient to condemn the adoption of the Wages Board system in preference to that of Conciliation and Arbitration. I admit that the Wages Boards have done a considerable amount of good, but they have not been sufficiently extensive.

Dr. MALONEY. — They have been too limited.

Mr. MATHEWS.—That is so. What is the difference between Conciliation and Arbitration and the Wages Board system? We are told that it is utterly impossible for a trained lawyer to estimate the value of the work done in any industry unless he has also had an industrial training, and that the value of such work can be assessed only by a Board consisting of representatives of the workers and the employers concerned. In ninety-nine cases out of a hundred the chairman of a Wages Board refuses to give a casting vote if he can possibly avoid doing so. The representatives of the workers on a Wages Board naturally advocate an advance of wages, and an improvement of working conditions, whilst the representatives of the employers fight the efforts of the workers to wrest from them what they consider a fair return for their labour. Let it be understood that I do not condemn the employers as individuals, although I do condemn them collectively. It often happens that the employers' representatives will say that the industry concerned cannot afford to pay the wage that the workers ask, even if they are demanding only what in their opinion is a living wage. The answer to such a contention is that the industry that cannot afford to pay a fair wage is not worth preserving. If, however, the employers engaged in it, notwithstanding adverse conditions, endeavour to pay the wages expected of them, it is the duty of the community to see that the industry is assisted by legislation so that it can be conducted with success, and pay a fair living wage, having regard to Australian conditions. In the Conciliation and Arbitration Court the presiding Justice has to take into consideration all the facts relating to the industry which is the subject-matter of inquiry. In the first place evidence is taken as to what would be a fair wage to pay the workers —what would be sufficient to enable them to maintain themselves and their families in that condition of civilization that we ought to expect in Australia—and my experience is that the amount fixed is never unduly large. The Court then takes into consideration the question whether the con-

ditions under which the industry is being carried on will allow of the payment of that wage. Where the Court decided that they would not, other assistance would have to be given to the industry either by means of a higher Tariff, or some other legislative action. If this Parliament had full power to legislate in respect of arbitration, the difficulties that have arisen in connexion with Wages Boards would disappear. The employer naturally resists an increase of wages, believing that it might upset his individual system of carrying on operations. I know that many employers are quite willing that their workmen should receive higher wages, and work under improved conditions, but unfortunately they have to compete with men who are not willing to risk any of the advantages which might accrue to the workers from a Wages Board or Arbitration Court. They fight to keep down wages as much as possible, and the outcome of the Wages Board system is that no attempt is made by other means to raise an industry to such a condition that it will be able to provide for better wages. Want of power is the trouble. The honorable member for Kooyong said last night that had the late Government remained in office it would have created the Inter-State Commission, and have empowered it to deal with such questions. As a member of that Administration he naturally has a high opinion of the virtues of the Inter-State Commission. The proposal sounds very good, but how would it be possible for this Parliament to clothe the Commission with powers that the Parliament itself did not possess?

Sir ROBERT BEST.—I pointed out last night that that could have been done under the Constitution by a delegation of power which had been agreed to.

Mr. MATHEWS.—By permission of the State Parliaments?

Mr. TUDOR.—Not one of them has passed an Act making a delegation of power in this respect. In no case even has a Bill been introduced.

Mr. MATHEWS.—The honorable member for Kooyong knows that to give life to the Inter-State Commission power would have to be obtained from the State Parliaments. I ask him whether, remembering the fights that he had to put up in the Legislative Assembly of Victoria in days gone by, to secure even a small measure of legislative benefit to the workers, he thinks that there is much chance of the State Parliaments, constituted as they are, granting much power to improve the conditions of the workers.

Sir ROBERT BEST.—Even if the honorable member were correct, I would remind the honorable member that I said last night that our alternative was to ask for an amendment of the Constitution.

Mr. MATHEWS.—The honorable member is giving away the show. The late Administration felt that it would be possible to secure this grant of power from the State Parliaments only by threatening them that if it were not conceded an appeal would be made to the people to amend the Constitution.

Sir ROBERT BEST.—There was no threat.

Mr. MATHEWS.—I believe that on the occasion of the recent referenda the Conservative State Parliaments, consisting, not only of so-called Liberals, but so-called Labour men, feared a transfer of power from them to the Parliament of the Commonwealth, and were prepared at that stage to do practically anything to prevent it. The late Government intended to create an Inter-State Commission—whose efforts, I venture to say, would have been futile from the commencement—in the hope that they would be able to force the hands of the State Parliaments. The grant of power which they sought would have had to be acceded to, not only by the Legislative Assemblies of the States, but by the Councils, strongly representative as they are of vested interests. Tasmania—where the rates of wages paid are lower than those prevailing in any other part of the Commonwealth—refused point-blank to grant the desired power or to extend, by any method, more benefits to the worker. The Parliament of that State could, therefore, have prevented the operation of the Inter-State Commission there. As a Parliament knowing no State limitations, why should we be so selfish as to expect from individual States that which we could not get from Tasmania, in the interests of the workers?

Mr. ATKINSON. — Did the honorable member say that Tasmania would not agree to give the powers required for the Inter-State Commission?

Mr. MATHEWS.—The honorable member knows that the Tasmanian Government was opposed to improving the conditions and increasing the wages of the workers.

Mr. ATKINSON.—It is the other way round.

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Mr. MATHEWS.—Employers are naturally reluctant to make alterations. When a man is running an establishment on certain calculations, he does not desire to have them upset, even by decisions which may be humane and just; but this Parliament can compensate employers in a way in which no State Parliament can. It can prevent the manufacturers of one State from undercutting those of another, and thus enable wages to be maintained at advanced rates without the disruption of industry. But if any State authority could wrest industrial power from another State it would do so.

Mr. ATKINSON.—The Inter-State Commission would stop that.

Mr. MATHEWS.—All that the Inter-State Commission could do would be to make suggestions to the State Governments, which have never shown any desire to assist this Parliament in legislating in the interests of Australia. The honorable member for Ballarat, when Prime Minister, always met with rebuffs when he approached the State Governments with a view to securing legislation which would be of advantage to the Commonwealth.

Mr. DEAKIN.—Not the last time.

Mr. MATHEWS.—The State Governments not only objected to assisting, but thwarted him in every attempt to benefit Australia.

Mr. DEAKIN.—No.

Mr. MATHEWS.—The honorable member got so used to rebuffs that he has forgotten them. I have a better memory.

Mr. DEAKIN.—Some were willing to meet us, but others resisted us.

Mr. MATHEWS.—If any of the State Governments was willing to assist the honorable member, it had a marvellous power of concealing the fact. I do not remember any instance in which a State Government was willing to assist this Parliament in doing something for the benefit of Australia in regard to which the Constitution hampered us. The awards of Wages Boards take effect only in their own States, though they may cause wages to rise in other States. The honorable member for Kooyong will agree with me, however, that Victorian Wages Boards have sometimes been so long in considering matters that a strike or a threat of a strike has been needed to make them come to a decision.

Sir ROBERT BEST.—My honorable friend can enumerate very few instances.

Mr. MATHEWS.—There was a disastrous strike in Victoria in the early part of this year. A Wages Board had been sitting for seven or eight months without coming to a decision, the chairman refusing to give a casting vote on any point, and the employers fighting strenuously against every concession.

Sir ROBERT BEST.—Was that the cause of the strike referred to?

Mr. MATHEWS.—It led up to it. The agricultural implement makers were fighting for an increase in wages. Knowing that it would be useless to attempt to enforce better conditions while half the men in the industry were out of the union, the ultimatum was issued that every one should join by a certain date. Thirty or forty men would not join the union, but the second day after the strike commenced the Wages Board gave the decision which had been clamoured for.

Sir ROBERT BEST.—Did that end the strike?

Mr. MATHEWS.—The men did not strike for an increase of wages, but to expedite the giving of an award. They felt it necessary to bring all into the union to enable them to make a demand. The engineering trade has sometimes been called the aristocracy of labour. Their union, feeling that what had been lost during times of depression should be made up again, asked for an increase, but the request was put off, and nothing was done until a strike was threatened. The Government was willing to pay certain rates if outsiders would pay them, and outsiders professed to be ready to pay them if the Government would do so. When a strike was threatened, the common sense of the employers led them to give the rise that was demanded.

Sir ROBERT BEST.—Does the honorable member believe in strikes?

Mr. MATHEWS.—I have sufficient of the old Adam in me to feel that, other means failing, a strike is an effective method.

Mr. BRUCE SMITH.—Does the honorable member believe in having secret ballots before strikes are begun?

Mr. MATHEWS.—I think it is fair, just, and right that every one should be considered, and therefore I advocate secret ballots in this as in other matters. I remember the first Wages Board decision in Victoria, because it was given in respect to a trade in which I was then making a good living.

Mr. TUDOR.—The honorable member must have been boycotted.

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Mr. MATHEWS.—I have been boycotted many times, but that has never deterred me from leading a strike. At the time, sweating was rampant in the clothing trade in Victoria. The State Government was composed of men who are now reactionaries. The decision which was given was only temporary, but the conditions had to be accepted as better than those formerly prevailing. The old gentlemen of the Legislative Council, and the Conservatives, whom we call Liberals now, held up their hands in horror at the idea of dictating to employers on the subject of wages. The trade got certain concessions, and has endeavoured ever since to better its conditions. Does any one think that sensible men would be satisfied with conditions that they thought unfair, and would not be justified in endeavouring to better them? Attempts have, therefore, been made to increase the original award. I was in New South Wales when the decision referred to was given, but I remember the article in the *Argus* which enumerated the items in regard to which set payment was to be given for certain work. The honorable member for Richmond thinks it impossible for a Court to assess the wages of any craft in the different callings in which it is engaged throughout Australia. In every craft there are many different phases, so that that difficulty is met with now, and successfully overcome. In the agricultural implement makers' trade, which was dealt with by the one Court, there were about thirty different occupations, and if it is possible to settle the wages and conditions of thirty occupations in one industry, is it not just as easy in the case of one craft, followed under thirty different conditions, in different portions of Australia? I suppose it is essential that I should notice the speech of the honorable member for Cook. I listened to it with admiration; but while the question of the craft organization as against the industrial organization is debatable, I do not think the honorable member's speech was by any means destructive of the Bill. The honorable member made out a strong case from the point of view of the industrial union in which he is particularly interested; but, like the honorable member for Richmond, he cannot conceive that a Wages Board or an Arbitration Court can give a man in charge of a large engine worth thousands of pounds a larger wage than it awards to an engine-driver who runs a stationary engine in a small factory. Yet such an award is easy to understand and make. In any trade where greater perfection is required, greater attention is necessary, and greater responsibility is imposed, the wages can be made higher. That is done all through life, and there is nothing to prevent a Wages Board or an Arbitration Court assessing different wages in one particular craft, as applied to the carrying out of varied industries.

Sir ROBERT BEST.—The Wages Boards really do it in Victoria.

Mr. MATHEWS.—The honorable member is assisting my argument. If the Wages Boards can do it, an Arbitration Court can do it better.

Sir ROBERT BEST.—That is another thing altogether.

Mr. MATHEWS.—It is not.

Mr. BRUCE SMITH.—The Arbitration Court does differentiate

Mr. MATHEWS.—But the honorable member for Cook was afraid that it could not, and would not, and the honorable member for Richmond shared his fear. The honorable member for Richmond, in enlarging upon the different branches of rural industry in different parts of Australia, drew a distinction between the worker employed by a man at Bacchus Marsh, where nature is pleasing and civilization is accessible, and the man who worked for a dairy farmer in the almost inaccessible portions of Gippsland. He portrayed to the House the disadvantages of the man in Gippsland as compared with the great facilities possessed by the man in Bacchus Marsh to get his produce to market; but will the honorable member say that the worker in Gippsland should not get at least an equal wage with the man employed under better conditions at Bacchus Marsh? I admit the disabilities of the man in the wilds of Gippsland, because I happen to know them from personal knowledge and through personal interests; but when the honorable member depicts the unfortunate position of the employer there and the favoured position of the employer in Bacchus Marsh, does he contend that the employé isolated in Gippsland should not be given even more consideration than the employé at Bacchus Marsh?

Mr. GREENE.—Does the honorable member think that if an industry can pay more wages in one place than in another it should not do so?

Mr. MATHEWS.—The honorable member is asking me a question which I refuse to answer in the way he wants me to. I

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am not concerned about that matter at all. The honorable member is taking up the same position as the employer who tells a Wages Board that his industry cannot pay increased wages. When a set of circumstances of that sort occurs in a factory or in the back-blocks, other legislation should be passed, so as to give the employer in the one case an opportunity, by protection, to pay better wages, and to give the employer in the other case concessions which will afford him better opportunities of success than his isolated position at present allows him. Legislation can meet that difficulty.

Sir JOHN FORREST.—That is very wide.

Mr. MATHEWS.—I am surprised at the right honorable member's remark. The right honorable member is a gentleman who in the past has taken on any big scheme imaginable, and it is to his credit that he is always better in big schemes than in small ones. There is nothing in the interests of the people of Australia that should be too wide for this Parliament to grasp, if we have the power to pass legislation that would effectively better both the worker and the man who employs him, under our present social conditions, wrong though they may be. Victoria initiated the Wages Boards of Australia, if not of the world, and when I hear gentlemen who, in other Parliaments, have had to practically drag concessions in that direction from those who had the power to block them by their votes, raising arguments in opposition to the Commonwealth Arbitration Court, I would remind them that the very men who opposed their endeavours to create Wages Boards are now lauding the Wages Board system. They surely should see the significance of that fact. I would ask whether there may not be something better for the worker and better generally for the people in this proposed improvement of the Arbitration Court system, when we find those gentlemen fighting it just as strenuously as they fought the Wages Boards of old. Although I never like to say anything that I feel would hurt the feelings of others, I must say that, while honorable members opposite may be unwittingly taking up that position, it is undoubtedly a fact that the interests which they represent are afraid of the effectiveness of the Arbitration Court, and hence their present opposition in this Chamber to our proposals to strengthen it.

Mr. JOSEPH COOK (Parramatta) [3.34].—As most honorable members on this side know, I had almost decided not to take any part in this debate at this stage. All the matters relating to this Bill have been so thoroughly and efficiently canvassed so far as we are concerned that there seemed little which I could add to the debate. I have listened to many debates in this House, and am bound to say that I have never heard a more masterly argument than has proceeded from my own side of the Chamber with regard to the constitutional setting of this question, and the powers proposed to be taken by this Bill. I rise now only for the purpose of making a few general observations with regard to some matters that have been debated, and some statements that have been made. I wish to say at once that I rise with no sort of joy or satisfaction to take the attitude which I am compelled with my *confrères* over here to take regarding the proposal to amend the Arbitration Act. But the facts that are transpiring at the present moment, and the course of events generally, make it necessary that one should speak plainly on this question, involving as it does the whole industrial peace of the community, and issues which, judging by the trend of events, will very soon land this Parliament in a position of peculiar difficulty and complexity. It should not be very long before there is no use for a Federal Parliament, if we are going to confer one power after another upon an outside body, judicial though it may be, consisting of one man acting in a judicial capacity. I believe there is no one man wise enough, and sane enough, and big enough, to control all the industrial affairs of this continent, and that is the gist of this Bill. It is to confer still further powers, not of mere judicial determination, but even powers of legislation in their very essence, upon one individual. It is a step altogether in the wrong direction, anti-Democratic to the core, and will eventually, I believe, lead to serious trouble in the Commonwealth.

We were told last night by the honorable member for Maranoa that we on this side had, after a great deal of trouble, hatched an egg, that egg meaning the amendment which we have thought it our duty to move to the proposal of the Attorney-General. The honorable member said that, after a great deal of hard work and trouble, and secret conclave, we had "hatched an egg, which he ventured to say would be an addled one." There can be no doubt that that was an addle-headed remark, even, I should say, a "fowl"

remark, for the honorable member to make; but, before long, the honorable member will find that the so-called egg of Federal arbitration will prove to be addled indeed, if it is to be divorced, as seems likely, from the Wages Boards of the various States. In some respects this egg is a very fertile one. It has produced sixty-seven disputes in the first six months of this year.

Mr. FENTON.—What hen is sitting on it?

Mr. JOSEPH COOK.—I should say it was the old hen that ought to have been put into the pot long ago—the hen of the Labour party. What are the circumstances under which we are considering this proposal? There are strikes all around us—Mount Lyell, Lithgow, Sydney Wharf Labourers, with others too numerous to mention threatening, including some in the Post Office. That seems to be the most likely scene of the next trouble, if we may judge of what is transpiring at the present moment. There have been strikes recently settled, as in the case of the implement makers, and also in the case of the Adelaide disturbance; in fact, there are strikes in whatever direction we look, while we are trying as best we may to make more perfect our present arbitration machinery. We learned yesterday on the authority of the State Government of New South Wales that they are powerless to intervene in the purely local strike in Sydney, because we have taken it under Federal cognisance and have dealt with it in the shape of a registered agreement voluntarily entered into some time ago. In spite of the voluntary agreement, the men are on strike, proving the impossibility of achieving industrial peace by any such proposal as that before the Chamber. Notwithstanding all that is happening, we come here in the most confident way and express our belief that the latest amendment proposed is to insure industrial peace throughout the length and breadth of the continent—that nothing is needed to bring about that desirable result.

I have said that the so-called egg is likely to prove an addled one; and that may be easily seen, I think, by reference to some statement made during this debate. It is an interesting fact that in the corporate opinion of my friends opposite, as gathered during this debate, the Bill is already a futility. One after another, portion of the Bill has been attacked, and if all the attacks be taken together, they cover the whole of the measure with one solitary exception, to which I shall refer later. Take, for instance, the statement of the honorable member for Hunter, in which he expressed his doubt, at this time of day, in the usefulness of arbitration. He has had a most unfortunate experience in his own district; and the reason is not very far to seek. It is owing to the way in which, in my own State in particular, all such matters have been placed in the control of one man in Sydney. He is a good and able man, impartial to the very core—I mean Judge Heydon—but, because he has attempted the impossible, a strike amongst the coal miners has taken place; and we have the responsible representative of the constituency telling us that his belief in arbitration is already shaken—that he is not so sure that he may not have to throw it aside as many other expedients have been thrown aside. I venture to say that that strike would never have taken place had there been a well-adjusted and widely-diffused system of Wages Boards in New South Wales, which are the only means to bring industrial peace to the coal-mining or any other community. What the Bill does is to strike a deadly blow at the only wise and sane means of bringing about industrial peace, and to provide for the continuation of industrial war on a larger and more extensive scale. The honorable member for Hunter desires as his next experiment to make a union to embrace everybody—one large union. I suppose that when we get one union for the whole of the continent there will no longer be any need for a Federal Parliament. It seems to me that the honorable member is beginning again where he began twenty years ago—that he has worked his arbitration cycle out. This time he proposes to have one huge union for the whole of Australia. He does not give us any particulars, of course; it is not wise to do so. It is always well, when making a short cut for the new Jerusalem, to talk in good, large, vague, general terms. So we have to leave the proposal where he left it, without any details, and without the slightest clue as to how the industrial affairs of the Commonwealth are to be regulated wisely and peacefully through the intermediation of one union.

And then we had the honorable member for Dalley, who is an old trade unionist, and secretary of one of the most successful organizations in the world,

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namely, that of the amalgamated engineers. That organization has been referred to time and again as the very aristocracy of labour and trade unionism; and I believe it has done more in the direction of developing the craft or guild side of unionism from a constructive point of view than any other up to date. Here in Australia the amalgamated engineers are not doing quite so much on the social side of their guild perhaps as is done in some of the older countries, for instance, Great Britain. There, I believe, last year or the year before, they distributed a very large sum, I think about £800,000 amongst their unemployed members; and it is the one craft which seems to me to be consulting the social interests of its members in an extraordinary and useful degree. I, therefore, think that the honorable member was entitled to say something on a question which so nearly concerns his guild; but what has he to say of the proposal before us? He told us distinctly that, in his opinion, the Bill cannot succeed on its constitutional side, since it is impossible, under the terms of the Constitution, that we can do away with the prohibition now vested in the High Court.

Mr. WEST.—The engineers favour this Bill.

Mr. JOSEPH COOK.—Of course, because the Bill is favorable to their craft or to their guild. I should not have so much objection to the Bill if every organization in Australia were run on the same lines, and was as comprehensive in its aims and scope. But the singular thing about the guild is that, in proportion as it is efficient, it has less need of an arbitration tribunal of this kind. The engineers are able to win for themselves advantages in the Old Country, and here, too; indeed, they have been able to win for themselves advantages quite equal to any that the Arbitration Court has conferred upon them. Therefore, the better organized the craft, the less need there is for a system of Federal compulsory arbitration.

Mr. WEST.—What is the good of the guild without the Bill?

Mr. JOSEPH COOK.—I have been trying for the last five minutes to show that without such legislation as this, the engineers have been able to keep their wages rates at a decent standard, to distribute unemployed pay amongst themselves, and, generally, to render mutual assistance to the very utmost. That is the kind of constructive unionism in which I, for one, believe; and the sooner we can give a constructive twist to the trade unionism of Australia, the better it will be for all concerned. The question of wages is not everything; there is a great deal more behind those old-time craft guilds than wages. But, so far, we here have not yet even begun to exploit their possibilities. We rather look to the Government to do everything for us, as is the case with respect to this Bill and other legislation of the kind.

Then we had the honorable member for South Sydney as a critic of the Bill; and he, too, thinks that one-man rule is very unwise. He said he desired to see a representative from either side sitting with the Judge, because, as the result of his long and large experience in arbitration matters, he thinks one-man rule is not perfect. The honorable member was of opinion that one man rule was impracticable and unwise. Subsequently, the honorable member for Maranoa expressed the opinion that there should be four persons sitting with the Judge—two representatives from each side. We see that the Court is growing larger the more criticism we get from honorable members opposite. All the honorable members to whom I have referred say expressly that one-man rule in the industrial sphere is eminently dangerous and impracticable, and will result only in extending the sphere of the trouble, without the possibility of our being able to compass the end we all have in view, namely, the pacific settlement of all disputes. The only other critic opposite, and one well competent to deal with the matter from his experience commented on the machinery provided. I mean the honorable member for Wetriwa, who has not been seen in the House this week and part of last.

Mr. RILEY.—He is away electioneering at Liverpool Plains.

Mr. JOSEPH COOK.—It seems to me that the honorable member has not much incentive or motive to go electioneering just at present. However, we know the clear head he has, and how much attention he has given to these industrial questions; and he felt called upon to criticise the machinery of the Bill. If we collect all these points of criticism, and put them together, they amount to an overwhelming demonstration of the soundness of the amendment of the Leader of the Opposition at the present juncture. They show that we have hit the nail on the head, when we say

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that the concentration of power in one individual, besides being undemocratic, cannot lead to the pacific settlement of disputes. On one point there seems to be a general agreement on the other side, with one exception, and that is that the legislative recognition of the guild or the handicraft as the basis of operations of this Court should be substituted for the industrial basis, which has been, as I think, rigidly fixed by the Constitution. It is agreed on the other side that we should make a further experiment in connexion with arbitration, and that that experiment should be on the basis of the handicraft taking the place of the organized industry as a whole.

As I understand the Bill it simply means—and I take this to be the main principle—that we should have a group of persons asking for an award of their own, notwithstanding that their occupation may ramify into a hundred kinds of general employment. That is to say, the skill offered by the operative must be the basis of the settlement of the wages in the industry, and not the organization of the industry, or the result of the general operations of the industry. It seems to me that that, if it be carried to its logical conclusion, will lead my friends where they do not want to go. I have nothing to say against these crafts or guilds. They have done useful work in times gone by, but are not in and by themselves sufficient to meet the complex conditions of our modern industrial life. They are excellent within their sphere. They have done good work, for instance in the Old Country, and in Continental countries where the community is comparatively small, and where employments are not conditioned, modified, and varied by such things as climate, geography, and distance. But to seek to apply this principle to a continent such as ours, where we have tropical industries on the one hand and industries relating to the more moderate latitudes on the other, is to try to make a suit of clothes of the olden days fit our modern working man. That cannot be done wisely. There must be a misfit, even when the Government have done their best.

Mr. HOWE.—We can do it; and we are going to do it.

Mr. JOSEPH COOK.—It is not being done. The honorable member said last night that, perfect as his organization was, it did not take in more than 50 per cent. of those engaged in like industries in Australia.

Mr. HOWE.—But we made the rates and conditions for the other 50 per cent.

Mr. JOSEPH COOK.—The honorable member knows that nothing of the kind was done.

Mr. HOWE.—I know that what I say is correct.

Mr. JOSEPH COOK.—The honorable member's illustrations last night were all taken from city houses. He did not give us one illustration taken from far-back industries. He did not deal with men engaged in tending irrigation plants on stations, for instance, in remote districts.

Mr. HOWE.—We control them from the city.

Mr. JOSEPH COOK.—Within large centres, it is possible to control them; but the honorable member's craft cannot, and does not, make its influence radiate to the uttermost circumference of this continent. The honorable member confessed last night that only 50 per cent. of the engineers of Australia were comprised in his craft. He hopes, however, that this Bill will help him to bring in the other 50 per cent.

Mr. HOWE.—I do.

Mr. JOSEPH COOK.—That is the milk in the cocoanut. The honorable member hopes that this Bill will help him to do a little organizing in his own industry.

Mr. HOWE.—In industries generally.

Mr. JOSEPH COOK.—And particularly in the industry in which the honorable member is specially interested. With all the perfect organization of which he spoke, only 50 per cent. of the engineers are embraced by his guild; the other 50 per cent., he hopes, are going to be brought in by this Bill.

Mr. WEST.—The honorable member's mind is not large enough to deal with a question like this.

Mr. JOSEPH COOK.—Every one knows the great reach of mind of the present representative of East Sydney. East Sydney has been many years in discovering my honorable friend's greatness. It has got him at last; and we all know what a broad mind he has, and how capable he is of settling, in about five minutes, all the affairs of creation.

But let me come back to the statement made by the honorable member for Dalley, which reveals entirely the purpose of this Bill. This is an organizing measure. It is an organizing proposal in the direction of large general strikes, and not in the direction

of pacific settlement. That is my fundamental objection to this Bill. I do not want the general strike. A general strike means general misery, destitution, and heart burning in the community. Class feeling is developing rapidly enough in Australia, the last place where it ought to have a foothold. Side by side with all that my honorable friends are doing to multiply the possibilities of peace, there is growing up in the minds of the great masses of the Australian people a more intense hatred than has ever previously been known. They are seeking peace, finding it not, and this Bill, I fear, is only another step towards the organization of large industrial upheavals——

Mr. POYNTON.—If the honorable member had had to carry his swag in Victoria thirty years ago he would have known what class hatred was at that time.

Mr. JOSEPH COOK.—I venture to say that it was not keener than it is to-day; and I have yet to learn that class hatred, organized, is any better than class hatred segregated. I believe in organization; I believe in organizing good things; but the worst thing that could be done is to organize the feeling of hatred in a community. It is idle for my friends to try to laugh away this matter; they know that what I say is correct. Side by side with their proposals for the pacific settlement of all these points of difference, class feeling, instead of diminishing, is growing.

The Attorney-General told us, when introducing this Bill, that we ought to face the facts in this matter; and one of the salient facts of the situation, he said, is that the tendency of labour organization, and of the organization of capital, is to cover wider and still wider areas. That is true. Industry is becoming more complex every day—infinitely more complex than the two-hundred-years-ago-period referred to last night by the honorable member for Dalley. The honorable member said that his guild went back 200 years. But there is no relation between the industrial life of to-day and that of 200 years ago. Then it was simple; to-day it is complex, and therefore the guild which fitted the industrial conditions of 200 years ago will not fit the industrial conditions of the present time. I could understand this Bill in relation to any craft which was coterminous with an industry—and there are some such in Australia The craft to which the honorable member for Dalley belongs, for example, may practically be said to be so, because engineering, up to a certain point, is fairly well compassed by his guild. I know of no others, with the exception, perhaps, of the Marine Engineers Union, and some such like organizations. But behind and beyond all these are many collateral industries, and they branch off and down, so far as the quality of the service required is concerned, to chaff-cutting in the interior of Australia. In the old days, a guild stood for efficient standards. Are we going to apply that to these general industrial operations to-day? Are we going to apply it to industries where we come down to elemental things—where only the simplest forms of engineering skill are required? It seems to me to be impossible to fit in the craft or guild idea with all this diversity of industry and occupation. I do not think any judge could perform the task if he were asked to.

Let us take the position in regard to one industrial dispute alone—that of the shearers. The shearing industry is one of the simplest of which I know.

Mr. LAIRD SMITH.—Is it? It embraces engineering and all classes of work.

Mr. JOSEPH COOK.—But the engineers in the shearing industry have not yet been brought before the Court in connection with that industry.

Mr. SPENCE.—They have.

Mr. JOSEPH COOK.—I see no mention of them in the shearers' plaint. If they have been before the Court they have been brought there grouped with others under some general provisions of the Act. Speaking generally, the shearing industry may be said to be one of the simplest industries in Australia; and yet the recent re-consideration of the case relating to that industry occupied the Court for sixty-seven or sixty-eight days. I do not know what time was occupied by the two hearings. We are asked not only to throw on the presiding Justice the obligation of laying down principles and leaving them as they ought to be left, to the settlement of local Courts or local Boards, but to involve him in the obligation of "policing" the awards. That is more than any one man can compass. It is beyond his power and his wisdom. He will never do it, and we shall never have industrial peace whilst the matter is being dealt with on those large and general lines. The Attorney-General says, rightly enough, that if we are to have peace in industrial enterprises, we must have settlement. To

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my mind, this proposal of his will not settle strikes. I can see in it only an opening for the multiplication of disputes of all kinds, and for bringing before the Court constantly recurring small troubles. It is proposed, for instance, that there shall be no restriction upon the scope of the Judge's inquiry and determination. Aforetime there has been; now, under this Bill, everything that the Judge cares to bring in, if he thinks it will in the remotest degree help the settlement of the dispute before him, may be brought within its purview. In other words, the Government are proposing to confer upon the Conciliation and Arbitration Judge not judicial, but legislative power. Nothing is more clearly laid down in the admirable judgments of the High Court than that the Conciliation and Arbitration Court is to be, not a legislative, but a judicial Court for the settlement of disputes, and not a Court for making general adjustments of industrial enterprises under the plea of preventing and settling disputes. It is proposed, for instance, to amend section 38B of the principal Act, so that, taken in conjunction with section 40A of that Act, as proposed to be amended, it will read—

> In making an award or order, the Court shall not be restricted to the specific relief claimed by the parties to the industrial dispute or to the demands made by the parties in the course of the dispute but may include in the award or order any matter or thing which the Court thinks necessary or expedient for the purpose of preventing or settling the dispute.

The provision is to be made as wide as it is possible to make it. Anything relating to an industry, or to its working, even sanitary conditions, may be brought in. All these things are, if necessary, to come within the purview of the Judge. In connexion with a mining dispute, for example, the Judge could say whether the miners were to cut the coal in the top instead of the bottom. He could say what sort of lamps they should use.

Mr. ROBERTS.—In England that is done without an Arbitration Court.

Mr. JOSEPH COOK.—Only the use of safety lamps is prescribed. There are mines in Australia where safety lamps are not needed, and the men do not want them, and others where they should be used. The Judge would have the right to say where lamps should be used, and what kinds of lamps, and how many cubic feet of air should circulate. These conditions, and many others, are prescribed by legislation, and the Bill gives the Judge the right to vary, and practically abrogate the legislation of the States in any way he may deem necessary to bring about the settlement of a dispute. Many disputes do not relate to wages. The dispute now raging at Lithgow has nothing to do with wages, and is connected with an old custom of the district.

Mr. RILEY.—Would the honorable member object to a Judge having full power to settle the Lithgow dispute?

Mr. JOSEPH COOK.—I do not think that a Judge could settle it. There is nothing in it, so far as I see; but each side has its back up.

Mr. RILEY.—Suppose the Judge decided that the old custom should prevail?

Mr. JOSEPH COOK.—In my opinion, had the old custom prevailed, the dispute would have been settled long ago, without intervention of any kind. Lithgow has been seething with discontent since legislation of this kind was applied to its industries.

Mr. RILEY.—Since Hoskins Brothers went there.

Mr. JOSEPH COOK.—There was trouble before. There has been trouble ever since the attempt was made to bring the men compulsorily before the Courts. The honorable member for Nepean knows all about it. The legislation for compulsory arbitration has provoked more disputes than it has settled. I say that with infinite regret. I do not contend that that proves the failure of the arbitration principle, which must be tried still further, although on simpler lines. There must be more diversity in its application. Disputes must be simplified and segregated, and dealt with in the light of the local circumstances. They must be treated on the spot as they arise, and anticipated, if need be, by some swift and facile means, such as only efficient Wages Boards will provide. Honorable members opposite propose to take the settlement of these disputes further away from the men.

Mr. LAIRD SMITH.—Does the honorable member refer to the New South Wales Coercion Act?

Mr. JOSEPH COOK.—That is a brilliant interjection. The honorable member is saturated with the class feeling to which I have referred. His friends have been in office in New South Wales for more than twelve months, but the Act of which he speaks is still on the statute-book. The Labour Government has not removed it, even with the aid of Mr. Willis.

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Mr. ROBERTS.—They are too busy removing members of the Liberal party.

Mr. LAIRD SMITH.—The honorable member avoids answering my question.

Mr. JOSEPH COOK.—I did not think that the honorable member was serious. The Act referred to contains the only method likely to hold the field in the future. The honorable member will live to see the day when industrial disputes will be settled by the development of the idea contained in that much-abused measure.

Mr. LAIRD SMITH.—God forbid that we should ever see that day.

Mr. JOSEPH COOK.—I am not speaking of the coercion principle, but of the Wages Boards method, which has settled more disputes in New South Wales than all the Arbitration Acts. The figures prove it.

Mr. RILEY.—The Act has caused more strikes. That is shown by comparing the number of strikes during the three years before it was passed with the number since it became law.

Mr. JOSEPH COOK.—Is the honorable member confining his comparison to New South Wales, because, if so, I differ from him? So far as all Australia is concerned, disputes are multiplying in proportion to the efforts of my honorable friends to settle them.

Mr. RILEY.—There are Wages Boards almost everywhere in Australia.

Mr. JOSEPH COOK.—I think not. The Wages Boards system is in its infancy, and must be developed until more of the large homogeneous industries of the Commonwealth are embraced. Honorable members are afraid to give it a chance.

Mr. GREENE.—Nearly all the big crises in New South Wales have been in industries which would not register under the Wages Boards legislation.

Mr. RILEY.—They have no faith in it.

Mr. ROBERTS.—In Adelaide the Wages Board did not stop the strike.

Mr. JOSEPH COOK.—Nor have the industrial arbitration proposals of my honorable friends prevented the wharf lumpers from striking in New South Wales. I do not think that strikes will ever cease so long as human nature remains what it is. But we can minimize them, and bring about a better feeling by the extension of the Wages Board system. We can secure to the men reasonable conditions of employment by means of localized tribunals, which will deal with disputes as they arise, and where they arise. The proposals of the Government remove the means of settlement further away from the people, and thus multiply chances of disagreement and discontent.

Mr. RILEY.—How would the adoption of the amendment remedy that?

Mr. JOSEPH COOK.—The amendment lays down the principle that this arbitral power must be decentralized. We, on this side, declare that no man is able to compass all the ends in view.

Mr. RILEY.—The Court, as it exists, was created by legislation introduced by the honorable member for Ballarat.

Mr. JOSEPH COOK.—My honorable friend forgets the constitutional limitations.

Mr. ARCHIBALD.—Which the honorable member for Parramatta will not attempt to remove.

Mr. JOSEPH COOK.—No, not in their entirety, because I think that that would be for the worse.

Mr. FENTON.—It is time that he went on strike.

Mr. JOSEPH COOK.—I have been on strike, but I do not suppose that my honorable friend has been. The trouble is that those who know nothing about strikes have most to say about them.

Mr. FENTON.—We have had to contribute a good deal towards strikes. I belong to the Typographical Society, which has always avoided strikes.

Mr. JOSEPH COOK.—That society has obtained good conditions and wages without the aid of Arbitration Courts, and, generally, by means of Wages Boards.

Mr. FENTON.—Not by means of a Wages Board.

Mr. JOSEPH COOK.—By what is tantamount to that.

The Bill seems to recognise, in a clumsy and very incomplete way, the Wages Board principle. I refer to the proposed amendment of section 16A of the Act. The President may convene a compulsory conference, and summon any person to attend. An amendment, to which we are asked to agree, defines "any person" as including—

> not only persons engaged in or connected with an industrial dispute, but also any person engaged in or connected with any dispute relating to industrial matters (whether extending beyond the limits of a State or not), and related in any way to an industrial dispute; and also includes any person, whether connected with an industrial dispute or not, whose presence at the conference the President thinks is likely to conduce to the prevention or settlement of an industrial dispute.

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We are asked to pass a further amendment providing that, when a conference has been held, and no agreement reached, the Court shall have cognisance of the industrial dispute concerned. When there is a disagreement, the Judge may refer the matter to the Court, and then settle it himself. A Wages Board is, in its operation, almost what this compulsory meeting will be, but where there is a disagreement, the chairman can settle the matter. Under the Bill, however, the Judge, instead of settling the matter as President of the compulsory conference, must refer it to the Court over which he presides, and a long legal process must be followed to set the facts before him again, although he knows them all from A to Z. He cannot, as President of this compulsory conference, settle a dispute, but must refer it to the Arbitration Court over which he presides. I can see no possibility of settling these disputes as they arise from time to time by any of the machinery contemplated in this Bill.

My point is that one man cannot do this work. In the case as to which all this trouble has arisen, I believe there are about twenty industries affected. By this Bill, the Government will multiply those twenty into 200, and for aught I know, into 2,000 over all Australia. The Judge has more than he can do now. Everything is in arrears, and if he cannot compass twelve or thirteen disputes in twelve or thirteen industries, how is he to insure the industrial peace of the entire continent?

Here, again, is where I think disputes will multiply: The Judge is to be given power to bring in any extraneous matter that is not in the demand or plaint. It seems to me that, when an industry, as such, has been before the Court, and the workers are not satisfied with the award that has been made, it is the easiest thing for them to organize a craft dispute, which incidentally will bring the industry under the purview of the Court. That means a perpetuation of troubles. It means multiplying them. "If you cannot succeed as an industry, try it on as a craft; and if you do not get full satisfaction then, try it on in some other craft incidentally related to the industry." There is, therefore, no end to the trouble that is going to arise, if all these possibilities of rehearing before the Court, and all the unrestricted powers to be exercised by the Court, are made possible, as contemplated by this Bill. For instance, as the honorable member for Cook very clearly pointed out, if we go upon these craft lines alone, every employer of labour will have to register himself in quite a number of separate capacities. He will have to organize himself, say, as a boot manufacturer and as an engineer, and, in fact, in relation to every craft that is incidentally concerned in his industry. If industry is to be organized upon craft lines only in the way proposed, the crafts being, in most cases, so far as the big industries are concerned, coterminous with the continent, do honorable members opposite think that people in the interior of Australia will be able to attend at the Court for sixty-eight days at a stretch? It simply means that they will not be able to look after these matters themselves. They will have to employ experts in the city at the Court to do it for them; and so the industrial affairs of Australia must necessarily fall ultimately into the control of a small knot of experts at the point where these proposals are to be settled. It means the creation of a small industrial oligarchy, which will rule this continent industrially almost as despotically as any other oligarchy in any other sphere of government.

Mr. WEST.—It is carried out now in the building trade.

Mr. JOSEPH COOK.—It is carried out now upon a very limited scale.

Mr. LAIRD SMITH.—Is it? What about the circular which the honorable member received from the Employers Union this morning with reference to this Bill?

Mr. JOSEPH COOK.—I know nothing whatever about that circular. I did not even know that Mr. Walpole was back here. I thought he had gone away; but it seems he has turned up again, to the infinite joy of my honorable friends opposite. They seem to be very fond of him, and he seems to be a very great friend of theirs, or, at any rate, they say so, and make good use of him. I have no objection to their making any use they like of Mr. Walpole. I only met him once in my life, and he struck me then as being a very able and astute gentleman. I fancy that they realize that, and hence a great deal of the trouble.

We ought, however, to consider this matter altogether apart from any person whatever. We ought to consider it only from the view-point of getting the best results for our workmen in Australia with the least disurbance to industry and the best general industrial results and conditions. That is the object we all aim at. My honorable friends opposite have reached this

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point nowadays—and it only shows the extent of their class consciousness, and where it is leading them—that if one dares to criticise any of their machinery, they regard him as being entirely opposed to the fundamental principle involved, and as an enemy of the workers, even if he only points out where they are running themselves into a dead end. They are doing that in connexion with this Bill. Instead of decentralizing our industrial functions, they are concentrating them. Centralization is the chief element in the Bill. It is dangerous; it is absolutely impracticable. It is dangerous because it is impracticable. It can lead only to strife, to bitter feeling, to upsetting and trouble.

I believe that what is being done now is only to find further argument for the next referendum. I cannot believe that my friends are under the conviction that this is going to give them industrial peace. It is another experiment.

Mr. WEST.—Exactly.

Mr. JOSEPH COOK.—My honorable friend admits it, and every one knows it. This happens to be a very convenient experiment for honorable members opposite. When it has been overruled by the High Court, they will be able to go out in connexion with the referenda and say, "Here we are overruled again by the High Court. We cannot do anything without coming up against it, and you can never have industrial peace until you carry our referenda and alter the Constitution." That is the object my honorable friends have in view. They are doing this thing very well, but they ought to tell us what their real and ultimate intentions are. Why is it that, with a Bill of this kind, so far-reaching in its consequences, we have had only one fifteen minutes' exposition of it at the hands of the Attorney-General?

Mr. ROBERTS.—I will tell the honorable member our ultimate aim if he wishes to know—it is industrial peace with justice.

Mr. JOSEPH COOK.—That is our aim.

Mr. ROBERTS.—Why, then, is the honorable member opposing the Bill?

Mr. JOSEPH COOK.—Because, in the first place, it will not give justice, and, in the second place, it will not give industrial peace. When one man has to determine the conditions of an industry which ramifies over all Australia, and is infinitely complex in its operations, he cannot apply justice unless he is at the point where the industry is operating. It is impossible for him to do it sitting away from and outside of the local circumstances which make up the dispute. It cannot be too much emphasized that a great many of these disputes arise out of the very environment of the industry, and can be settled only in the light of it. One man sitting away in the clouds, as it were, so far as local circumstances are concerned, cannot know all that makes up the dispute, and cannot, therefore, give the workers justice throughout the length and breadth of Australia.

Mr. BRENNAN.—We sometimes decide cases here on evidence taken in other countries.

Mr. JOSEPH COOK.—My honorable friend is quite right; but is such a proceeding always satisfactory?

Mr. BRENNAN.—I have not heard any great complaints about it.

Mr. JOSEPH COOK.—Would the honorable member settle disputes here for England if he could be in England himself to settle them? Would he prefer to settle them on the spot, or 12,000 miles away? Here honorable members opposite have the means to go to the spot and settle them where they occur, and they are deliberately refusing to do it.

Mr. FENTON.—Sometimes a change of venue is desirable.

Mr. JOSEPH COOK.—Sometimes it is, and sometimes the honorable member makes a sensible interjection. That is one. Whenever it is desirable to change the venue, it can always be done.

The principle of the whole matter was wisely laid down by this Judge himself. I have quoted this before, and it is worth quoting again. This is the principle, true for all time, laid down by Judge Higgins himself at the time that this provision found its way into the Constitution. Whatever modifications time has shown to be necessary in the application of the principle, the principle itself is as sound now as it was then, and cannot be controverted. He said—

> All I ask for by this amendment—
>
> By this arbitration provision—
>
> is that just as Victoria can deal with Victorian trade disputes, that just as New South Wales can deal with New South Wales trade disputes, so the Federal Parliament shall be enabled to deal with disputes which are Australian.

There is no escape from that principle. It is true, and it is capable of modification to suit all the complexities of our growing industrial spheres.

I object to the Bill on these grounds: It will lead to trouble, and will not settle

disputes. Every inch the Court is taken away from the centre of the trouble is a possible cause of further trouble. Ultimately, I believe the Court will tend to lower wages within these handicrafts. We must have a wage which will enable the poorest of the handicrafts to live, or, in the alternative, shut them up. We have seen before to-day that the Federal control is average control, and the more you make these huge industrial crafts susceptible to the adjudication of one man the more you must tend to average wages and conditions. This means that the best paid will have a tendency to fall, while the lowest may go up a little. It seems to me to involve the application of a set of mechanical rules to industrial enterprise, and to shut out all possibility of co-operative arrangements between those who employ labour and those who have their labour to offer. Nowadays co-partnership, profit-sharing and so forth, which would make for industrial peace and efficient co-operation, seem to have been dropped altogether from the plans of my honorable friends opposite. It is no longer a point with them that the wages paid to the employé shall have any reference to the returns of the industry as a whole.

What they are doing is to apply this principle of the minimum needs of the average workman; and I never could understand the hysterics of the Prime Minister and his colleagues about this supposed industrial charter laid down by Mr. Justice Higgins What becomes of their doctrine of "full fruits," which is in the forefront of their programme? Will this principle of the minimum needs of an average employé get them any "forrader" in that direction? They say they are entitled to the "full fruits" of their labour; but there is no such proposal laid down by the Arbitration Court. We have a mechanical law of wages which the Judge has said over and over again shall bear no relation to the profits of the industry. We have been told in dispute after dispute that the Judge does not consider the returns of the industry as a whole, but is only concerned with the rate of wages in the industry—with the minimum requirements of an average employé.

Mr. Brennan.—I do not think the honorable member can quote the present President of the Arbitration Court as ever having said that.

Mr. JOSEPH COOK.—I think I can find where the President of the Arbitration Court has declared that he had nothing to do with the returns of an industry.

Mr. Archibald.—He never said so.

Mr. JOSEPH COOK.—I believe he said, in the Harvester case, to go no further, that he had nothing to do with the profits earned by Mr. McKay; and that all he was concerned with was the wages of the men—that, so long as the men could be given a fair wage which would keep them in employment and meet their minimum needs, that was all he had to decide.

Mr. Archibald.—The honorable member is talking about the guiding principle of the Wages Boards.

Mr. JOSEPH COOK.—Nothing of the kind. I am talking about the guiding principle of Mr. Justice Higgins as enunciated in the implement makers case. I desire to know what becomes of the doctrine of "full fruits"? It surely does not mean "minimum needs."

Mr. Higgs.—If we cannot get the minimum, how can we get the "full fruits"?

Mr. JOSEPH COOK.—The "full fruits" cannot be obtained where the cases are submitted to a Judge who says he has nothing to do with the "fruits" at all—that he will not consider what an industry earns. This seems to go right in the teeth of the Labour party's general propaganda. I submit, therefore, that the application of any mechanical principle of wages is not in itself a good thing. I believe that what an industry earns and what it can pay should, if need be, enter into the settlement of disputes; and employés are likely to get justice more readily in this regard through a Wages Board than through the Arbitration Court.

Mr. Higgs.—The honorable member knows that we cannot get the "full fruits" until we are all in co-operation.

Mr. JOSEPH COOK.—I see; that is purely socialistic?

Mr. Higgs.—Very near it.

Mr. JOSEPH COOK.—The honorable member is always candid, and I wish more of his friends around him would equally tell the truth straight out.

Mr. Higgs.—The honorable member knows it is the truth, because he has read up these matters.

Mr. JOSEPH COOK.—I know it is the truth, and I know that it is as impracticable as it is true. At any rate, the employés cannot get the "full fruits" by a rule relating to minimum needs, or by refusing to consider what an industry can produce. The honorable member for

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Darling Downs has handed me the judgment of Mr. Justice Higgins in the Harvester case, and there I read—

> Fair and reasonable remuneration is a condition precedent to exemption from the duty; and the remuneration of the employé is not made to depend on the profits of the employer.

Mr. BRENNAN.—That does not say that the Judge will not consider the profits of the employers.

Mr. JOSEPH COOK.—The Judge says somewhere in the judgment, and in other judgments, too, that he has not to consider the profits of the industry. I believe he so laid it down in the Broken Hill case.

Mr. THOMAS.—He said that, irrespective of profits, there ought to be a living wage; and so there ought to be.

Mr. JOSEPH COOK.—But that ought not to be the beginning and end of it all.

Mr. THOMAS.—Hear, hear.

Mr. JOSEPH COOK.—No one knows better than the honorable member that a minimum wage is always the maximum wage, except in cases where, through the co-operation of the unions themselves, more can be forced from the employer. That is done in many cases, as, for instance, during the present boom in trade, when carpenters are being paid more than the Court awarded them. As I say, this doctrine cuts right into the teeth of the programme of my honorable friends opposite.

Mr. THOMAS.—The honorable member is against our programme, is he not?

Mr. JOSEPH COOK.—I am against some of it, of course. The honorable member for Darling Downs has pointed out to me another portion of the same judgment, which I had better read for the information of the honorable member for Batman—

> It was strongly urged before me that I should compel the applicant to disclose his books, so as to enable the objectors to see what are his profits; and that if the profits are large the wages should be large also. The applicant objected to such disclosure, and I declined to compel him. I cannot find anything in the Act to suggest a scheme of profit-sharing.

Nothing could be more conclusive than that, I think. I cannot understand how honorable members opposite can reconcile this mechanical charter—which, in all conscience, is low enough in its application to Australia to-day, and which, if generally applied, would mean a reduction and not an increase in wages—with their desire to ultimately give the workers the "full fruits" of their labour.

I am against the Bill for the reasons I have given; and I may say, further, that the measure seems to me only another way of evading the referenda just taken. If the referenda meant one thing more than another, it was that the people were not inclined to put their industrial matters for settlement further away from them than at present. If there was one thing more than another that was the essence of the referenda, it was the fact that, as regards the settlement of industrial troubles, the people of the States prefer to keep them as far as possible in their own hands. The decision on that occasion was that the principle of the State settlement of State disputes should apply in the future as in the past, and that where there was any unfair competition, then, and then only, should there be a Federal tribunal to co-ordinate these matters and put them on a fair plane of competition.

I make the prediction that, before many years are over, the experience of facts will drive my friends opposite to the adoption of the proposal of the late Government, which they have affected to despise on all the platforms of Australia. We cannot settle these disputes on a satisfactory basis unless more than wages are considered. We must consider the whole surroundings of an industry, and its relation to the general prosperity of the country. We must consider industrial operations in relation to each other, and in relation to the competition of other countries. The latter is a point sometimes left out of count altogether. We are doing big things within our own borders; but, ultimately, we come to the point of international competition. There is an international setting to all these matters; and the whole surroundings of these disputes must come into focus before we can ever have lasting industrial peace. And we are more likely to get peace from a tribunal such as was suggested, which would be, in essence, a Board of Trade, with large legislative powers to deal with the whole ramifications of our industrial life, as well as, incidentally, to settle the wages and conditions of those employed in building up our industrial prosperity. It seems to me that we have got hold of only the wages end of the trouble. The view is not large enough, while the Court is too large; and, by breaking up the problem, and dealing with it in the light of local circumstances, we shall be taking the only way to effect

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a satisfactory solution. Our view holds the field, and will continue to do so; and within a very few years, honorable members opposite will adopt it; and then, I suppose, call it their own, as they call everything else that they adopt. However, the idea is there, and they will arrive at it in a very few years. That is the idea of the State helping the Commonwealth and the Commonwealth helping the State—the idea of their co-operating to bring about industrial peace and satisfaction so far as it is humanly possible—the State, within its own ambit, taking hold of its own disputes and settling them, and for ever rendering impossible what we see in Sydney to-day—a State Government standing helplessly by, and telling the world that it cannot act in a purely local dispute, because another outside power possesses the jurisdiction. That must be remedied. The State must try first; and by linking up this State action——

Mr. HUGHES.—There is nothing to stop the State acting in the case referred to.

Mr. JOSEPH COOK.—They say they cannot act. Does my honorable friend suggest that they will not?

Mr. DEAKIN.—He does. He says that they will not take action.

Mr. JOSEPH COOK.—Does the Attorney-General say that his *confrères* of the State Government of New South Wales can settle the dispute but will not?

Mr. HUGHES.—I mean to say that it is a very convenient thing for them to follow their predecessor, Mr. Wade, and shove it on to us.

Mr. JOSEPH COOK.—I hear now that even Labour members will shirk their own duty, and seek to get behind another section of Labour members somewhere else in Australia. That is human nature, of course; and we are hearing now that human nature is rampant in the ranks of Labour as elsewhere. There ought to be inherent in the State Governments complete power to settle such a dispute. If the State Governments, in the light of that fact alone, will surrender further powers to the Commonwealth, except for the purpose already named, they will be very foolish. The people lately said, with a very emphatic "No," that they would not grant further power to the Commonwealth Parliament. That "No" was a wise one, and related to the larger view of things which the Federation was intended to set up. It is a Federal decision in its very essence, and a wise one, too; and we shall come to industrial peace the sooner if, instead of taking the power from the States, we try to supplement that power, leaving all the while the greatest facilities nearest the dispute, with a view to its swift settlement. Only so shall we get industrial peace. That was our proposal, and we hold to it. When all these measures have been tried and swept aside by the High Court, as every competent authority says is inevitable, then, in the very nature of things, I suppose the Labour party will try the referendum again. And, when they try it yet again and get another rebuff from the people, as I believe they will, they will fall back upon our proposal for a Board of Trade, consisting of three Commissioners, men of legal learning and commercial standing, who would be independent in every way, and would be commissioned to consider every relation of our industrial life, both as to the getting and the distribution of the wages which are to be paid. Then, and only then, shall we have in sight a settlement of these disputes. Then, and only then, when there is co-operation between all sections of the community, can we hope to see that peace, harmony, and prosperity, so much to be desired in a young country like Australia.

Mr. WISE (Gippsland) [4.49].—I do not intend, at this stage, to detain the House very long. Indeed, if it were not for the peculiar nature of the amendment that has been submitted, I should not think it necessary to speak. Although the Leader of the Opposition, when moving his amendment, said that we need not consider how far some of these proposals are within our constitutional limitations, since that would have to be settled by others, the principal, and, to my mind the most important criticisms to which the measure has been subjected, have been directed at the constitutional limits of those very proposals. I do not intend to repeat those criticisms. Those levelled at the Bill by the honorable member for Flinders, and the honorable member for Angas, were exceedingly full and impressive; and I shall be much surprised if they do not result in some very material amendments being made in Committee. The question of our constitutional power foreshadows almost every measure with which we have to deal, and it is repeatedly raised in connexion with Bills that are afterwards held by the High Court

to be constitutional. On the other hand, when we least expect it, we have a declaration of unconstitutionality. For example, honorable members generally were agreed on the Seamen's Compensation Bill, and no question as to its constitutionality was raised in this House; yet, as soon as a case arising under it went before the High Court it was declared to be unconstitutional. We cannot get away from the question of our constitutional limitations in connexion with the consideration of any measure with which we have to deal. But the fact that there is this difficulty should not deter us from trying to exercise our powers, and to make their execution as effective as possible. The people have given us power to make laws with respect to conciliation and arbitration for the prevention and settlement of industrial disputes of an Inter-State character, and this Parliament in 1904 endeavoured to give effect to that power by enacting what the present Leader of the Opposition then said was recognised as the most experimental piece of legislation that had ever been or was likely to be launched in the Commonwealth. Was it to be expected that such a piece of legislation would be perfect? Did not the fact that it was largely experimental presuppose that we should have proposed amendment after amendment until it was made as perfect as we could make it within the limits of our jurisdiction? In the administration of that measure difficulties have been met with, some of which have been cured, while others are incurable because of our constitutional limitations, and I do not think we shall be able to deal satisfactorily with these questions as long as our present limitation of power exists. At best we can only provide for these industrial matters being dealt with on a very large scale, at the cost of a very large outlay of time and money, and by throwing an immense burden of detail upon the Judge who has to deal with them. Indeed, so heavy is this burden of detail that I have often wondered that the President of the Arbitration Court has not long since resigned his office. If he were to do so, I doubt whether it would be possible to get any one to take up the work that he has been doing, and doing so well. We have heard a good deal as to every honorable member being desirous of bringing about industrial peace on the basis of industrial justice, and it seems extraordinary that, although we are all so anxious to do the same thing, we are utterly unable to do it.

Mr. McWILLIAMS.—Because we all know in our hearts that it is useless.

Mr. WISE.—No. A remark made by the honorable member for Flinders when addressing himself to this question last week speaks volumes, and is worthy of our consideration. The honorable member said—

> I have sometimes wished that in dealing with a subject of this kind, we could, for a few hours, throw aside our party clothes and endeavour in a reasonable spirit to deal with what is undoubtedly one of the most difficult problems that could come before any body of men. I know, however, that that is impossible.

That is a very sad reflection upon the way in which Parliament carries out its work. It places Parliament far below the ideal that is supposed to actuate it in the fulfilment of its duties. Why is it impossible for us to set aside our party clothes? Why cannot we act as we are supposed to act, and deal with this subject in a reasonable spirit? The honorable member said that he knew it was impossible for us to do anything of the kind, and he went on to say that he could not make a fighting speech on the subject. It was remarkable that he should think he was expected to make a fighting party speech. I venture to say that if honorable members like the honorable member for Flinders and the honorable member for Angas, who in these matters appear from their speeches to be prepared to go very much further than other members of the Opposition, would only throw aside their party clothes and approach questions of this kind in a reasonable spirit, their example would be followed by a great many men, weaker perhaps in their constituencies, and weaker also in their abilities.

Mr. BRUCE SMITH.—Would any notice be taken of their suggestions?

Mr. WISE.—I have not heard any one take notice of them; but if they set such an example to the House, I believe it would be followed. I wish now to refer to an interjection which I made last night whilst the honorable member for Kooyong was speaking, more especially as it relates to a matter to which reference has been made this afternoon by the honorable member for Parramatta. Whilst the honorable member for Kooyong was praising the Inter-State Commission which the Fusion Government proposed to create, I interjected, "Why did not your Government create it?" He replied, "Because we did not have the opportunity." I answered, "You did, but you dropped the

Bill in the Senate." The honorable member's rejoinder was, "Nothing of the kind." I repeated that it was so, and he said that it was not. I was certainly amazed at that flat contradiction, which recalled to my mind the remark made by Dr. Johnson, that it is more from carelessness of truth than intentional lying that so much falsehood abounds in the world. To say that it is not true that that Bill was dropped in the Senate by the Fusion Government is to state what is at variance with the records of this Parliament. On 29th September, 1909, Senator Millen, a member of that Government, obtained leave to introduce the Bill. The Bill was read a first time on the motion of the present honorable member for Kooyong on the 1st of October, whilst on the 6th October the honorable member moved that it be read a second time, and fully explained its principles. It was then debated for an hour and forty-five minutes. On 13th October, it was further debated for three hours and thirty-eight minutes, and on the 14th October it was debated from 6.13 p.m. until the Senate adjourned. After that it was never heard of, although the Parliament continued to sit until 8th December. Many important Bills were passed by the Senate between 14th October and the date of prorogation; yet the honorable member says that the Bill was not dropped in the Senate, and that the Government did not get an opportunity to create the Inter-State Commission. In moving that the Bill be read a second time, the honorable member stated that he was introducing it to carry out the resolution of the famous Premiers' Conference of that year and that they had promised to grant, by delegation, the increased powers which were necessary. Without those powers the Bill would not have been of any value. On the 17th October, Mr. Wade, then Premier of New South Wales, was asked what would be the position of the States if the Inter-State Commission Bill did not pass? He replied that the States were already taking steps to hand over to the Commonwealth the control of industrial disputes where there was unfair competition between the States. Then, on the 14th October, two or three days before Mr. Wade's remark, the *Argus* stated that it was expected that certain amendments, which had been foreshadowed, would be defeated in turn, and the Bill carried in its present form. That was the opinion expressed by a newspaper which was supporting the Fusion Government. And yet the Bill was dropped, and nothing further done with it.

Mr. Joseph Cook.—What does the honorable member mean by "dropped."

Mr. WISE.—That it was not proceeded with. That is the most effective way of dropping a Bill.

Mr. Joseph Cook.—Does the honorable member suggest that the Bill was dropped because we did not want to proceed with it? Will he be fair if he can?

Mr. WISE.—I say emphatically that, between the 6th October—the date of the motion for the second reading—and the 8th December—when Parliament rose—many other Bills were passed, and in that fact we have conclusive evidence that the Government did not want it to go through.

Mr. Joseph Cook.—That is rough on the present Government, so far as some of their Bills are concerned.

Mr. WISE.—Let it be so. I am prepared to apply the same remarks to any Government to whom they will apply. There is another reason for my belief that the Fusion Government wanted to drop that Bill. The Inter-State Commission Bill would have been of no value without a delegation of their powers by the States. When the honorable member for Parramatta was speaking, the honorable member for Hindmarsh interjected, "We cannot do anything until we get our powers altered," to which the reply was given, "We do not intend to alter them." I made a note of the remark, because it was a striking admission. Singularly enough, the Melbourne ship-owners had a private interview with the then Attorney-General on the 14th October. They protested against some of the clauses of the Bill, and the measure was not proceeded with. That, of course, may have been merely a coincidence. Why was it considered desirable to ask the States to delegate their powers? Why was it not proposed to ask the people for them? During the referendum campaign, what was called *The Speaker's Handbook* was issued. God help the man who used it when addressing an audience in which there was some one knowing the real facts. In that publication, the statement was made that there was no need to ask for these powers from the people, because the States had agreed to give them, and the resolution of the Premiers was cited. Readers were not told that not one of the States had passed a Bill giving up any of its

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powers to the Commonwealth. The statement continued that the honorable member for Kooyong, who was then in the Senate, had introduced the Inter-State Commission Bill. But nothing was said about the Bill not having been passed. No State Government has introduced a measure for the delegation of powers to the Commonwealth. It is no answer to say that the Inter-State Commission Bill has not been passed. It was for the States to carry out their part of the bargain. We remain exactly where we have always stood. The honorable member for Ballarat, just before the Fusion Government was formed, travelled throughout Australia, advocating, amongst other policies, new Protection. He had, in a memorandum, previously said—

> Effective and useful as States industrial laws have in many cases proved, their operation is circumscribed by State boundaries, and it can hardly be claimed for them that they either do or can secure uniformity in the conditions of manufacture throughout Australia. No authority but the Commonwealth Parliament can do this, and the attempt to do it, in the way that has been outlined, is in fullest harmony with the Federal aims and character of the Constitution.

The honorable member for Parramatta, who was then opposed to the honorable member for Ballarat, was saying, "Trust the States; ask them to give us these powers"—a course which the latter, after he joined the Fusion, took. But speaking at Toowoomba, he said—

> The Opposition, on the other hand, in the matter of the new Protection appear to offer us nothing, but to promise inquiry and persuasion to be exercised by the Commonwealth upon the States. . . . . Judging by the results of "persuasion" in the past in that direction the prospects were not extremely hopeful.

That statement has been confirmed by the experience gained in their failure to carry out his own agreement with them. If the amendment which has been moved by the honorable member for Ballarat were a mere declaratory motion, every honorable member could vote for it. I do not think that any one would hesitate to say that—

> no measure the effect of which will be to concentrate in any one person the control of all the conditions of carrying on all the industries of this continent can be other than impracticable and fraught with danger to the whole community.

The honorable member has carefully avoided saying that the Bill is such a measure. If it were, it would be unconstitutional. It is rather difficult to see the object of it. Remembering what took place last year, I think I can give a reason for this amendment. The Opposition is composed of two discordant factions, some of its members being pledged to arbitration legislation, while others have always been opposed to it. Last year, the Leader of the Opposition, after pointing out the defects of the amending Bill then introduced, said that its second reading would not be opposed. That statement gave dissatisfaction to many of his followers, some of whom stayed here until nearly 3 o'clock in the morning to call for a division, but, by a mere accident, a division was not taken. On this occasion, to avoid difficulty, the amendment has been proposed. That makes it unnecessary for any member of the Opposition to directly vote against the motion for the second reading. The honorable member for Ballarat stated that the Bill contains proposals which may be made acceptable, if they are not so now, and others which merit examination. Yet he has moved an amendment which, if carried, would prevent the further consideration of the measure. I shall vote against the amendment, and for the second reading, in order to have an opportunity to consider such proposals as he speaks of, and to make the Bill as satisfactory as possible.

Mr. McWILLIAMS (Franklin) [5.19].—Those who have had the honour of sitting in this House for six or seven years will agree with me that many of the speeches on this Bill have been almost an echo of those delivered on the first Arbitration Bill. I opposed that measure, thinking it to be futile, and prophesied that Parliament would have to patch it up time and again, until it was discovered that its method of preventing strikes was useless. The honorable members for Maranoa, South Sydney, Hunter, and others, who are in close touch with unions, have declared that the men will never give up the *right* to strike, and that has been proved over and over again. No matter what arbitration law may be in force, the members of a union, who are dissatisfied with the conditions imposed on them by an award, *will* cease work. In the first speech which I made in this House, I said that compulsory arbitration must fail, because there are not enough gaols in Australia to hold all the men who would be concerned *in a* big strike caused by what they thought a legitimate grievance.

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Mr. W. J. JOHNSON.—The honorable member knew that that was a gross exaggeration.

Mr. McWILLIAMS.—It is a fact. In New South Wales there is in power a Labour Government which, although pledged to repeal the Coercion Act, has not done so. Men are being gaoled under that Act; but although sentenced to three and six months' imprisonment, they are released after serving a week or two, and the whole procedure has become a farce.

Mr. POYNTON.—Should we not try to bring about the settlement of disputes?

Mr. McWILLIAMS.—This legislation is so much waste paper. No power in Australia could prevent the members of, say, the Shearers Union from striking, whatever legislation might be passed. If they were dissatisfied, they would only decline to sign on.

Mr. POYNTON.—They went to work this year pending the decision of a dispute.

Mr. McWILLIAMS.—They would not have done so if they had had the slightest intention to strike. The award effected practically no alteration of their conditions.

Mr. FENTON.—They gained £100,000 or more by it.

Mr. McWILLIAMS.—That has been contradicted by members of the Labour party.

Mr. POYNTON.—They are working peacefully all over Australia to-day.

Mr. McWILLIAMS.—They would have been doing so in any case. Between 1st January and 30th June of this year, the number of strikes constituted a record for Australia, there having been sixty-seven in the half-year; and the average has been well kept up during the last three months. In New South Wales there is Commonwealth and State legislation for the settlement of disputes; but strikes are as frequent as ever. The Attorney-General suggested to his trade union that it could evade the law merely by declining to unload certain sugar—that that would not constitute a strike. There are so many ways of getting round, over, and under legislation of this kind, that Parliament wastes its time in passing it. Every honorable member knows in his heart that it is useless. No Parliament ever attempted more earnestly to provide a satisfactory method for the settlement of industrial disputes than did that which passed the first Commonwealth Arbitration Act. There were differences of opinion on both sides regarding the measure, and even among the members of the various parties then constituting the House. This House honestly and fairly tried, both sides combining, to pass a law which would bring about industrial peace.

Mr. POYNTON.—There are more organizations to-day working under awards than ever before in the history of the country.

Mr. McWILLIAMS.—And there are more strikes. There is a record of sixty-seven within six months.

Mr. POYNTON.—What are they?

Mr. McWILLIAMS.—There are some big strikes going on now.

Mr. POYNTON.—Every big organization is working under an award to-day.

Mr. McWILLIAMS.—We were almost on the eve of another disastrous strike among the timber workers of Tasmania, and the whole object of those who stirred up those men to strike was to prevent them establishing a Wages Board. I believe the Wages Boards are the best, fairest, and surest way to secure industrial peace.

The real object of this Bill, if it could be made known, is to put a knife right up to the hilt in the Wages Board system, which does not suit honorable members opposite, because it is not confined to unions. It allows any man to come in and take advantage of it, and please himself whether he belongs to a union or not. I was one of those who opposed what I thought was a dangerous principle put into the first Arbitration Act—that of giving any man the power to say, "You must not approach the Judge unless you first join a union." I believe that is a wrong system.

To show the utter farce of some of the awards given by this one man, sitting as an Arbitration Court—a man we expect to know everything—let me give an instance. There has never been a more unjust judgment given in any Court than that given by the Federal Arbitration Court in the Mercantile Seamen's Guild case. Under that award a man in charge of a passenger boat, who is at sea every night, taking the greatest responsibility that a man can take on Australian waters, with every week from 1,500 to 2,000 passengers' lives in his hands, is being paid £12 per year less than a man who runs an old dugout between Newcastle and Melbourne, who is half his time in port, and who has no responsibility upon him at all. What can be thought of a Judge giving a deliberate judgment of that kind?

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Mr. SPEAKER.—Order. The honorable member is now going beyond what is fair comment.

Mr. McWILLIAMS.—Then I shall confine myself to the judgment. What would be thought of such a judgment if it were given by any other Court than an Arbitration Court?

Mr. SPEAKER.—The honorable member is now trying to evade the direction which I gave him.

Mr. McWILLIAMS.—Am I to understand that we are not permitted to discuss a judgment given in the Arbitration Court?

Mr. SPEAKER.—The honorable member was going beyond a fair discussion of the judgment.

Mr. McWILLIAMS.—Is the point of order that I am going beyond the allowable range of discussion or criticism?

Mr. SPEAKER.—If the honorable member wants to discuss the action of a Judge he must do it by a specific motion. The honorable member in this case was doing it under cover of the Bill before the House.

Mr. McWILLIAMS.—I do not like your use of the words "under cover." I was debating a decision given by the Federal Arbitration Court, under which we have a man giving a judgment on a subject which he knows nothing at all about.

Mr. SPEAKER.—Order. I ask the honorable member not to pursue that line of argument.

Mr. McWILLIAMS.—According to that judgment the wages of captains and officers are regulated by the tonnage of the vessels on which they are employed. A more stupid basis could not be imagined.

Mr. SPEAKER.—I have twice asked the honorable member not to follow that line of comment. If he continues to do so I shall take another course to prevent him.

Mr. McWILLIAMS.—Is it not within the power of this House to discuss a judgment given in the Arbitration Court under the Conciliation and Arbitration Act?

Mr. SPEAKER.—The method adopted by the honorable member constitutes a veiled attack upon the Judge who gave the decision. I have asked him repeatedly, and I ask him now for the last time, not to do it.

Mr. McWILLIAMS.—I do not want to get round your decision. I desire to know exactly if a member of this House is not in order in discussing a judgment given in the Arbitration Court?

Mr. SPEAKER.—When that question arises I shall give the honorable member a ruling. It has not yet arisen.

Mr. McWILLIAMS.—Then I shall proceed now to discuss the judgment given in that case in the hope of getting your ruling on it.

Mr. SPEAKER.—The honorable member will not be in order in doing so.

Mr. McWILLIAMS.—I do not understand the position you take up.

Mr. SPEAKER.—Will the honorable member resume his seat? The honorable member must discuss the question before the House. He has been making a veiled attack upon a Judge of the High Court. I asked him not to do it, but he persisted. I again ask him not to follow that course.

Mr. McWILLIAMS.—I had no intention of reflecting on any Judge of the High Court. I was pointing out that under the Arbitration Act we expect the Court to know every subject under the sun. It is proposed by this Bill to bring all the industrial affairs of Australia under the jurisdiction of one Judge, but to expect any one man, or Judge, or Court, to be thoroughly cognisant of the whole of the industrial life of Australia, can only result in such decisions as we have had in the case of the Mercantile Seamen's Guild. We have a man running a coal-boat between Newcastle and Melbourne, who is in harbor more than half his time; but, because his boat is over 3,000 tons register, he is paid £1 a month more than is paid to a man whose boat happens to be under 3,000 tons register, but who has ten times the responsibility, and a great deal more arduous work.

Mr. ANSTEY.—Where is that passenger boat trading to?

Mr. McWILLIAMS.—I refer to the *Loongana*, trading between Melbourne and Launceston. Under these Arbitration Acts, honorable members opposite are trying to bring everything down to a dead average level all round, and losing sight entirely of the only consideration that ought to govern a decision—that is the arduous nature and responsibility of the work. Under the particular judgment to which I have referred, some officers of vessels have absolutely had their wages reduced. That has been brought about through this attempt to establish a general all-round average, based on the tonnage of vessels. Such a system could obtain only in such a Court as an Arbitration Court. I understand that an arrangement has been made

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to terminate this debate at about half-past 5; and, although there were some other points to which I wished to allude, and I do not like such arrangements, I shall not break it.

Mr. HUGHES (West Sydney — Attorney-General) [5.35].—One or two statements have been made which appear to call for some reply from me, as Minister in charge of the measure. The amendment moved by the Leader of the Opposition is quite inapplicable to the Bill. It asks the House to reject the Bill because it is a measure, the effect of which will be "to concentrate in one person the control of all the conditions of carrying on all the industries of this continent," and it says that this "can be no other than impracticable, and fraught with danger to the whole community." As the honorable member for Gippsland pointed out, if we were asked to assent to this as a general principle, we should all gladly do so. No man, certainly no representative of the people, could refrain from agreeing to such a general and far-reaching principle, which, in effect, amounts to saying that this Parliament affirms that it will oppose any proposition which is not in the best interests of the people. But no such proposition is before the House. The whole question we are asked to consider is, what is this Bill trying to do? Let us look at the Act as it now stands. It was intended to promote industrial peace by creating a Court of Conciliation and Arbitration for settling industrial disputes, and, as far as possible, preventing industrial disputes from arising. Has the Court been successful? We have heard lamentations from honorable gentlemen opposite that it was not as successful as they would have liked, and certainly not as successful as we should have liked. But every man knows why it has failed of success. We have not been slow to tell the country that the constitutional limitations are fatal to the success of the Court. The honorable member for Flinders, in his prefatory remarks last week, hinted at what sort of Court he would have if we could legislate in any direction we pleased. The President of the Court has, many times, and particularly in the Boot Trade case, lamented the limitations of the Court. This Bill is intended to remove one of those limitations.

The latest judgment aims a blow in a new direction. Hitherto, the decisions of the High Court have been to limit the jurisdiction of the Arbitration Court; but this is a blow aimed directly at the men who are invited by this Act to place their fortunes and their interests in the hands of the Court. It is a blow aimed directly; the others were blows aimed indirectly through the Court by restricting its jurisdiction. The object of the Act is to promote industrial peace. Its virtue is derived from that paragraph of section 51 of the Constitution which enables us to pass legislation to create a Court of Conciliation and Arbitration for the prevention and settlement of industrial disputes extending beyond the limits of one State. In the Boot Trade case it was decided, after long argument, that we had power to set up industrial Courts of this description. The honorable member for Flinders, who appeared for the employers in that case, contended, in a very able speech, that the power conferred under the paragraph did not enable us to do so, but the High Court did not accept the honorable member's view, and declared that the Court was *intra vires*. Seven years ago, under this Act, we set out to create Courts for the settlement of industrial disputes, and to devise machinery whereby industrial organizations throughout the country might register. At that time there were three Statutes of a similar kind, one in New South Wales, another in Western Australia, and another in New Zealand; and on these three Acts our Act of 1904 was avowedly based. The honorable member for Flinders, when I interjected the other evening that "industry" had been defined in the New South Wales Act as including organizations of craftsmen, said he did not admit the fact. I now desire to show, by reference to page 19, volume 11, *Commonwealth Law Reports*, that the honorable member, when replying to the arguments of counsel on the other side, himself said that—

> The Act is based on the State Acts of New Zealand and New South Wales.

So that, whatever may have been the opinion of the honorable member the other evening, he was, when he made that former speech, quite sure that our Act was based on State legislation. Now I desire to show that the industrial legislation in New Zealand, New South Wales, and Western Australia was deliberately based on craft organization. The New South Wales Industrial Arbitration Act of 1901, on which our Act is based, provides that amongst the persons who can register are "any trade

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union or association of trade unions" or any branch thereof. No employés could register unless they were first members of a trade union. Employers, on the other hand, might register if they employed fifty employés. In the New South Wales Act "industry" is defined as any "business, trade, manufacture, undertaking, calling, or employment, in which persons of either sex are employed for hire or reward." In our own Act "industry" is defined as any "business, trade, manufacture, undertaking, calling, service, or employment" for "pay, hire, advantage, or reward." In the Western Australian Act "industry" is defined as any "business, trade, manufacture, undertaking, calling, or employment in which workers are employed." In that Act it is provided that trade unions of persons employed, no matter in what way, may register; and amongst the organizations which registered were the Amalgamated Society of Carpenters and Joiners, the Amalgamated Society of Engineers, the Society of Engine-drivers, Firemen and Cleaners Association, Trolley and Draymen's Association, and other organizations which the recent judgment will remove from the register. All these are organizations of craftsmen. The organizations registered under the New South Wales Act included those of the engine-drivers, the engineers, the carpenters, trolley and draymen, and labourers of all sorts; and here, again, the organizations are all on a craft basis. In New Zealand the law is precisely the same in this particular. In the New Zealand Act "industry" is defined as any "business, trade, manufacture, undertaking, calling, or employment in which workers are employed." Under the New Zealand Act any persons may register if they belong to a craft organization, and all along registration has been on that basis.

Again, the original trade unions in England were craft unions, which was the original and only basis of industrial organization.

The measure before us has for its object the maintenance of industrial peace. Strikes always occur between organizations of workmen on the one hand and employers on the other; and the organizations of the workmen are very largely, though not wholly, on a craft basis. If this measure fails to enable organizations of workmen on a craft basis to get the benefits of the legislation, then the Bill wholly fails, because it does not deal with a large proportion of persons engaged in industrial occupations in this country. For instance, the decision of the High Court in the Engine-drivers case aims directly at the Amalgamated Society of Engineers, one of the oldest organizations, with branches all over the world. It exercises the most complete discipline of any organization over its members, and is composed of most reputable and highly skilled men. Of this organization, there are 7,000 members in the Commonwealth, engaged in occupations of so skilled and so necessary a character that a cessation of work by them would involve the whole of the community in chaos. Yet, if the basis of organization be not that of the craft, as well as that of the industry, none of these men will be able to obtain the benefit of the measure. Our Act was passed to supplement State legislation where necessary, and so protect the public from the evils of industrial war; and, in so far as these men are unable to take the benefits of it, they will not register, and the community is not protected, for there are about 4,000 engine-drivers who are a very necessary factor in production. Then, again, if modern engines were stopped, all industry would be stopped. The trolley and draymen, too, are an essential part of that intricate machinery necessary in modern production, for they transport goods from one place to another, and when they stop, everything must soon be brought to a standstill. All these men will, if the basis be not that of the craft, be unable to obtain any benefit from this legislation; and I might extend the list of such industries very considerably. The other night I read a list of some twenty societies that will be affected, and I have now particularly referred to three of them, comprising 14,000 men. In addition, the Amalgamated Carpenters represent 4,000 men, and the labourers organization, I suppose, from 7,000 to 10,000 men, not to speak of those other industries of a lesser character, all of which will be outside the Act.

Was it the intention of this Legislature, when passing an Act to prevent strikes, deliberately to create a basis of organization which would exclude one-third of the workers of Australia? If that had been the intention, it would surely have been set out in clear and unambiguous terms. In the light of the Acts of New South Wales, New Zealand, and Western Australia, on

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which our Act is based, we can come to no other conclusion but that the intention was, and is, to recognise craft organization.

The amendment submitted by the honorable member for Ballarat is calculated to create in the minds of the public outside some apprehension as to the intention and scope of the measure. One would imagine, from reading the amendment, that society was threatened in a new and terrible way by a measure wholly different in its nature, and in everything but the title, from that which now stands on the statute-book. Let us now ask ourselves whether that is true. What does the Bill seek to do? It seeks to enable the engine-drivers, the engineers, the carpenters, the trolley and draymen, and sixteen other unions, containing some 20,000 men, to register, and to enable the Court to maintain industrial peace. In addition, it aims at giving the Court such power as to prevent awards being defeated on legal technicalities—it aims at giving the Court power to make final awards which cannot be disturbed by prohibition, or in any other way. I am dealing with the matter very rapidly, because I hope to have an opportunity to discuss this phase of it at length when in Committee. My first point is that the scope of the principal Act is not affected by the amending Bill, which only seeks to carry out what we intended, and what the honorable member for Ballarat intended, in 1904. I say, most solemnly, that there never was a doubt in the mind of any man who voted for the Bill in 1904 that trade unions, as such, were eligible for admission for the benefits of the measure. The honorable member for Parramatta, and the honorable member for Cook, have protested against attempting organization on a craft basis instead of on an industrial basis; and the great bulk of the criticism against the proposal from honorable members opposite has followed those lines. According to those honorable members, if we prevent organization on an industrial basis, we shall do a grievous wrong to society, because the industrial basis is the natural and proper one. All I can say is that if we had no reply but one to that criticism, that reply would be ample. When I hear criticism from honorable members opposite against a proposal which will enable 20,000 men to register, and when we are asked to accept that criticism on the ground that an industrial basis would enable more men to register than any other, I look at the criticism askance, because I know very well that there never has been one step taken in the direction of making this measure of industrial arbitration effective to which we have not had the opposition—not always direct and open, but none the less real and determined—of honorable members opposite. The honorable member for Flinders said last week that he wished he could deal with this measure from a non-party basis. Why does he not do so? What prevents him? This is truly an interesting situation. We have an honorable member on our side of the House dealing with it on a non-party basis although he is a member of a party that is supposed to be shackled and bound by a plank in its platform. On the other hand, the Opposition is supposed to be as free as the air, yet one of its chief members thinks it neither shameful nor extraordinary to calmly state that he is unable to do that which he knows he ought to do, which he says publicly he ought to do, because this is a party measure, and he must therefore follow his leader. It is a revelation to me, and I trust that it will be a revelation to the people of Australia. I feel sure that it will be noted that the party which is declared to be bound hand and foot was alone divided on this question, while the party which claims to be as free as the air voted solidly, and never uttered a word against the directions of its leader.

I want the people of this country to believe that this measure does not increase the scope of the Act, nor does it give to "this one man"—the President of the Arbitration Court, who was appointed by the Government of which the present Leader of the Opposition was the head—any more power than it was always contemplated that that one man should have.

I come now to the question of taking away from the High Court the power to issue a writ of prohibition directed to the President of the Arbitration Court. We seek to give the Court power to make an award which cannot be disturbed by a writ of prohibition. That is to say, to make the awards of the Court final. Under section 31 of the principal Act an attempt is made in the following words to make awards of the Court final—

> No award of the Court shall be challenged, appealed against, reviewed, quashed, or called in question in any other Court on any account whatever. . . .

To the man in the street that means what it says.

Mr. W. H. Irvine.—But——

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Mr. HUGHES.—The honorable member is not the man in the street; I will come to the point that he wants to make. The man in the street would believe that by passing that section the Parliament gave to this one man—the President of the Conciliation and Arbitration Court—power to make an award that no other Court could disturb on any account whatever. What did the Legislature intend? We must assume that it intended that finality should be achieved with as little circumlocution and expense as possible. What is the gravamen of the criticism of the Opposition? They ask for Wages Boards consisting of two men representing the employers and two representing the workers. Those men are to bring to bear their rough common sense in arriving at a decision, and finality is thus to be secured. There is to be no appeal from these tribunals, no delay and little expense. These are the virtues which are for ever being dinned into our ears. Yet when we attempt to prevent delay, decrease expense, and reach finality, we are met with this talk about the power of this "one man." But I would remind the House that it is always the Chairman of the Wages Boards who settles the decisions. I have listened with interest to some of my honorable friends opposite speaking about these two good men—the two assessors from the one side and the two assessors from the other—and the work they do; but I know what happens. These "two good men" from the other side stick like grim death to their particular purpose, and the man at the wheel—the Chairman—gives in reality every time the decision of the Board. If the honorable member for Flinders were an assessor, would he not say, as he did the other night: "I should like to deal with this case on its merits, but this is a party question, and I cannot afford to do so"? In the case of a dispute in the shearing industry, for instance, under the Wages Board system, one man would have to decide the whole matter, as he does now, and there would be no appeal. Under this provision as to prohibition, we propose to take away one of the greatest hindrances to the settlement of industrial disputes—the expense, the technicalities and the harassing delay and vexation caused by appeals to the High Court. But when we propose in this way to enable these awards to be speedy and cheap, we are told, "You are placing in the hands of one man the control of industry."

Mr. MATHEWS.—The honorable member's craft is being robbed in this way.

Mr. HUGHES.—I have a very lively faith in my craft. It has endured the blows of adversity and the subtle and insidious attacks of men in all generations; but it is going strong, and will be when you and I and all of us are dead. I want to say in a few minutes what I have to put before the House in regard to the question of prohibition. We do not for one moment contend that this Parliament can, by any device, take away from the High Court its right to question the jurisdiction of the Conciliation and Arbitration Court in so far as the Constitution imposes limitations thereon. But what we do say is that we can give to the Federal Court the power that the State of New South Wales gave or could give to its Arbitration Court. We hold that where our legislation does not clothe the President of the Court with all the powers that we are empowered under the Constitution to confer upon him, we can say, to that extent, whatever awards he makes shall not be challenged, called in question, appealed against, or made the subject of an application for a writ of prohibition. Within the limits of our jurisdiction under the Constitution we are a sovereign Legislature. We can say that the judgments of the Conciliation and Arbitration Court shall not be the subject of prohibition, and we can take away from the High Court the right to grant a prohibition against the President. In delivering his judgment in Whybrow's case—which was an application for a writ of prohibition—Mr. Justice Isaacs said—

> I am of the opinion that the objection (that the High Court had no power to issue a writ of prohibition) fails, but for one reason only, namely, that the power of control by means of a writ of prohibition is a part of the appellate power, and has not been taken away by Parliament.

It is a power that can be taken away by Parliament, certainly to the extent that we may have omitted to clothe the President of the Arbitration Court with all the power with which we can clothe him. Beyond that, I do not for one moment say we are going, trying to go, or ought to go. I am not going to deal with the matter at any further length. I am satisfied to have made one point clear: that the scope of this measure is such as not to alter in any particular the plan and scheme of the original Act. It is rather to repair an error into which the Legislature fell when

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it assumed that "industry" would include all the organizations on a craft basis. As for the abolition of the writ of prohibition the attempt to do away with these continuous appeals against the judgments of the Court on legal technicalities is one which I venture to think the Opposition will think twice about before they oppose it. I feel sure that the public will be very glad if the decisions of this "one man" can be final, seeing that under the law as it is at present the people are now subjected to eternal litigation, expense, and delay. I shall deal later with the objections put forward by honorable members against the measure in detail. The point to be made now is merely that the amendment moved by the Leader of the Opposition is incongruous to the measure now before us. It has no application to it. The Bill does not take away from any human being a right that he had before. It does not take away or alter the basis on which organization can be carried on. On the contrary it merely adds another method which we were under the impression already existed. Any organization will be able to organize on either the basis of industry or of craft. If there be in organization of industries the virtue which our friends declare, there is no obstacle to its operation; but we do say emphatically that where 20,000 men or more are denied an opportunity to come under the Act, not a day, not an hour, should be lost in remedying such a glaring and radical defect. I hope, therefore, that the amendment will be rejected, and the motion for the second reading of this Bill carried.

Question—That the words proposed to be left out stand part of the question—put. The House divided.

Ayes	...	...	33
Noes	...	...	23
Majority	...	...	10

AYES.

Anstey, F.	Maloney, Dr.
Archibald, W. O.	Moloney, Parker
Bamford, F. W.	O'Malley, King
Brennan, F.	Ozanne, A. T.
Cann, G.	Page, J.
Carr, E. S.	Poynton, A.
Chanter, J. M.	Riley, E.
Fenton, J. E.	Roberts, E. A.
Finlayson, W. F.	Smith, Laird
Fisher, A.	Spence, W. G.
Foster, Frank	Thomas, J.
Frazer, C. E.	Tudor, F. G.
Higgs, W. G.	West, J. E.
Hughes, W. M.	Wise, G. H.
Jensen, J. A.	*Tellers:*
Johnson, W. J.	Mathews, J.
Mahon, H.	Watkins, D.

NOES.

Atkinson, L.	Irvine, Hans
Best, Sir Robert	Irvine, W. H.
Cook, Joseph	Kelly, W. H.
Deakin, A.	Livingston, J.
Fairbairn, G.	Quick, Sir John
Forrest, Sir John	Sampson, S.
Foster, Richard	Sinclair, H.
Fowler, J. M.	Smith, Bruce
Glynn, P. McM.	Thomson, John
Greene, W. M.	*Tellers:*
Groom, L. E.	Johnson, W. Elliot
Hedges, W. N.	McWilliams, W. J.

PAIRS.

Catts, J. H.	Harper, R.
Howe, R.	Edwards, R.
Brown, Thomas	Fuller, G. W.
Charlton, M.	Ryrie, G. de L.
Scullin, J. H.	Palmer, A. C.
Webster, W.	Salmon, Dr. Carty.
McDougall, J. K.	Wynne, Agar.

Question so resolved in the affirmative.

Amendment negatived.

Original question resolved in the affirmative.

Bill read a second time, and considered in Committee, *pro formâ*.

ADJOURNMENT.

ORDER OF BUSINESS.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [6.15].—I move—

That the House do now adjourn.

If there is time to-morrow afternoon, and on Friday and subsequent sitting days, the consideration of the Conciliation and Arbitration Bill will be proceeded with until it has been passed, as the Government consider it urgent. To-morrow night, after the dinner adjournment, the Budget speech will be delivered.

Question resolved in the affirmative.

House adjourned at 6.16 p.m.

Senate.

Thursday, 26 October, 1911.

The PRESIDENT took the chair at 2.30 p.m., and read prayers.

PAPERS.

MINISTERS laid upon the table the following papers:—

Report by the Honorable Sir John Cockburn on the Social Insurance Conference held at the Hague, September, 1910.

Defence Act 1903-1910—

Regulations (Provisional) for the Military Forces of the Commonwealth.—Amendment of Regulation 199.—Statutory Rules 1911, No. 166.

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Financial and Allowance Regulations (Provisional) for the Military Forces of the Commonwealth—Amendment of Regulation 6.—Statutory Rules 1911, No. 167.

The CLERK laid on the table—

Return (in part) to Order of the Senate of 5th October, 1911—

Press Cable Subsidy—Amount paid to date, &c.

STOPPAGE OF LETTERS.

Senator KEATING asked the Minister representing the Postmaster-General, *upon notice*—

The number of bookmakers, turf commission agents, turf tipsters, and agents for any of the same in the Commonwealth whose correspondence through the Post Office has been stopped under the Post and Telegraph Act 1901, section 57, since the beginning of the present year?

Senator FINDLEY.—The answer to the honorable senator's question is "One."

PHOSPHATIC DEPOSITS.

Senator LYNCH asked the Minister representing the Minister of Trade and Customs, *upon notice*—

1. What is the intention of the Government in regard to a resolution passed on two occasions by the Senate affirming the desirability of paying a bonus for the discovery and working of phosphatic deposits within the Commonwealth?

2. Will the Government take any action this session?

Senator FINDLEY.—The answers to the honorable senator's questions are—

1. It is the intention of the Government to encourage, if possible, the discovery and development of phosphatic deposits within the Commonwealth.

2. It is proposed to consider this question when a revision of the Bounties Act is under review, but it is not at present possible to anticipate the date of such revision.

IRON BOUNTY.

Senator MILLEN asked the Minister representing the Minister of Trade and Customs, *upon notice*—

Has any decision yet been arrived at regarding the requests made to him to withhold or modify the bonus now being paid upon iron produced at Lithgow?

Senator FINDLEY.—The answer to the honorable senator's question is:—

No. Decision will depend upon evidence now being sought by investigation as to proportion of Australian ore in certain slag which is used in manufacture of pig iron on which bounty is claimed.

ELECTORAL BILL.

SECOND READING.

Debate resumed from 25th October (*vide* page 1794), on motion by Senator PEARCE—

That this Bill be now read a second time.

Senator CHATAWAY (Queensland) [2.35].—One is almost tempted to think that the Government are really not very anxious to pass this Bill during this session. It was brought on early, and then put day after day below the famous Bill in connexion with the possibility of Tommy Atkins pawning his war medal. In view of these facts, one really fails to see why the Government are bringing forward the measure at all. Let me take first the portion which deals with the abolition of postal voting. It has been said that the Government are running away from the Women's National League in Victoria. As a matter of fact, the figures show that men have used this system very nearly to the same extent as have women. Indeed, in an electorate in Western Australia the other day, the majority of the postal votes went to a Labour candidate.

Senator LYNCH.—That was in a shearing electorate.

Senator CHATAWAY.—That may be. I do not see why we should deprive shearers or any other persons of their votes. The amount of postal voting is really very small. If it is argued that the use of this system is growing and becoming a public scandal, as it were, if there is a scandal attached to it, the figures do not prove it. At the election in 1906, 1.4 per cent. of the ballot-papers issued to electors were issued in the form of postal ballot-papers; at the next election the percentage was 2 per cent., while at the referenda in 1911 the percentage was only 1.98 per cent. That shows that postal voting is not used to an immense extent. Therefore, I hold that the Government need not claim that its use is growing out of all proportion to the intention of Parliament. At the same time, I contend that we have no right to disfranchise one man or one woman if we can provide a system by which persons can fairly be enabled to vote, even though they cannot go to the polling booth. Let us consider who will be affected by the abolition of postal voting. It will not affect those who go to sea, because there is a provision which enables such persons to vote before they go out of the Commonwealth.

Senator MILLEN.—Even though they do not intend to return.

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Senator CHATAWAY.—That is true. It does not affect either those who go up in an aeroplane, but a person who remains in the Commonwealth may possibly have to travel hundreds of miles to get to a polling booth or he will not be able to vote. It may be right enough to abolish postal voting because it is used to a very large extent in Victoria, but I would remind honorable senators that that State is only a part of Australia. In Queensland there are electorates, such as the Maranoa, which cover enormous areas, and many places where persons have to travel 40 miles or more to get to a polling booth. It is these persons, first of all, who should have an opportunity of getting their ballot-papers by post and eventually recording their votes. Indeed, the distances are so great that in 1910 I came across, in Queensland, a place which was so far away from the polling booth and the Assistant Returning Officer that it was absolutely impossible, between the issue of the writ and the polling day, for the local persons on their own initiative, or prompted by somebody else, to send in their applications, to get their ballot-papers, to fill in the forms, and to send them back within the time allotted. If that is so in some cases, it must be infinitely more difficult for persons to travel the long distances which they have to travel in the larger States in order to be able to vote at a polling booth. My contention is that the amount of postal voting which is done is not very great. It would be very unfortunate if the Government deprived the old and the infirm, as well as those living at very long distances from the polling booth, of the opportunity of voting. We have been told that postal voting has led to a large amount of corruption, but I would point out that not a single case has come before the Courts, which has shown that there has been any serious corruption. Even supposing that one or two persons have been convicted, that only shows that we have a system which we can check and keep from being used corruptly to any extent. If we are to abolish a system because somebody or other is corrupt, we may as well abolish practically every rule or law that we have. If the Government will insist on abolishing the present form of postal voting, I think it would be well if they would find some other system which would meet the necessities of the case. It does not meet the necessities of the case to simply say to a person, "You can go and vote at some polling booth." That does not meet the case of scores and scores of persons who are too old to travel long distances. I think that before the Government disfranchises, say, 1 per cent. of the voters, whether men or women, they should try to introduce a system which can really take the place of postal voting. I have no objection to compulsory enrolment, but the proposal to compel the transfer of votes will hit very hard the shearers, the cane cutters, and so forth, who are travelling through the country taking contracts. How can the Department follow up the nomadic population? If they carry out this method to its logical conclusion, what they could do would be to insist upon every man carrying a right, and then the officials would be able to demand the production of the right to show that the holder had himself enrolled for the particular district which he was in for the time being. But how many of my honorable friends opposite would suggest that we should compel the electors to carry a right? Very few of them indeed. It would be like going back to the old Victorian days, when the police chased men through the bush to see if they held miners' rights—the very scandal, the very tyranny, that created such an incident as the Eureka Stockade. The Government are proposing to create a new offence. In all probability it will not affect the more settled population, but it will affect those who have to travel in search of work. It is to be made a crime if a shearer fails to get his name transferred from one roll to another after he has been for six months in a district in Queensland, or even in Western Australia. A shearer cannot travel through a district and work from shed to shed for six months; but it is to be made a crime if he does not transfer his name from one roll to another. I do not know for whose benefit the provision is made, unless it is for the benefit of the Department. It seems to me that it will not create a rod for the backs of the Opposition, but a rod for the backs of the Government, and, more especially if the provision is carried out squarely and honestly, a rod for the backs of that section of the people who, I believe, give their warmest support to my honorable friends on the other side.

Senator LONG.—A shearer or anybody else can only have his name on the roll for the district where he is domiciled.

Senator CHATAWAY.—My honorable friend comes from a mere fly speck on the map. He knows nothing whatever about

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the enormous distances that some electors have to travel in the larger States. There are large numbers of people in Australia who are not domiciled definitely anywhere. They live, for a few months in one electoral district, and a few months in another, travelling from place to place looking for work and earning an honest living. They are very useful persons indeed. But my honorable friends are willing to make it the law that when a man travels from a particular electoral district to another he must carry an electoral map in his swag, and may incur a fine of £2 if he does not send his name to the Registrar every time he shifts his abode. That is an unfair condition to impose. The Government would be very wise to drop it from the Bill. I do not intend to say much in connexion with the proposal to compel newspapers to publish returns as to amounts received by them for the publication of electoral information. I do not think the provision matters a row of pins. But there is something to be said about the wonderful provision intended to compel any person who has spent money in connexion with an election, or in the interest of any party or candidate, to make a return. Is that to apply to members of State Parliaments who, in connexion with Federal elections, travel at their own expense to help Federal candidates who are standing in the interests of the parties whose policies they favour? I should also like to know how the provision is to affect individuals. During an election campaign a man may put me up for the night somewhere in Queensland. Is he to send in a return as to the expense he incurs in keeping me for that night? Probably the Government do not realize how far this provision will go. Some of my honorable friends opposite will soon be out on the "stump" in connexion with the Victorian State elections. Suppose there were a State law providing that every penny spent in travelling round the country in connexion with an election should be included in a return! It is assumed throughout this Bill that Australian electors are divided into merely two or three organizations: that there are on one side the Labour organization, and on the other the Employers Federation and the Liberal party. But there are scores of organizations in this country the members of which have their little axes to grind or their little theories to advocate. There is the Single Tax League, for instance. Has it to make a return showing how much money it has spent in the course of an election? Have the Orangemen, the Roman Catholics, the temperance advocates, the licensed victuallers, the Warrego Shearing Company, the trade unions themselves, and numerous other associations to make returns? We have not heard a single word from a responsible Minister as to how far this provision is intended to be carried. Under the Bill as it stands any person may be prosecuted, and made liable to six months' imprisonment for spending any sum of money in connexion with an election without furnishing a return. Do the Government intend to propose that any organized body that spends money upon an election shall certify the party in whose behalf the money was spent? Surely that is a fair proposal. There is nothing in the Bill to compel, say, the Single Tax League to show in what party's interest it has spent money. The Protectionist Association spent money at the last election. Probably they spent a considerable sum. I venture to say that they did not spend it on behalf of any candidate sitting on this side of the Senate.

Senator E. J. RUSSELL.—They would have been foolish to do that.

Senator CHATAWAY.—They must have been very much more foolish to spend money on behalf of the present Government and the party supporting it, who have repudiated all their promises in respect of protection. It is a serious defect in the Bill that no provision requires particulars to be furnished as to the party in whose behalf money is spent.

Senator RAE.—The honorable senator is confusing organizations with individuals.

Senator CHATAWAY.—I am not. Proposed new section 172 (A) reads as follows:—

> Every organization, association, league, or body of persons which has, or person who has, in connexion with any election, expended any money or incurred any expense (*a*) on behalf of or in the interests of any candidate, or (*b*) on behalf of or in the interests of any political party, shall in accordance with this section make a return of the money so expended or expense so incurred.

I do not suppose that the Government are prepared to tell us how they intend to apply this provision if it becomes law. The term "organization" might apply to the Employers Federation, or it might apply to the Political Labour Leagues. "Association" might apply to any body of persons. It might apply to the Single Tax League, which might support either party to suit

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its own purposes. "Body of persons" would cover everybody. All the rest of the provision is surplusage. The remaining words are not necessary. "All persons" would cover every one. All that the Government need to say to attain their end is that every individual, no matter whether he be a member of a State Parliament, or a member of a church, or a member of any league or association, who chooses to go out at election time and spend any sum of money which he has in his pocket, shall furnish a return. Any number of persons who desire to have their political views exemplified in Parliament through the instrumentality of a certain candidate will be called upon, under pains and penalties, to furnish particulars of expenditure or go to gaol. New crimes are being created under this Bill, the title of which ought to be, not "Commonwealth Electoral Bill," but "Creation of Crimes Bill." It will be a crime for a man not to send his name within a certain time to an electoral registrar. It will be a crime not to send in a return if he spends half-a-crown in connexion with an election. There is no provision in the Bill limiting the expenditure. Whether a man spends five shillings or twenty pounds, he has to furnish a return just the same. If there were a limit there might be some sense in the provision. I venture to say that at every election thousands of pounds are spent, a half-crown, five shillings, and ten shillings at a time, on behalf of all political parties. If the Electoral Office think that they are going to save themselves trouble by the provisions regarding compulsory enrolment, I venture to say that they are going to give themselves fifty times as much work in another direction, by chasing people all over Australia to find out how much money they have spent on elections. I do not intend to touch upon a number of the questions dealt with so ably by Senator Millen in a speech which elicited a somewhat ambiguous reply from Senator Findley. But I wish to refer to one other point. There is a curious provision in the Bill which, apparently, would deprive electors of a voice in the recasting of electorates. Under the present law Commissioners are appointed to divide up electorates, and they have to exhibit maps showing the boundaries of electoral divisions. These schemes of divisions have to be approved by Parliament. One House may reject a Commissioner's recommendation, sending it back to him for further consideration. The Commissioner then has to re-arrange the electorates, in accordance with the objections that have been raised. But there is no provision compelling him to give the electors an opportunity of studying the new scheme of division. A member of Parliament from Queensland and a member from Western Australia have a voice in determining the electoral divisions for Tasmania, but the electors of Tasmania have no say in the matter whatever. Under the present law the Commissioner has to exhibit a map showing what he proposes under his amended recommendation. But under this Bill the electors are not considered. I think a proviso ought to be inserted enabling the local people, who are chiefly affected, to see what the Commissioner proposes to recommend. The Government would be well advised if they would agree to insert an amendment to that effect. My complaints against the Bill are, first of all, that it unnecessarily deprives about 1 per cent. of the electors of their facilities for voting; and next that it contains provisions which seem to me to be more or less nonsense. I doubt whether the Government are serious about the Bill. There is only one reason which causes me to think that they may have a serious motive, and that is that a Ministerial supporter in another place, when the last referenda results were mentioned, said: "We will carry our proposals when we have amended the Electoral Act." The session has not much longer to run, and I hope the Government will allow the Bill to stand over until next session. If they do, I think that by that time they will find that they will be well advised if they drop it altogether.

Senator READY (Tasmania) [3.0].—Most honorable senators on this side anticipated that when this Bill was brought forward it would be received with a storm of opposition from honorable senators on the other side of the chamber. It has been so received, but the storm so far may be described as a storm in a teacup. The Honorary Minister has replied very effectively to the scathing criticism of the Leader of the Opposition.

Senator St. Ledger.—It was scathing.

Senator READY.—It was scathing, but not effective. As a younger member of the Senate I always listen with pleasure and respect to the Leader of the Opposition whenever he rises to speak. But I never heard him make a speech in which there was so little real argument and so much noise as the speech which he delivered on this Bill. After listening to the

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honorable senator for three hours and twenty minutes, I must say that I was very much disappointed with his effort.

In submitting this proposed amendment of the electoral law, the Government are fulfilling a public duty to the electors. An attempt is being made to purify our electoral machinery and prevent its manipulation for party purposes. Honorable senators opposite have urged that the matter should not be dealt with from any party point of view, but they have contradicted themselves at once by considering it entirely from a party point of view. They have, for instance, asserted that the proposal in this Bill for the abolition of postal voting is made because it will enable the party on this side to secure more votes, or will prevent the party opposite from securing some votes.

There is need for the greatest care in the conduct of our elections. I cannot speak with much knowledge of the other States, but it is well known in Tasmania that much-needed reforms are necessary in the conduct of elections. I have a vivid recollection of what occurred at a small country polling place in Tasmania. It was quite a common thing for electors to drive up to the polling-booth, and the obliging Returning Officer, in response to a whistle, would run out to the carriage with ballot-papers and ask whether the occupants desired to vote. The occupants of the carriage marked their ballot-papers while sitting in state. These gentlemen took very fine care to bring their workmen and domestic servants along in the carriage, and they also marked their ballot-papers in the roadway.

Senator ST. LEDGER.—I have known the dead to arise on election day in my State.

Senator READY.—The honorable senator is a good exemplification of that himself, as some of the remarks he makes are unworthy of the living. The instance to which I have referred shows that there has been no decency in the conduct of elections. Since the Labour party have been in power they have endeavoured to put an end to many of these objectionable practices.

The most important principle embodied in the Bill is that of compulsory enrolment, and I venture to say that it has not been so far effectively criticised. In the past I can say that in Tasmania the work of enrolling electors has fallen upon party organizations. They have had to make special efforts to see that the electors were enrolled. Hundreds of residents of the country districts were not enrolled, and it fell to political parties to provide means by which they might be enrolled. I maintain that this is a work which should not be left to any political party, but should be undertaken by the Electoral Branch of the Home Affairs Department itself.

Honorable senators will probably recollect a very striking case which occurred during the Federal elections of 1904 in Tasmania, in the electorate of Darwin, represented by the Honorable King O'Malley. At a small place in that electorate, called Penguin, the Returning Officer, who evidently was a political partisan, allowed thirty or forty persons whose names were not on the roll to exercise the franchise. The reason given was that he knew that they would vote against Mr. King O'Malley. As it happened, Mr. King O'Malley was returned at the election; otherwise, on challenging what had been done, he might easily have upset the return of his opponent. As it was, a thorough investigation into the case was made by the Electoral Officer, with the result that the Returning Officer in question was discharged.

Senator DE LARGIE.—Was he not punished in any way?

Senator READY.—I understand that on the dismissal of the Returning Officer the matter was allowed to drop. But for an accident that occurrence would never have been discovered, whilst under a proper system of compulsory enrolment it would have been impossible, since every resident of that small town of Penguin would have been enrolled. It is in the interests of the Commonwealth that every one entitled to vote should be in a position to exercise the franchise. If honorable senators will look at the proposed new section 61 (D) they will find that it provides that—

> Any officer who receives a claim for enrolment and who without just excuse fails to do everything necessary on his part to be done to secure the enrolment of the claimant in pursuance of the claim shall be guilty of an offence.
>
> Penalty: Ten pounds.

That means that while electors under this Bill will have the responsibility cast upon them of having their names enrolled, a responsibility in the matter will also devolve upon electoral officers who, if they neglect their duty, will render themselves liable to a heavy fine.

I come now to the proposed abolition of postal voting. That is a sore point with honorable senators opposite, and

even my honorable colleague from Tasmania, Senator Cameron, has condemned it very strongly. I say, without hesitation, that in my State the manipulation of the postal vote has become nothing short of a public scandal. Liberal friends with whom I have conversed on the subject have admitted that the system of postal voting has been much abused in Tasmania.

Senator ST. LEDGER.—By only one party?

Senator READY.—Particularly the party represented by our honorable friends opposite.

Senator WALKER.—How can the honorable senator know that?

Senator READY.—We know that in the country districts of Tasmania it has been a common practice of large pastoralists to drive round a district with a justice of the peace, and to ask the working men in their employ to vote by post. These men have been between the devil and the deep sea.

Senator WALKER.—Who was the devil in that case?

Senator READY.—The devil was the employer and the deep sea was represented by the "Order of the Sack." It is never a very pleasant thing to receive the "Order of the Sack," and there is no honour attached to it. The working men in the country districts have often been coerced into voting by post. Every corner of one district was scoured by large land-owners with their carriages. They took along with them an obliging justice of the peace, and collected from workmen applications to vote by post. They brought the postal ballot-papers around later on and secured the votes in their own particular interest.

Senator W. RUSSELL.—I have known that to be done on the day of an election.

Senator READY.—It has been a scandal in Tasmania. We are often asked by honorable senators opposite to give specific instances of this kind of thing, but it is very difficult to give instances.

Senator ST. LEDGER.—Charges of the kind should not be made unless an honorable senator is prepared to give specific instances.

Senator READY.—Does the honorable senator think so?

Senator ST. LEDGER.—I do. It is my habit not to make a charge unless I can give a specific instance.

Senator READY.—If specific instances of the practice followed in connexion with the exercise of the postal vote are required I am prepared to give them. I have here a report of a case that occurred in Victoria, which gives a pretty conclusive instance and should satisfy honorable senators opposite. It is as follows—

THE POSTAL VOTING SYSTEM.

JUSTICE OF THE PEACE FINED.

HAMILTON, Tuesday.

In the police court to-day, before Mr. Williams, P.M., Louis Lesser, J.P., of Coleraine, was charged with several offences under the Commonwealth Electoral Act. Mr. Morley, instructed by Mr. Westacott, appeared for the Crown Solicitor, and conducted the prosecution. Defendant was represented by Mr. E. Silvester and Mr. Walker.

The first case concerned a voter named Selina Campbell. The first charge was that defendant as an unauthorised witness had witnessed signatures to an application for a postal ballot-paper without being personally acquainted with the facts, and without satisfying himself by inquiry that the statements were true. The second charge was that he had induced the woman Campbell to make a false statement that she was ill and would be unable to attend a polling place on polling day. The third charge was that defendant had influenced her vote.

Selina Campbell stated that defendant had visited her and had asked if she would like to vote. On receiving an affirmative reply, he gave her a paper which she signed. Defendant did not ask her any questions. This was on 22nd April, a few days before the Referendum poll. On 25th April defendant returned and gave her a paper. He did not say anything, and he did not see where she put the cross She had made a statement previously to Constable Harrington, but she was so excited at the time that she did not know what she said.

The statement was read over to witness. She said she did not remember having said that defendant had told her where to put the cross in the square. As a fact she was not ill at the time.

A lengthy legal argument took place on various technical points, which were noted by the bench.

The magistrate found that there was no evidence as to inducement or influence, but found defendant guilty on the first charge of not making proper inquiry. On this charge defendand was fined £5, with £5 5s. costs.

In two other cases in which similar charges had been laid in relation to defendant, defendant pleaded guilty to not making proper inquiries, and was fined £5.

I was told by a friend who had personal knowledge of the case that in their arguments counsel stated that it was quite common for this thing to be done all over Victoria. In other words, the postal vote was used to an unfair extent by men who travelled round the country, and he claimed on that ground that his client should not be fined. I do not think that honorable senators on the other side are serious when they state that postal voting has not been abused very greatly.

I desire to bring before the Minister in charge of this Bill paragraph *a* of section 180 of the Act—

In addition to bribery and undue influence, the following shall be illegal practices :—

(*a*) Any publication of any electoral advertisement hand-bill or pamphlet or any issue of any electoral notice (other than the announcement by advertisement in a newspaper of the holding of a meeting) without at the end thereof the name and address of the person authorizing the same.

It would appear that under that provision it is punishable by fine for a political party to circulate unauthorized hand-bills.

Senator FINDLEY.—It is punishable for any person to publish hand-bills without the printer's name thereon.

Senator READY.—I thought that it was punishable. During the last referendum Tasmania was flooded with election literature which did not bear any authorization. Some of the publications came into my hands. I feel greatly interested in this matter, because, so far as Tasmania is concerned, the party with which I am identified did not issue any pamphlet without an authorization, but dozens of pamphlets were circulated throughout the State bearing only the printer's name, and no statement as to who issued them. Here is a typical sample, which is a disgrace to the political party on whose behalf it was distributed, because it is not only without an authorization, but contains a tissue of deliberate, unfair, and uncharitable misrepresentations. When I was touring the southern part of the island I often saw this precious document posted on gates and other conspicuous places—

TO THE FREE WORKERS OF TASMANIA.

(Whether or not Members of Trade Unions.)

On April 26th you will be called to decide by your votes whether you will hold to the liberties which you have, or resign the freedom for which your forefathers shed their blood.

An amendment of the Constitution is proposed which will enable the Federal Parliament to say when and how each person may work.

As at present constituted Parliament is controlled by the Labour Party, which in its turn is dominated by the Political Trades Unions. Have you the slighest doubt that the first use which Parliament will make of its new power will be to legislate for compulsory preference to Unionists?

Nor is it likely to stop at that. The implement makers of Melbourne are out on strike to assert the principle that none but Unionists must be employed. The Prime Minister of Australia and one of his colleagues subscribed to the strike fund and encouraged the men to remain out.

An affirmative vote at the Referendum will enable the Federal Government to translate that sympathy into legislative action.

By voting "Yes" you stand to lose your industrial and political rights.

You will not be allowed to work unless you join a union, and you will not be allowed to remain in the union unless you subscribe to the funds of the Labour Party, and give open and direct support to its candidates.

Even the secrecy of the ballot is threatened.

You will not be allowed to belong to a trades union for purposes of mutual protection and the advancement of the interests of the workers unless you will accept the political creeds of its officials.

The A.M.E.A. is one of the strongest unions in Australia, and yet the President stated that not one-fourth of the miners belong to it. The same thing applies still more to other unions. That is because most men refuse to surrender their political rights.

If you vote "Yes" at the Referendum you will put yourselves into the power of a few who control unions, representing a small minority of the workers.

What mercy you may expect you may gather from the recent declaration of one of the leaders, which was received with cheers, and has not only not been disavowed, but has been indorsed by the Leader of the Victorian Labour Party.

"They must know no morality except that which led to success."

Are you prepared to put yourselves into such hands?

"They must make the life of a non-unionist a hell upon earth," said Mr. Hyett, Secretary of the Railway Employees' Union, and no one with authority has disavowed him.

Will you give complete power of control over your work, your lives, and your political opinions to men who boast that they know no morality?

If not, vote "NO" on April 26th.

Will you stand for your rights and your liberties?

If so, vote "NO" on April 26th.

All the rights of freedom which make life worth living depend on a solid vote of "NO" on April 26th.

The political party which issued this document ought to be ashamed of it, and no wonder that they did not authorize its circulation.

Senator O'KEEFE.—They were proud of it.

Senator READY.—It was an insult to the intelligence of the electors, and a good many of them thought so. But that is not the point. The question is that this defamatory document was issued without authorization.

Senator O'KEEFE.—And got a lot of votes, too.

Senator READY.—I suppose that it influenced some weak-minded persons. One would think that under paragraph *a* of section 180 of the Act the persons responsible for the circulation of this document could

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be punished. I brought under the notice of the Minister of Home Affairs, not only this leaflet, but others.

Senator FINDLEY.—You ought to have found out who the printer was.

Senator READY.—It was printed in the *Mercury* office. I also drew the attention of the Minister of Home Affairs to the fact that advertisements were being published in Tasmanian newspapers without authorization. He promptly set in motion the machinery of the Electoral Office, and promised that my complaint should be attended to. After making a thorough investigation he referred the whole question to the Attorney-General's Department for its opinion, and it replied that under the present Act no action can be taken against the circulation of these unauthorized documents.

Senator FINDLEY.—Under this Bill any person who incurs any expense, or does any printing, will be called upon to furnish a return.

Senator READY.—That is not the point. In the Bill I see no provision which will prohibit the distribution of such documents throughout the country.

Senator ST. LEDGER.—You want the man punished as well.

Senator READY.—I do. I want the law enforced. What is the good of a provision, if no action can be taken? I have the permission of the Minister of Home Affairs to read the following minute which he wrote on the subject to the Attorney-General's Department—

> The attached schedules are submitted for the Minister's consideration :—
>
> 2. The newspapers in question inserted advertisements or notices in relation to the Referendum taken on the 26th April in contravention of section 180 (*a*) of the Electoral Act, which provides that it shall be an illegal practice to publish any electoral advertisement (other than the announcement by advertisement in a newspaper of the holding of a meeting) without at the end therof the name and address of the persons authorizing same.
>
> 3. The persons responsible for the issue of cards, hand-bills, leaflets, and posters have contravened section 180 of the Electoral Act inasmuch as they have not inserted the names and addresses of the persons authorizing the same, and in several cases there are no imprints as required by law.
>
> 4. A question arises as to whether or not action should be taken against the proprietors of the newspapers, and the other persons concerned.

In reply, the Attorney-General gave an opinion which reads as follows:—

> As regards newspapers, I am of opinion that articles, even though advocating any particular side, cartoons, and news items are not electoral advertisements or notices within the meaning of section 180 of the Electoral Act. Advertisements and notifications relating to elections, which to the ordinary mind would not fall within articles or news items, would, in my opinion, come within the section. Of the cuttings submitted, a certain number are articles, cartoons, or news items, and would not fall within the section, a certain number are on the border line, and should be given the benefit of the doubt, and a certain number are infringements of the law.
>
> Nearly all the hand-bills are infringements of section 180, assuming of course that they were published, as to which there is probably no question.
>
> The question whether prosecutions should be instituted is a question for the Department of Home Affairs to decide. Apparently there is nothing to gain by failure to comply with the law, and the failure appears to have arisen because newspaper proprietors and political organizations failed to realize that section 180 applied to the Referendums. Under the circumstances, and also because the reasons for the provisions are not as strong in the case of a Referendum as they are in the case of an election, I think that no good end would be obtained by instituting prosecutions.
>
> W. M. HUGHES,
> Attorney-General.
>
> 12th July, 1911.

If our laws are to be framed in such a way that a coach-and-pair can be driven through them, what is the use of spending our time and trouble in passing them? It should be made absolutely impossible, I contend, for such breaches of the Act to take place. I commend the matter to the consideration of the Minister, and I hope that a clause will be drafted which will prevent a repetition of this offence. I also desire to bring before the Senate the question of what constitutes bribery under the Act. One would think that section 176 distinctly prohibits the feeding or treating of electors at any particular time from being indulged in by any person. It provides—

> Without limiting the effect of the general words in the preceding section, "bribery" particularly includes the supply of meat, drink, or entertainment after the nominations have been officially declared, or horse or carriage hire for any voter whilst going to or returning from the poll, with a view to influence the vote of an elector.

It appears to be a direct offence against the Act for a person to provide any kind of refreshment to electors with a view to influencing their votes.

Senator O'KEEFE.—It is a good job, too. It saves a lot of shouting.

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Senator READY.—Yes. Apart from any question of political parties, it is a good thing that we are not compelled to go into hotels and shout all round. It means a saving to our pockets, and I believe that it conduces to the purity of elections. During the last Federal elections in Tasmania, I found that it was usual in some parts to provide refreshments after political meetings. A political meeting was held, and then the ladies——

Senator ST. LEDGER.—Would give a cup of tea.

Senator READY.—Ladies, who otherwise would not be seen in the same street as some of the persons to whom they gave cups of tea, who otherwise would not be seen speaking to them at all, who otherwise would not bother their heads as to whether they lived or not, would provide refreshments. Just about election time these ladies discover an ardent love for electors.

Senator FINDLEY.—They are anxious about the babies.

Senator READY.—Yes. They say, at election time, "Dear Mrs. So-and-so, we ought to get into closer touch with one another." In the cases I refer to, these refreshments were given, but I did not take any action. It next occurred in connexion with the referendum. Grown bold because they had not been checked, these persons not only dispensed refreshments, but posted a notification that at the close of Mr. So-and-so's address light refreshments would be served by the ladies.

Senator ST. LEDGER.—What on earth is wrong about extending a little hospitality?

Senator READY.—Is my honorable friend serious? There is a good deal of wrong about it. If persons are allowed to feed electors and give them cups of tea, there is nothing to prevent them from giving a half-guinea-a-head banquet, because the principle is just the same. If we allow persons to give a shilling meal or light refreshments, surely we can allow them to give a banquet.

Senator ST. LEDGER.—What harm can the giving of a cup of tea do?

Senator READY.—It will generally be found that those who give the refreshments represent my honorable friend's party, and, as I said before, they do not bother electors with cups of tea apart from elections. I brought the matter before the Minister, furnishing him with proof. I expected some result to follow. But what happened? The Minister had to state that he was unable to recommend a prosecution, because of an adverse opinion from the Attorney-General.

Senator ST. LEDGER.—It is quite a common thing in Queensland to have a drink all round after a political meeting, and nobody thinks there is anything wrong in it.

Senator READY.—Oh! Is it?

Senator O'KEEFE.—Who provides the drinks?

Senator ST. LEDGER.—Sometimes we do; sometimes our opponents.

Senator READY.—I am rather sorry for the honorable senator's political morality; it is to be deplored. I wish now to read the Minister's letter to me containing a statement of the Attorney-General's opinion. I may say that the Minister has incurred a certain amount of odium in this connexion, both from this side of the Senate, and, I believe, in one instance, from the other side, in consequence of his refusal to prosecute. The question has been asked, "What is the use of having a law, if we cannot get the Minister to carry it out?"

Senator ST. LEDGER.—The Minister had common sense.

Senator READY.—I can assure the honorable senator that the Minister would have prosecuted had he not been advised by the Attorney-General that he had no jurisdiction. The following is the letter which he sent to me:—

20th June, 1911.

Dear Senator Ready,

I have now received an opinion from the Attorney-General's Department on the points raised in your communication dated the 3rd ult., viz., whether it is an offence in itself to supply refreshments—

(*a*) at a political meeting after the receipt of nominations for an election; or

(*b*) after the issue of a writ for a referendum.

The Law Authorities are of opinion that it is not in itself an offence to supply refreshments under such conditions, but that it would only be regarded as an offence if it were done under circumstances which would justify a jury in coming to a conclusion that the refreshments were supplied with the object of influencing the electors present at the meeting to vote in a particular manner or not to vote at all.

The fact that a poster was issued in connexion with the Ross meeting to the effect that a tea and coffee supper would be provided after the address would, it is thought, be construed into an offer of refreshments with the object of inducing the electors to attend the meeting, and would not be held to be an offence.

Yours faithfully,

(Sgd.) KING O'MALLEY.

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We ought not to be satisfied so long as such a loophole as this exists in our Electoral Act. I do not expect any support from honorable senators opposite; but I do expect assistance from Ministers and from honorable senators on my own side, with the object of remedying such a state of affairs.

Senator ST. LEDGER.—Do not get angry about a cup of tea.

Senator READY.—Cups of tea have done a great deal for the honorable senator and his party. We can offer better inducements to the electors to vote for us than to go round "smoodging" for votes with offers of drinks. I hope that it will be provided in the amending Bill that such breaches of the law shall not be permitted. I have given notice of an amendment, which, I believe, the Government will be prepared to accept, with the object of stopping this kind of thing. I shall be found voting for any provision that will militate against fraud, imposition, or corruption at the polls. There have been cases in which the electoral machinery has been prostituted. I, therefore, trust that the amended law will make it much more difficult for electors to be bamboozled, and to make it dangerous for any political party to induce them to vote by improper means.

Senator SAYERS (Queensland) [3.40].—The honorable senator who has just sat down has made it appear that his own State is a very wicked place indeed, in reference to electoral affairs. With reference to giving cups of tea at election meetings, I may mention that I happened, some time ago, to be at a place in Tasmania where a meeting had been called in the interests of the Labour party—not of the wicked Liberal party, of which we hear so much.

Senator DE LARGIE.—Why does the honorable senator call his party a Liberal party?

Senator SAYERS.—Because I was a Liberal before the honorable senator knew what the word meant—before he left Scotland, in fact. At the meeting to which I refer it was announced that there would be a social and dance after political addresses had been delivered.

Senator READY.—The social and dance had to be paid for.

Senator SAYERS.—The reason given was that the people would not attend a mere political meeting, and, therefore, there was to be a social and a dance, with refreshments.

Senator READY.—The honorable senator should state, in fairness, that a charge was made.

Senator SAYERS.—The charge was not sufficient to cover the expense.

Senator LONG.—Where was it?

Senator SAYERS.—It was at Kettering, in Tasmania. I was one of those who paid the charge, and I am, therefore, well aware that it was not sufficient to cover the cost.

Senator LYNCH.—Two shillings for a cup of tea?

Senator SAYERS.—The charge was not a quarter of that amount. As to unfair practices, I know that there has been much intrigue and just as much personation on the one side as on the other. I have no fault to find with some parts of this Bill. I suppose that no Bill is ever brought before a Parliament that does not contain some good provisions. I do not object to the compulsory enrolment clauses, because I desire to see the largest roll that we can possibly to get. I do, however, wish our elections to be conducted on fair lines. We find from the speech of Senator Ready that he has been looking for all sorts of loopholes in the law. In fact, he has been acting as a detective for his party. He has laid cases before the Minister of Home Affairs, and has asked that prosecutions should follow. I wonder that anything wrong occurs in Tasmania at all, when the people have the honorable senator's eagle eye upon them. We read strange detective stories occasionally. I have no doubt that the honorable senator was an exceedingly vigorous detective in the interests of his party. He has instanced a document that was issued in Tasmania. I do not know where it was published. I think that he might have done better service to his party than to have that document put into *Hansard*. Had he had any discretion he would have realized how injurious it was to his own side.

Senator READY.—It will do us good.

Senator SAYERS.—I do not think so. Mention was made in it about preference to unionists. That principle has been applied. I dare say that other practices mentioned in the document are also to be followed in due course. While I have no objection to compulsory enrolment, I hope that some scheme will be devised to compel those who are enrolled to vote. The Minister argued yesterday that it would be useless to try to do so, because people who were compelled to go to the poll might

deface their ballot-papers. I do not believe that anything of the kind would occur. As a rule, it is laziness that causes people not to go to the poll. It a scheme could be devised under which people would be compelled to exercise the franchise, unless they were debarred for good reasons, I have not the slightest doubt that the majority would vote properly. I feel very strongly concerning postal voting. I have known instances of men who have been in hospitals with broken limbs, or suffering from sickness, who could not possibly go to a polling booth, but who have been glad to exercise their right as citizens by means of a postal ballot-paper. Much has been said concerning abuses, but they appear to have occurred principally in Victoria. We have had no actual proof.

Senator READY.—I gave proof.

Senator SAYERS.—I do not think that the honorable senator did. He merely made bald statements. The postal vote has been a great boon to a large number of people. If it has been wrongly exercised in some instances, let the law be amended to prevent abuses. I have not the slightest objection to that. I have no desire that people shall vote by post if they are not entitled to do so, nor have I any desire that the privilege shall be used in an improper manner. There are large numbers of friendly societies in Australia which are not political organizations, and at whose meetings political arguments are not permitted to be brought forward. I have made inquiries, and find that, roughly speaking, about a thousand of the members of such societies in this State alone would not be able to vote at election times if postal voting were abolished. Many of these societies are carried on in mining districts where accidents frequently happen. Many of the persons who sustain these accidents are strong political partisans, and take a keen interest in the affairs of their country. No matter what side in politics they favour, they ought not to be deprived of the right of voting at elections. They will be much surprised to know that the Labour party, which professes to be so solicitous for the sick and the infirm, are desiring to take this privilege from them. I am perfectly certain that had honorable senators opposite been of opinion that postal voting was generally favorable to them we should not have had a proposition to abolish it. I shall steadily oppose any provision to limit the opportunities for the recording of a free vote by a free people. No proof of abuse has been furnished to us. I have been speaking to people in Victoria since this Bill was introduced, and have told them about allegations made as to the abuse of postal voting in this State. Senator Ready has spoken of the abuse of the system in Tasmania. But the number of postal votes recorded in that State was a mere bagatelle.

Senator READY.—About the same proportion as in the other States.

Senator SAYERS.—Not at all. New South Wales has the largest population of any State in Australia, but the postal votes recorded there were not half as many as those in Victoria. Are the whole of the people of the Commonwealth to be penalized because wrong is alleged to have been done in one State? I am prepared to assist the Government in doing anything to prevent wrong doing. I desire to obviate infringements of the electoral law. But I am not prepared to do away with opportunities for voting which have hitherto been accorded to the sick and the injured. The party opposite ought to be the last party in the Commonwealth to deprive any man of his vote, because they are always posing as sympathizers with the sick, the widowed, and the injured. Yet, in the first blush of their power, they are endeavouring to deprive a very large number of people of the franchise, because, according to the Minister, something wrong has been done in Victoria. Senator Ready has informed us about a case that he brought under the notice of the Minister of Home Affairs who has consulted the Attorney-General. Why do not the Labour party give this young man a step that would satisfy his ambition for the time. and let him go round on their behalf scenting out any wrong doing in connexion with electoral matters? I should be quite prepared to support the Government if they put a sum of money on the Estimates to send Senator Ready round on such a mission. He believes in himself as a detective. Let him then take on this job. Why do we allow voting by ballot? We know that it has been abused more than the system of postal voting. I could give an instance of what occurred at a place called California Gully, where no less than 400 votes were polled, although it was impossible to raise more than fifty inhabitants within a radius of 100 miles. But should we do away with the whole system of voting by ballot because there have been

wholesale cases of personation? You, sir, will remember a case that occurred at South Brisbane, when, on a recount, the votes of persons who had been guilty of personation were thrown out, and Mr. Jordan, the candidate demanding the recount, was returned. We have tried by every means to protect the secrecy of the ballot, and why could not the Government submit some proposal for safeguarding the operation of the postal voting provisions of the existing Act? We are told from the other side that the system has been abused, but we are given no proof. Do honorable senators opposite think that the mere statement that the system has been abused in the past will satisfy the people who, under this Bill, will be deprived of the right to vote, because they may be sick, or infirm, or obliged to attend upon the sick or infirm? If the Government will submit proposals calculated to make it almost impossible to abuse the postal voting provisions, I am sure they will get ample support from both sides of this Chamber. I ask them not to disfranchise people who can only record their votes by post. If only one thousand persons are disfranchised as the result of a harsh law, that will be an injustice to the Commonwealth. Abuses will creep into the operation of every system, and though men are very foolish to do so, we know that some are prepared to risk imprisonment for personation. We have not, on that account, proposed to abolish voting by ballot, but have tried to put the system on a better footing. That is what honorable senators on this side ask the Government to do in connexion with postal voting. If it can be shown that the system is abused, no honorable senator on this side will oppose the most stringent provisions to prevent its abuse in the future. We have in this Bill a proposal made to permit an elector to vote in any part of the Commonwealth for any election, and I do not hesitate to say that that will lead to ten times the abuse of the postal voting provision. Honorable senators opposite may, perhaps, think that they will gain something by the proposal.

Senator W. RUSSELL.—Oh, no!

Senator SAYERS.—It is of no use for Senator W. Russell to become indignant. I am here to criticise the Bill, and the honorable senator will later have an opportunity to say what he thinks ought to be done. Under the old practice affecting absent voters an elector claiming to vote for another constituency was required to make a statement to the Returning Officer, and sign it. He had to sign a declaration under Form Q, and he was then given a ballot-paper, and had the right to vote. But now the Government are, in this Bill, opening the door wide to wholesale personation. A person will be able to say that he is an elector for Kennedy, for North Melbourne, or South Melbourne, or somewhere else, and will at once be able to demand the right to vote. There is nothing in this Bill to prevent abuse of that system. The Government are, in this Bill, shutting the little wicket to prevent abuse of the postal voting provisions, while they are opening the gate wide to abuse in the other directions. That will not tend to the purity of elections. No doubt, Senator Findley, in speaking yesterday afternoon, had all the information which he could get from the heads of the Electoral Office, and I venture to say that if they could have supplied him with specific instances of abuse of the postal voting system they would have done so. I say that the Minister should have submitted specific instances of its abuse before he asked us to alter the system. When we challenge the vague statements made by honorable senators on the other side, we are told merely that the system has been abused, and we are given no proof of the statement. In the circumstances, we have only to do our duty to the country as well as we can, and leave it to the electors to judge whether the action of the Government is right or wrong. We should be betraying our trust if we did not express our views on the matter, and, in the circumstances, we are justified in expressing them more fully than would otherwise be necessary. I come now to the provisions with respect to a recount. These are contained in clauses 25 and 26 of the Bill. The Honorary Minister asked whether we would give every candidate the right to ask for a recount. I interjected that we should, on the condition that he should put up a certain sum of money, which he would forfeit if, on the recount, it was proved that his charges were not true. I thought the honorable senator was playing a little too low when he asked whether we would give a candidate who received only a few thousand votes a right to a recount. Do honorable senators believe for a moment that if a candidate received 50,000 votes—I shall not make the matter ridiculous by saying 6,000—and the successful candidate received 250,000 votes, he would put up his money for a recount? No man in his senses would do such a thing. But if a candidate is

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prepared to pay up £25, £50, or £100 in order to secure a recount he will have a good reason for doing so. He may be beaten by only fifty votes.

Senator FINDLEY.—A candidate can get a recount without putting up any money at all.

Senator SAYERS.—I maintain that under this Bill, although a candidate may ask for a recount, he cannot demand it as a right. He may have polled within twenty votes of his opponent, and if the Divisional Returning Officer is a partisan, he may be refused a recount. The Chief Electoral Officer may subsequently also refuse a recount. The candidate may be satisfied in his own mind that if he could get a recount he would win the seat. He can go to the Court, but he must satisfy the Court that he has a just case. How is he to satisfy the Court before a recount takes place?

Senator FINDLEY.—If he cannot satisfy the Court, surely the honorable senator would not expect the Court to grant him a recount.

Senator SAYERS.—I have contended that a candidate should be given the right to ask for a recount, and I have suggested that he should be required to deposit a certain sum of money, and should be penalized by its forfeiture if it were shown that he asked for the recount on insufficient grounds. But in this Bill the Divisional Returning Officer and Chief Electoral Officer are made the sole judges in the matter. I am not suggesting that the gentlemen who now fill those positions will do what is wrong, but they will not live for ever, and this Bill will continue in force until it is repealed. We may have men filling such positions who may be strong partisans, and if they refuse a recount the candidate will have no remedy. If a candidate is prepared to put up £25 or £50 in order to secure a recount he should have the right to demand it. So far as the Court is concerned, a recount is the only way in which a candidate can secure evidence of personation or other wrong-doing to put before a Court.

Senator FINDLEY.—The honorable senator would give a premium to the man with means.

Senator SAYERS.—I would do no such thing. I am not fighting in this matter for one side more than another. Under my suggestion, if the recount went against the candidate demanding it, he would forfeit his money, whilst if it proved his case, he could approach the Court, and the other party would then have to pay. I have been a Divisional Returning Officer, and I know the powers possessed by any one acting in such a position. He could do a lot of harm if he chose. We should be satisfied that men appointed to such positions, no matter how strongly partisan they may be, will, like a Judge on the Bench, give fair play to both parties. I have acted in the position at many elections. The Speaker of the House of Representatives will recollect that I did so in connexion with an election for the Kennedy electorate, and he can verify my statement that from the issue of the writ to the polling day I did my duty as a returning officer to the best of my ability, and never showed favour to one candidate any more than to another. In spite of this, I should not like, when in such a position, to be charged with the responsibility of having to say to a candidate, "I will not grant you a recount." I should prefer that such a matter should be provided for in the Act, and to be in a position to say, "You are entitled to a recount if you put up £25 or £50, and abide the consequences." Under this Bill, if the Divisional Returning Officer refuses a recount the matter may be referred to the Chief Electoral Officer. But I point out that whilst appeal for a recount may take place in connexion with an election in Western Australia or in Northern Queensland, the Chief Electoral Officer will be, perhaps, in Melbourne; he will know nothing of the surrounding circumstances, and will naturally say, "I have every confidence in the Divisional Returning Officer, and I therefore refuse a recount."

Senator W. RUSSELL.—I think we ought to have a quorum present. [*Quorum formed.*]

Senator SAYERS.—I was asking the Minister whether he would not agree to provide in the Bill that a candidate should have a right to demand a recount. He might be within 50 or 100 votes of the successful candidate, and might be satisfied that on a recount he would win the seat. I have maintained that under clauses 25 and 26 a candidate could not claim a recount as a right. He must appeal first to the Divisional Returning Officer, who may be a partisan. The appeal is then to the Chief Electoral Officer, who, in ignorance of the circumstances, will accept the view of the Divisional Returning Officer. I say that there is then no remedy for a candidate

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who desires a recount. I mentioned the case in which, on a recount, an Elections and Qualifications Committee allowed certain votes to the unsuccessful candidate, and he eventually won the election. Senator Millen referred the other night to a case that occurred in the Riverina, where, if a recount had been granted, there would have been no appeal to the Court. We all remember what was done by the returning officers in the contest between Senator Vardon and Mr. O'Loghlin. The ballot-papers were supposed to be burnt, and all sorts of political intrigue and ingenuity were resorted to to oust Senator Vardon. We maintained here that a fresh election should be held. When the Government found, at the last moment, that they could not qualify Mr. O'Loghlin for the seat, they agreed to send the case to the High Court, which decided that the election was null and void, and ordered a fresh election, which Senator Vardon won. Surely honorable senators on the other side do not want to debar a candidate from getting a recount. Under clauses 25 and 26 a candidate is debarred unless he can induce the Divisional Returning Officer or Chief Electoral Officer to grant him a recount as a matter of grace. It should be given as a matter of right. If, on a recount, a man finds that he has a good case, he should be free to appeal to the Court. I would not object to a provision requiring £20 or £25, or even £50, to be put up. If a man is made liable to a fine of from £25 to £50, he will not ask for a recount unless he feels that he has good and reasonable grounds. When I was a returning officer, I always had a recount before I sent down the return. It was made in the presence of the candidates or scrutineers chosen on their behalf. We often found discrepancies in the figures from each presiding officer—enough to make a big total, but not enough, perhaps, to affect the result of the election. It was found that, in the hurry of counting, many votes were made informal which were really not informal; in fact, all sorts of mistakes were made, especially in connexion with the Senate election, for which there is a large number of candidates. At the first Senate election in Queensland, I think that there were sixteen candidates for six seats, and it was very hard indeed for an ordinary elector, who had been used to State elections, to correctly mark his ballot-paper. He might have left five or seven names on his ballot-paper, and, of course, all those votes were informal. Of late we have not had so many candidates. At the last Senate election in Queensland we had eight candidates, though at a future election we may have ten or twelve. If the voting is close, a recount is necessary, and there ought to be a provision in the Act enabling a candidate to demand a recount on depositing a certain sum. That would be only fair and just to him, and the privilege would only be used in those cases where a man had a reasonable ground for suspecting that something was wrong. It could inflict no hardship, and it would save candidates from moving the Court. I hope that, if not here, in another place, a provision for that purpose will be inserted in the Bill. We have heard a lot about the provision requiring a return to be furnished by newspapers. I do not intend to object very strongly to the provision, but I do not think it is required. Most of the newspapers, I know, make very little money out of electioneering. Take the position of my honorable friends opposite. There may be an advertisement in a newspaper costing 5s., or, at the most, 10s., and saying that Mr. So-and-so will address a meeting at Selheim, Black Jack, or Charters Towers. The owner of the newspaper sends a reporter to the meeting, and I am sure that his expenses amount to four times as much as the price of the advertisement.

Senator W. RUSSELL.—In South Australia a Labour candidate gets reported once. The newspapers take care of that.

Senator SAYERS.—In Queensland I have known a Labour candidate to be reported as fully in a newspaper as his opponent; in fact, I have known a Labour candidate to get a half-column more in his report than did his opponent.

Senator W. RUSSELL.—It was paid for.

Senator SAYERS.—It was not paid for on either side. We are told that newspapers get a lot of money out of elections. To my knowledge they lose. Practically the only money which they get—and it is easily earned—is the payment for the Government advertisement which comes from the Returning Officer. That they get, no matter what their political opinions are. I am speaking of a newspaper which represents not the Labour party only, but the whole of the community; and I have known fuller reports to be given to the Labour candidate than to his opponent. That is not done every day, though, because it would

not pay them to do so. Surely the Minister in charge of this Bill can see that there are various anomalies in connexion with the voting. A candidate in Tasmania is allowed the same amount for expenses as a candidate in Western Australia or Queensland. Is it fair to allow to a candidate in New South Wales or South Australia the same amount for expenses as is allowed to a candidate in a State which can be travelled over in a day like Tasmania and Victoria? That is an anomaly in the Act which ought to be rectified by this Bill. Wherever we go we have to pay for the display of posters and the rent of halls. We have to twist and turn to see how we can keep our expenses below the allowance of £250. It is simply absurd to allow the same amount for candidates' expenses in Western Australia and Queensland as in Tasmania and Victoria. A candidate is practically asked to break the law. I do not know what is the experience of honorable senators generally, but I find that it is very hard indeed to keep within the allowance. One has to give a man, perhaps, less than he deserves; in fact, one has to sweat him in order to conduct his election within the allowance; but in this measure the Minister is making no attempt to do away with this sweating. He is making it illegal for a candidate to pay a fair amount. Why does he not increase the allowance to the candidates in the larger States by £50, and reduce the allowance to candidates in the smaller States? Why do the Government not seek to find out the existing abuses, and try to rectify them? We have been told that at the last referendum vast sums were expended by some individuals.

Senator W. RUSSELL.—And never accounted for.

Senator SAYERS.—That is like other statements which emanate from the opposite side. Without the slightest tittle of justification, they throw sneers and slurs across the floor of the chamber, but not one of them is man enough to rise and prove them. In connexion with the referendum, I travelled through the north of Queensland, and was up as far as Mareba, Atherton, and other places, but I never received from any association or person the small sum of a farthing. I paid my own expenses from the time I left Melbourne until I returned. I do not like to hear these wild accusations thrown across the floor. I am aware that money had to be found for certain purposes, such as the hiring of halls, and I take it that the Labour party do not get the use of halls for nothing.

Senator MILLEN.—They get them for less.

Senator SAYERS.—Yes, I believe they do sometimes. We pay the current rates for the halls which we engage, and we never dispute the charges, though, of course, we have not the same facilities for addressing the electors as are provided in Victoria. If a man applies to the Shire Council, he has to pay £1 1s. or £2 2s. for the use of the shire hall. He does not expect, or ask, to get the use of a hall for nothing.

Senator MILLEN.—He does if he is a member of the Labour party.

Senator SAYERS.—Never have I had the free use of a hall. I have paid the bill-sticker, and the newspaper which published my advertisement. A Labour candidate may stop in an hotel for three or four weeks, and he is charged nothing. I have never been in that position, because I do not care to accept charity. When I am canvassing, I am always prepared to pay the current rates at hotels. The things I have mentioned have been done, but not accounted for in the return of expenses. Perhaps Senator Pearce is one of those who have had such things done for them. I know such things are done in Western Australia and are not included in the return of expenses, whatever may be done afterwards. The candidates are taken to the hotels as guests.

Senator HENDERSON.—Do you ever pay your hotel expenses?

Senator SAYERS.—Sometimes.

Senator HENDERSON.—Never.

Senator SAYERS.—Oh, yes, I have done so. A man may drive me in his trap for 8 or 100 miles, and not charge anything. That should go down in my expenses, but it does not; but when I hire a vehicle to drive me, I have to include the charge in my expenses.

Senator W. RUSSELL.—The wealthy squatters will drive you about.

Senator SAYERS.—No wealthy squatter has ever driven me a yard, so that my honorable friend is barking up the wrong tree again.

Senator W. RUSSELL.—You are driven for pure love and affection.

Senator SAYERS.—Yes; but, according to my honorable friend, Labour men have no wealthy squatters who will drive them for pure love and affection.

Senator W. RUSSELL.—Yes, we have a few.

Senator SAYERS.—If it is desired to improve the Electoral Act and secure a better voting system, it will be necessary for the Minister to materially alter this measure. It should be framed a little more in the interests of the electors, instead of in the interests of party. To my mind, the interests of party weighed with Ministers in drafting the Bill from first to last, and that opinion is shared by members of the Labour party, because, outside, they have said that it is not a fair deal. I feel sure that if the Minister forces the Bill through the House, as he can do with his numbers, he will find that it will react against the Labour party. There is an old saying that a man who becomes a tyrant makes enemies. The Ministry, in bringing down this Bill, will make enemies. The opinion is gaining ground, even amongst their friends, that they are little bits of tyrants, who are not prepared to give fair play to the electors of the Commonwealth as a whole.

Senator W. RUSSELL (South Australia) [4.35].—It is rather trying to get up and make a speech after the excitement which has prevailed. It is also trying to have been waiting several hours to speak. But now I have secured the opportunity, I do not intend to mince matters. I shall say on the floor of the Senate what I have already said by way of interjection. This is not a party question as far as the Labour party is concerned. Electoral reform is not on our platform. We have the freest hand to deal with it.

Senator MILLEN.—The freest hand to further the interests of the honorable senator's own party.

Senator W. RUSSELL.—To further the people's interests. Renegades from the Labour party, however, are the worst of all Tories when they get to the other side. I have much pleasure in supporting the second reading of this Bill. The Government are in favour of compulsory registration. So am I. I am in favour of compulsory voting. The Government are not. Moreover, I will say now what I said before the electors about six years ago, that I am in favour of the compulsory attendance of members of Parliament, health permitting, at our sittings while the Legislature is in session. I have said so before the electors, so that it cannot be alleged that I have any particular reason for saying it now. I believe that if compulsion is necessary in reference to registration, it is also necessary in connexion with voting. No doubt, it seems difficult to compel people to vote. At all events, Senator Millen painted the difficulties in strong colours, pointing out the evils that might arise under a compulsory system. He suggested that the police, the soldiery, and other forces would be brought into requisition to carry out the law. But there is already compulsory registration of births, marriages, and deaths. The people are accustomed to that, and they carry out the law freely. I believe they would also become accustomed to compulsory voting. I am a strong supporter of the proposal that Saturday shall be polling day for Commonwealth elections. I can speak both as an employer and an employé, for I am not only an old farmer, but also an old farm labourer. I support this proposal because the farmers are accustomed to drive into the towns on Saturday mornings for their newspapers and letters. It will be easy for them to vote without disarranging their farm work, and they can bring their wives to the polling place with them. The change will be of great advantage to working men, and especially farm labourers, for this reason: Farming people do not work eight hours a day. Sometimes they work as many as fourteen. Some farmers do not want their men to vote because they do not know how they will vote. Instead of making it a convenience for them to be driven to the poll, they often keep them working till sundown.

Senator MILLEN.—Is the honorable senator speaking for himself?

Senator W. RUSSELL.—I was always a Democrat, and my men always voted right. By fixing Saturday as polling day, and keeping the polling booths open for an extra hour, the Government will give working men a chance to have their tea in comfort, go to the township, vote, stay a little while to learn the latest news from other parts of the Commonwealth, go home in comfort, and have a little longer sleep on the Sunday morning. That is how my experience shows me that the new provision will work. At the general election in 1910, in the State of South Australia, when a Labour member was returned for the electorate of Adelaide, 10,300 votes were recorded for the Labour candidate. That election was on a Saturday. On Wednesday, 13th April—that grand day which we shall never forget—in the same district, practically the same electors had

another opportunity of going to the poll, when Mr. E. A. Roberts was returned. I am proud to say that he is now an Honorary Minister. He is one of the ablest men in our party, and I often wish that he had occupied a seat in the Senate so that he could dress down Senator Millen. Although Mr. Roberts was returned by an overwhelming majority, the number who voted was smaller by 900.

Senator MILLEN.—Was that due to the day chosen for the election?

Senator W. RUSSELL.—I believe so.

Senator MILLEN.—Was it not because the result was known to be a certainty?

Senator W. RUSSELL.—I have explained that farmers have less difficulty in voting on Saturday than on any other day.

Senator MILLEN.—Adelaide is not a farming electorate.

Senator W. RUSSELL.—But in some cities—at least, in Adelaide—the working classes have half-holidays on Saturdays. Men are better able, therefore, to vote on that day than on any other day. That is a sufficient reason for the provision proposed by the Government. We want to have a full poll of the electors; and, therefore, we should have the election on a day that suits the great majority. Of course, Senator Millen does not like the idea of a Labour candidate getting much support, nor is he inclined to extend postal facilities for the farming community and residents in the back-blocks.

Senator MILLEN.—The honorable senator need not talk to me about the back-blocks.

Senator W. RUSSELL.—I have a great respect for the honorable senator, and am only sorry that our party has lost him. I am also in favour of the provision to abolish postal voting. I support it in the interests of the farming class also. I can quite imagine some one sent by Senator Millen, or by the National League, coming along with a trap, visiting the different farms, asking how many men and girls are employed, and telling them about the wickedness of the Labour party, and of the harm that we would do if we got into office. I can quite imagine such people telling the girls—poor modest creatures—that it would not be right and proper for them to go to the poll and mingle with the Labour party, far better for them to vote by post. I can quite imagine a justice of the peace going round in that way, witnessing signatures, and, perhaps, providing at the same time postage stamps. That sort of thing has been known in South Australia. We want to do justice, and to insure the purity of the ballot. I am a strong supporter of the principle of the ballot, and that is another reason why I am in favour of the Government proposal. I do not favour gagging the press; but I do think that steps ought to be taken to prevent the publishing of wicked and untruthful statements about candidates. Names should be attached to political articles. I am sorry that Senator Vardon is absent, because I am about to show what happened to me about five years ago when I was a candidate for the Senate. A few weeks before election day, the newspaper which I mentioned the other day—the dirty rag——

Senator FINDLEY.—Is that the name of the newspaper?

Senator W. RUSSELL.—I have given it that name; it calls itself *The Critic*. I do not wish to be unfair to Senator Vardon. Far be it from me. At one time, however, I know that he had an interest in that newspaper. That he was interested in it at the time to which I refer I am not disposed to say. He told me that he was not; I must take his word. It is a remarkable thing, however, that Senator Vardon was an opposing candidate at this particular time. At least, he printed the paper, if he had no further interest in it. There appeared in it a statement to the effect that William Russell, who was a candidate for the Senate, was so cocksure of being returned that he had already made arrangements to move to Melbourne with his wife and family. Was that fair? Should not the person who wrote that statement have been made responsible for it? Except for the accident that a friend met my wife and daughters and asked them, "Is it true that you are going to leave South Australia, and take up your home in Melbourne?" I might not have been able to contradict this untruth. What was the object of publishing it? I leave that to honorable senators. It was a dirty piece of work. Moreover, when I wrote to the newspaper stating that the information was not true, my denial was not inserted. Surely the time has come when some alteration should be made with reference to the practice of certain newspapers in connexion with political candidates. It has been said that we in this party have been bitterly opposed to giving women the franchise.

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Senator MILLEN.--No; what was said was that the honorable senator's party are trying to prevent women from voting.

Senator W. RUSSELL.—Senator Vardon himself said that he wanted to have it put in black and white that the Labour party are opposed to postal voting, and, therefore, to the interests of humanity. Senator Vardon also said that I was always a partisan in politics.

Senator MILLEN.—The honorable senator does not deny that, does he?

Senator W. RUSSELL.—I do deny it. I was for seven years in the State Parliament of South Australia without belonging to any party.

Senator MILLEN.—The honorable senator was waiting to see which party was going to be top dog.

Senator W. RUSSELL.—I was not one of that sort. When the question of adult suffrage came on, those who knew me knew where to find me. Senator Vardon said that I was always a party man, but I was nothing of the kind. I was considered by the present Mr. Justice Gordon—and I think Senator Vardon quoted the reference —to be a dangerous Radical. I did not belong to the Labour party, because I thought then that they went too far. My objection was that they wanted an all-round increase of the land tax. I did not believe in that. I always fought for the farmers, being one myself. I had a good large estate too, and it was all my own. I fought for the farmers, and I said to the Labour party, "I cannot join you while you have that plank on your platform."

Senator DE LARGIE.—And while the honorable senator had the land.

Senator W. RUSSELL.—No, that was not it. I said, "If you make an alteration in the platform, I will join you." They eventually did so, and I naturally joined with them, and I am very glad I did.

Senator MILLEN.—Was it because of the honorable senator's estate that the Government put the exemption in the Land Tax Act?

Senator W. RUSSELL.—The honorable senator should not talk such nonsense. It has been said that we have no sympathy with women, and that we desire to prevent them voting. I am going to show that nothing can justify Conservative members of the Senate making such a charge. In 1894, when the Kingston-Holder Government were in office in South Australia, we had a big fight over the question. We had the required number in both Houses to carry the measure, and not one to spare. We got the measure through, and I wish Senator Millen to take notice of the fact that not a single member of his party voted for that measure.

Senator MILLEN.—Which party does the honorable senator mean?

Senator W. RUSSELL.—The Tory party. They are the Tory party, and nothing more. The Liberals have been mixed up a little by the Fusion, but they are the Tory party all the same.

Senator MILLEN.—The honorable senator got his land exempted, did he not?

Senator W. RUSSELL.—No, I did not. I am going to give the Senate and Senator Millen a little information. I am sorry that Senator Vardon is not here, because he is one of those who said that we were going to do women an injustice, and he wanted the country to know it. The honorable senator was a member of the Legislative Council in South Australia. He was in the Tory Government, and he was one who opposed the franchise for women all the time. The honorable senator did not oppose the extension of the franchise merely to women. Of the electors on the rolls for the State Parliament in South Australia not one in three who can vote at an election for the House of Assembly has a vote for that autocratic House of Lords —the Legislative Council of South Australia. This matter has been before the country for years, and, having fought for women's franchise all the time and adult franchise also, I must be forgiven if I refer to it. While the late Mr. Kingston held office, he was repeatedly asked to test the feeling of the people on the matter, and in this connexion I quote the following—

> In consequence of the resolution passed by the House of Assembly on December 22, 1898, a referendum was taken on April 29th, 1899, to obtain the will of the electors on the question of the extension of the franchise for the Legislative Council.
>
> The question referred to the voters was:
>
> Are you in favour of extending the franchise for the Legislative Council to all householders as provided in the Bill passed by the House of Assembly in 1898?
>
> Section 111 of the Bill provided that when a man and his wife—

Where is brother Vardon now?—

> live in the same dwelling of which either is the householder then each shall have a vote.

I do not speak of the honorable senator personally, but I say that the party that Senator Vardon belonged to, and of which

he is now president, was then opposed, and is still opposed, to any extension of the franchise. Lovely woman, whom Senator Walker delighted me by speaking so nicely of the other day, was the one that suffered. Not only did the party fight bitterly to prevent women having votes for the House of Assembly, but also to prevent the extension of the franchise for the Legislative Council. The members then in Opposition often said to the late Right Honorable Charles Cameron Kingston—I like the name, because it sounds Scotch—"Take a referendum of the people. Let us understand where we are, and what the people want." A referendum was taken on the question, and I have before me the result. The number who voted "Yes" was 49,208, and the number who voted "No" 33,928, giving a majority in favour of the question of 15,380. That is the position in which Conservatism was placed by that referendum. The Legislative Council of South Australia went on strike when the motion was carried in the House of Assembly, deciding to take a ballot of the people without their sanction. Now I ask, "Who are the friends of humanity? Who are the friends of women? Who have fought their battles in season and out of season?" Has it not been the Labour party? I say advisedly that Senator Vardon is president of the party that objects to the further extension of the franchise to women.

Senator WALKER.—That was many years ago.

Senator W. RUSSELL.—And even now. It is hard to understand how the honorable senator can talk on the floor of this chamber as the champion of women's rights while he is president of the Tory party that refuses women a vote. Senator Vardon said that he would place his reputation against mine. I have nothing to say against the honorable senator.

Senator MILLEN.—But the honorable senator is always saying it.

Senator W. RUSSELL.—I am not.

Senator MILLEN.—The honorable senator has never made a speech yet without attacking his colleague from South Australia.

Senator ST. LEDGER.—I think we should have a quorum present while these interesting references are being made to Senator Vardon.

The PRESIDENT.—There is a quorum present.

Senator W. RUSSELL.—I am not finished yet. I am not going to withdraw anything. I will swear to the truth of every word I have said.

Senator MILLEN.—The honorable senator might do it less violently.

Senator W. RUSSELL.—Senator Millen is cool and twisty, but because I fail to be so cunning, the honorable senator is not going to put me off the track.

Senator MILLEN.—I am not so vicious as is the honorable senator.

Senator W. RUSSELL.—I think the honorable senator is far more vicious than I am. Senator Vardon said that his reputation was as good as mine. I am not going to deny that. But we are not here to discuss reputations, but to discuss politics. I am not going at the present time to cast a reflection on Senator Vardon in this respect, because I bear in mind that he was one of the selected delegates to visit England during the Coronation. He had an honour conferred upon him that I am afraid I shall never have conferred on me. He visited the London City Council, as stated by himself, and had the honour of sitting between two earls.

The PRESIDENT.—Order. Senator Vardon's visit to England, and to the London City Council, has nothing to do with the Electoral Bill.

Senator W. RUSSELL.—The honorable senator referred to reputations, but that is all I have to say on that subject. It is a question of which party are the friends, as Senator Vardon put it the other day, of the worker. I have already shown what occurred in the State Parliament of South Australia, and Senator Vardon for some time was Chief Secretary of the State Government. So far as women, or men either, were concerned, they did not consider humanity, but land, or bricks and mortar. While we of the Labour party went, and are still going, for the broadest franchise—adult suffrage votes for men and women, even for the Legislative Council—the Conservative party, Senator Millen's party, prevented women from obtaining votes. There are thousands more men than women on the Legislative Council roll for South Australia. In view of these facts, I cannot understand how honorable senators opposite can justify the attitude they now take up. Senator Vardon referred to preferential voting. It sounds very nice, but were I to go to my democratic friends and constituents in South Australia and tell them that I am in favour of preferential voting as described by Senator Vardon, they would

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say to me. "What we want is an equal franchise. There is only one-third of those on the roll for the House of Assembly to be found on the roll for the Legislative Council in South Australia, and we want that abuse remedied first." Although I might believe in preference in other circumstances, I cannot consent to that injustice at all.

Senator MILLEN.—The honorable senator believes in preference only to unionists.

Senator W. RUSSELL.—There is nothing to be said about unionists so far as the franchise is concerned. According to the Labour platform, every man and woman should have a vote for the Legislative Council or that House should be abolished. I shall not take up much more time, but I wish to say that two years ago I read an extract from an Adelaide newspaper. Senator Millen referred to a Sydney newspaper the other day in a very disparaging manner. That induced me to send my name in as a subscriber. I want to get that paper regularly. Senator Walker quoted something nice. When he speaks the honorable senator does not use much acid, and I always appreciate what he says, though I differ from him. The honorable senator quoted the other day from a newspaper that described in a very pleasing manner the loveliness and usefulness of woman, until the President told him that he had had about enough of it. I am very glad to find that that quotation in praise of lovely woman was from *The Labour Call*, that Socialistic organ.

Senator FINDLEY.—Senator Walker forgot to say that the author was Robert Ingersoll.

Senator W. RUSSELL.—I want to be fair, and I am going to read an extract from the Conservative press on woman suffrage in 1894. The *Country* newspaper of 28th July, 1894, published an article, of which the following s an extract—

We seem given over to folly. And no greater folly than this woman's suffrage fad could well be committed. To have fifty or sixty legislators deliberately admitting that men are not able to govern the colony without the assistance of a ot of fussy, snuffy, gossiping old women is very funny. If men choose to write themselves down such asses, we cannot help it; we can only ook on and wonder. The suggestion that women are equal to men is absurd. They are as inferior mentally as physically. That they are so physically goes without saying; that they are so mentally the ages have proved. Once and again there is a brilliant exception, but that only proves the rule. Early ripening is a faculty they have in common with negroes. Up to twelve a nigger boy is probably ahead of a white boy; from twelve to fifteen, possibly equal; at fifteen he stops. But nobody would say that because a negro boy was ahead of a white boy at twelve that therefore he was equal, for after fifteen he is hopelessly behind. Another proof of the inferiority of women is their villainy, when they are villainous; their brains cannot control their instincts. In the French revolution the most brutal, fiendish, and bloodthirsty were invariably women. So it is in gaols. All who have ever had experience testify that women are far harder to govern than men, when criminal, and much wickeder.

Senator GIVENS.—Who said that?

Senator W. RUSSELL.—The organ of the National Defence League of South Australia, in 1894.

Senator MILLEN.—What has it to do with an Electoral Bill in 1911?

Senator W. RUSSELL.—It has a good deal to do with the Bill, because from the beginning of his speech, which lasted three hours and twenty minutes, to the end, the honorable senator poured bomb-shells into the camp of the Labour party, and said that they are opposed to any just and fair reform, and that poor innocent women are going to be deprived of their rights.

This is vouched for by their own sex, by matrons, searchers, nurses, and visitors, as well as by the other sex also. This extra villainy is not proof of superior ability, *i.e.*, it does not show that powerful intellects give them a greater capacity to be villains. But it shows that their inferior ability renders them less able to put a restraint on their villainy. In other words, they have not had ability to restrain themselves. Of course, some men have also been deficient in such an ability. The difference is this: That the inability of men is in some only; the inability of women applies to all. Yet this weak sex is for the future to govern us; and not the best of the sex, but the worst. The best of the sex will be engaged in nursing babies and other suitable and natural avocations.

That is a parcel of lies which was published by the Conservative party in South Australia to defeat the Bill on that occasion, but it was carried in spite of their opposition. They have changed since then.

Senator GIVENS.—And now they want to shelter themselves behind the skirts of women.

Senator W. RUSSELL.—They want to shelter behind their petticoats. I agree with Robert Burns—

There's nought but care on every han',
In every hour that passes, O!
What signifies the life o' man,
An' 'twere na for the lasses, O!

Auld Nature swears, the lovely dears
Her noblest work she classes, O!
Her 'prentice han' she tried on man,
And then she made the lasses, O!

I agree with Senator Walker. Forty years ago I read in *John Ploughman's Talk*, by the Rev. C. H. Spurgeon, a few lines which I have never forgotten—

> God bless our wives!
> They fill our hives
> With little bees and honey.
> They soothe life's shocks;
> They mend our socks;
> But—don't they spend the money!

Do my honorable friends opposite realize the position which we take up? As a party we have fought inch by inch to give women the status which they occupy in connexion with politics. The object of this Bill, which I warmly support, is not to prevent evils as far as party matters are concerned, but to prevent corruption and the destruction of the secrecy of the ballot. I am pleased to see Senator McColl here. The other night he made a speech which, as usual, was very bitter. He has no room for the Labour party at all. His eyes, like mine, are fixed on the coming election, and other senators who have taken part in this debate are in a like position. My honorable friend hopes to score by saying that women have been treated unjustly and unfairly by the Labour party. I think that I have shown conclusively the other side of the question. I believe that when I address the electors from a platform I can put a case honestly and fairly, and prove that we have stood by the women every time. They have trusted us in the past, and I think they will do so in the future. Senator McColl is a dry farmer. I have been a practical farmer. I know the wants of the farmers in different parts of South Australia and other places, but my honorable friend does his farming in his office.

The PRESIDENT.—Order! This Bill has no connexion with the question of farming. It is a measure to amend the Electoral Act, and the honorable senator is not connecting his remarks with the question.

Senator W. RUSSELL.—If I had been allowed to finish my remarks, sir, you would have seen their connexion with the question. Although I am a member of the Labour party, and indorse its platform, I pledged myself to the farmers of South Australia that, if elected to the Senate, their interests would never be overlooked by me. Therefore, sir, my reference to the farmers is connected with the question before the Chair. I am not blaming Senator McColl for putting his case, but I think that I, as a practical farmer, ought to know something about the matter. I have been connected with farming since I was thirteen years of age in Old Scotland, and I have been in Australia for forty-six years. I was sixty-nine years of age on Friday last. It will be seen that I have had some experience. Even from the farmers' point of view, we on this side are the best friends whom they have ever had. I support the Bill, but if any honorable senator should feel called upon to move an amendment in favour of compulsory voting, and also of the compulsory attendance of members of Parliament, he will have my support. I am not sure that it can be done, but I stated—perhaps I was foolish—that I would try to get such amendments made. I thank the Senate for the patient hearing which I have received. I have very much pleasure in complimenting the Government, and also congratulating Senator Findley, on the manly and eloquent speech which he delivered yesterday afternoon.

Senator E. J. RUSSELL (Victoria) [5.28].—In giving a general support to the Bill, I regret that I cannot express very much sympathy with those who have, in a very vague manner, passed criticisms on the Bill, because I believe that if it has one fault it is that it is not strong enough to cope with many of the evils in connexion with elections. Senator Millen and his colleagues went to great pains to show that, while we on this side were very anxious to extend the fullest facilities to that portion of the press which advocates our claims, but is directly subsidized by many trade unions, and not attempting to limit its power, either to represent our cause, to misrepresent our opponents, or, may I say, to even go so far as to indulge in personal slander, we were very desirous of restraining that respectable section of the press from which they receive support. I was glad to hear from the Opposition that this is a non-party measure. Whether it is liked or not by honorable senators or the members of different political organizations, Australia has declared for a Democracy, and it is too late in the day to endeavour to restrict, either directly or indirectly, the power of the people to bring their will to bear on this Parliament.

Senator WALKER.—How about the defeat of the referenda proposals?

Senator E. J. RUSSELL.—I am quite satisfied. Our policy was submitted to a Democratic vote, and defeated, and I offer no complaint. I fully accept the decision given at the referendum.

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Senator WALKER.—Why do you not retire from office?

Senator E. J. RUSSELL.—I am not in office, unfortunately, and, what is more, if I were, I should not feel inclined to resign, because I believe that if the electors had thoroughly understood the questions referred to them, they would have carried them. Despite the comments from the other side, I have never quibbled at the decision of the people, which I fully accepted at that stage. At the same time, I believe, I might almost say that I pray, that the day is not far distant when they will recognise their mistake, and, under an improved electoral law, give a decision which will shock the Opposition. Senator Millen went to great pains to point out that we on this side were supported by a party press. I plead guilty. I admit that, generally, on the face of every journal which is supported by the Labour party, there appears, in bold letters, these words, "The official organ of the Labour party," so that when Senator Millen or Senator Walker reads the *Worker* or the *Labour Call* he is not deceived, but knows that he is reading a party organ. If it slanders a member of the Opposition, it has to take the responsibility of its action in a Law Court. Whilst honorable senators on the other side claim that we are granting a special exemption to Labour newspapers, they seem to think that the daily press should be exempted. We ought to protect the daily press because, in my opinion, they are not free agents in the face of the political pressure which is brought to bear. Not only that, but from time to time, the daily press, particularly the Melbourne *Argus* has been guilty of slandering members of Parliament, misrepresenting actions in Parliament and the finances of this country, and trying to the best of its skilled ability, which is of a very high standard, to misrepresent the issues before the people, and to misrepresent methods of voting with the deliberate object of deceiving its readers as to how they should vote. It is nothing new that to-day we should have to deal with the daily press, particularly with newspapers like the Melbourne *Argus*, because, throughout the history of Australia, particularly of Victoria, the newspapers have tried to dominate political parties and political associations, to declare who should be returned to Parliament, and who should be in a Ministry, and, last but not least, to dominate the thoughts and very actions of members of Parliament. I have been interested in looking up the record of this respectable journal—which is only one of a type, and which it is claimed should have the unrestricted right of slandering politicians, not only in connexion with public issues, but also in connexion with their private affairs. Let us have a look at the history of this newspaper in respect of its treatment of public men. The late Sir Bryan O'Loghlen was at one time Premier of Victoria. On the 21st February, 1879, the following notice to the citizens of Victoria appeared in the *Government Gazette*—not in a Labour journal—

> In consequence of the fabrication by, and the publication in, the *Argus* journal of false news, purporting to be genuine and authoritative, concerning the proceedings and discussions of the Cabinet, being continuously persevered in for several weeks last past, the public are hereby cautioned against giving any credence to either those statements, or any similar kind of news, for the future in that journal. The *Argus* journal has been refused any official information of the kind by the Acting-Chief Secretary, who feels justified in taking this course, as that journal has for several months unpatriotically attempted to depreciate the financial credit of Victoria.

The Government of the State, therefore, through the means of the *Government Gazette*, had to warn the public against malicious and lying statements published by the *Argus* to the injury not only of members of the then Administration, but of the finances of the State in which the newspaper circulates. Since then the *Argus* has developed a much more scientific system of misrepresenting members of Parliament who are opposed to it. The present Leader of the Opposition party, Mr. Deakin, is reported in the Victorian *Hansard*, 23rd July, 1895, to have spoken of the *Argus* in the following terms—

> It was a column of slander and scandal directed against the Assembly.
>
> His was the only name mentioned in this column of slander, scandal, and insinuation, and as he supposed his experience to be no different from that of his brother members, he felt called on to state that, so far as he knew, every other assertion in the article was untrue.

Surely some members of the Opposition will cheer that statement of their leader concerning this highly respectable organ of the press.

Senator WALKER.—He only became our leader last year.

Senator E. J. RUSSELL.—I wonder whether he has changed his opinion of the *Argus*. Perhaps he has. Perhaps that is the reason why he now enjoys the slobber of that newspaper.

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Senator WALKER.—I have not changed my opinions; I do not know whether he has.

Senator E. J. RUSSELL.—As Senator Walker has favoured us with a confession, may I ask him whether he can tell us in confidence whether his worthy leader has changed his views?

Senator WALKER.—The honorable senator can ask Mr. Deakin himself.

Senator FINDLEY.—He never had any opinions to change.

Senator E. J. RUSSELL.—We will give him the advantage of supposing that at one time he held political opinions of his own.

Senator ST. LEDGER.—The honorable senator followed Mr. Deakin at one time.

Senator E. J. RUSSELL.—Unfortunately we could not help it. But I never followed the tail of the Deakin Government without protesting against the humiliation.

Senator ST. LEDGER.—The honorable senator was always a restless follower.

Senator E. J. RUSSELL.—Certainly; but the alternative, if the Deakin Government had been thrown out of office at that time, was a Government representing the honorable senator and his party. I will give another instance. The Honorable John Murray, now Premier of Victoria—who is, by the way, at present supported both by the *Argus* and the *Age*—at one time spoke strongly in the Victorian Legislative Assembly concerning an attack made by the *Argus* upon the late Mr. Albert Harris, then a member of the Victorian Parliament. Senator McColl was in the State Parliament at the time. A charge having been made against Mr. Harris by the *Argus*, a motion was submitted by Mr. Murray in the following terms—

> That, in the opinion of this House, the charges made against Mr. Albert Harris, a member of this House, in the issue of the *Argus* of the 11th inst., are wanton and profligate untruths.

Not one of the ninety-five members of the Victorian Legislative Assembly voted against that motion. Senator McColl did not raise his voice against it. He therefore supported the condemnation of the newspaper to which he is now attached. It may be his turn some other time unless he is willing to be the newspaper's obedient slave in this Parliament, and its humble instrument outside. Senator McColl voted distinctly on this occasion to say that the *Argus* in its attack upon a fellow-member had been guilty of wanton and profligate untruths. It would be interesting to know why he accepts the support of such a clean, moral, political journal to-day. Mr. Justice Higgins, now of the High Court Bench, in the course of the debate on Mr. Murray's motion, said—

> What stronger case of lying could there be than this?

Senator WALKER.—He was not "Mr. Justice" Higgins then.

Senator E. J. RUSSELL.—Certainly not, but I do not know that he has changed his opinion of the *Argus*. On the same occasion Mr. Trenwith said—

> It is a notorious fact that the average *Argus* writer does not write his own opinions, but has to write what he is paid to write, so that he may be fairly described as a literary prostitute.

That is the true position. Here we have the Leader of the Fusion, the Leader of the anti-Socialist party in the State of Victoria, Mr. Justice Higgins, and Mr. Trenwith, all denouncing this newspaper, and their denunciation was backed up by the vote, if not by the voice, of Senator McColl. Let me come to a more recent date. The Fusion party elected as Speaker of the House of Representatives, a man very well known in this country. I refer to Dr. Carty Salmon. Let me quote what Dr. Salmon said about this same newspaper in the House of Representatives on 30th November, 1905—

> In case my silence may be taken as consent I desire by way of personal explanation, to say that at the proper time, and at the proper place, I shall deal with the statements contained in the leading article published in this morning's *Argus*. In an article which extends over nineteen inches, there are sixteen lies, five misleading statements, some half-truths—which an eminent authority has declared to be worse than actual lies,—one illogical conclusion, and one grammatical error. In this analysis, which has been somewhat hurriedly made, I have not taken into account the usual headline, which precedes the leading article, "I am in the place where I am demanded of conscience to speak the truth," &c.

Senator MILLEN.—How many centuries ago was that?

Senator E. J. RUSSEL.—I am now up to 1905.

Senator WALKER.—Where does this Bill come in?

Senator E. J. RUSSELL.—I am dealing with a proposal to limit the power of the press.

Senator MILLEN.—Is there then a proposal in this Bill to limit the power of the press?

Senator E. J. RUSSELL.—There is a proposal to limit the power of the press to slander its political opponents, or, at all

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events, to compel newspapers to acknowledge such of their political slanders as are really advertisements. Dr. Carty Salmon, who spoke of the *Argus* in the terms that I have quoted, was elected to the honorable position of Speaker by the Fusion party.

Senator WALKER.—He was not Speaker in 1905.

Senator E. J. RUSSELL.—I do not suffer from a short memory, and I may remind Senator Walker that there was no Fusion in 1905. It has been reported that a member of this Senate, in an interview published in Tasmania, distinctly made the statement—I am not prepared to affirm that it is true—that pressure would be brought to bear upon the *Age* people to bring them to their knees, if they did not support the Fusion party. The statement was, I believe, denied, but it was afterwards reaffirmed.

Senator O'KEEFE.—There is not the slightest doubt that the statement was made.

Senator FINDLEY.—Senator Fraser would have denied the statement if he had not made it.

Senator O'KEEFE.—I know the journalist who reported the interview, and I know him too well to doubt the truth of the statement.

Senator E. J. RUSSELL.—At all events, Senator Fraser is a wealthy man, and he had his remedy in the Courts of this country if the remarks which he was reported to have made were false. I shall now deal for a little while with the country press. Part of our object is to protect the country newspapers against efforts made to bribe them—to buy them—to publish articles, prepared in party offices in Melbourne, which they would not publish except for the money offers made to them.

Senator MILLEN.—The honorable senator would not mind subsidizing the country newspapers, would he?

Senator E. J. RUSSELL.—My experience has been that when I have addressed meetings, reports have frequently appeared which were not really reports of what I have said, but merely inaccurate comments, upon which criticism was afterwards founded.

Senator MILLEN.—The honorable senator ought to be thankful.

Senator E. J. RUSSELL.—I am not thankful for such reports. I have never asked for any reports from the press, but I do say that when reports of speeches are published as a matter of news, they should, no matter how much condensed, at any rate be a correct epitome of the remarks of the speaker. It certainly is not fair to put observations into the mouth of a speaker, and then found criticism upon what he did not say.

Senator MILLEN.—Is this Bill going to cure that evil?

Senator E. J. RUSSELL.—I will come to that point in good time. The country press needs protection, as the document which I shall now quote abundantly shows. This letter was circulated amongst the proprietors of country newspapers in 1909—

Associated Australian Press.
Victorian and Inter-State Press.
'Phone, 764, Mal.

Herbert Douglas Newby,
B.A., Oxon., LL.B., Lon.
Narrong-road, Caulfield,
November 18/1909.

Mr. ————

Dear Sir,—Mr. Walpole, the secretary of the Employers' Federation, is about to address a meeting in ————, to be advertised in your journal. Mr. L. R. Preston, who is connected with this Press Association, is ahead of him, and will call upon you. I am sure you will kindly assist in making the meeting a success.

For a considerable time past this Press Association has devoted leading articles to the policy of the Employers' Federation, so far as it is opposed to the confiscatory socialistic tendencies of the day. And as some recognition of this, the suggestion made that a substantial portion of some £50,000 now expended by the big advertisers with the metropolitan press should be given to the provincial press at decent rates, has found favour.

Mr. Preston will explain more fully. I hope shortly to offer you some 6, 9, and 12 month contracts, and will communicate with you further in due course. You might have a chat with Mr. Walpole. Why not a column interview? His Federation, as you know, represents capital interests totalling over £400,000,000, and if we help the Federation, it intends to help us. That has been my aim, and it is in course of achievement. There are now 70 provincial journals represented by this Association in Victoria and the sister States. By-and-by you may think it desirable to throw in your lot with us. For one thing, it means contracts at a minimum rate of one shilling per inch, not the paltry 2d. and 3d. per inch of some of the city "agencies."

Senator FINDLEY.—Is there not some assurance that they will write leading articles to order?

Senator E. J. RUSSELL.—Yes, I shall come to that—

and it means leading articles and matter fit to read.

written probably in the office of the Fusion party in Melbourne—

And again, it means a cable service of our own within a measurable distance of time.

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This should be interesting to Senator Pearce—

> This association is at the bottom of the Senate Special Committee Inquiry, the evidence before which is doubtless interesting to you.

This, then, is the body that moved Senator Pearce to inquire into the operations of the Cable Combine, and the honorable senator should now say whether he belongs to this association with £400,000,000 of capital. The circular continues—

> Has not the time gone when the politics of Australia are "made in Melbourne" in the editorials of the *Age* and *Argus*?
>
> I should be very glad to hear from you, and to have any suggestions. They will be treated as confidential, and I know you will extend the like courtesy to me. Why not take an occasional service from us and send copies of your journal regularly for filing? We send out a list of topics of immediate interest at 3s. to 5s. per article. These articles are read, and read with interest, by big advertisers here, and that spells business and advertising contracts.
>
> Yours faithfully,
> H. D. NEWBY.

Senator FINDLEY.—Is he alive or dead now?

Senator E. J. RUSSELL.—He is still alive. Many of these country newspapers would be glad to accept this advertising matter, but they would like to acknowledge the source of the articles and advertisements. They ought not to be compelled, as they are compelled to-day, to sell their columns to enable the Fusion party and similar political parties to circulate misrepresentations throughout the State. I am very glad that one Melbourne newspaper takes no exception to these provisions of the Bill. I refer to the *Age*, and it is to its credit that it does not object. It says that it may be a little inconvenient, but it is willing to make all the returns required under this Bill. Senator Millen, when speaking as the champion of the newspapers of Australia, must surely have forgotten to have a previous interview with the proprietors of the *Age*.

Senator MILLEN.—I did not say a word to suggest that they cared twopence about the matter. I said the Government have simply made us laugh over the thing.

Senator E. J. RUSSELL.—The honorable senator said that he spoke in the name of the whole of the press; and how he could speak for twenty minutes on the subject without feeling that his party's interest was being injured, I could not comprehend. I support these proposals, but I hope that, in Committee, they will be stiffened so as to make them effective. In many cases the newspapers deliberately, and even maliciously, slander the members of this Parliament, and they have misrepresented political opinions too long. If we are going to continue to tolerate such misrepresentation, it will be, not because we do not desire to check it, but because we lack the courage to pass a law to deal with this kind of criticism. I come now to the question of postal voting. As I indicated in an earlier part of my speech, the aim of a Democracy, such as is represented in this Parliament, should be to afford every possible facility to electors, well or ill, to record their votes. But there is this qualification to be understood. If we find that a scheme devised for the purpose is ineffective, or tends to corruption, we should undoubtedly abolish it. The records of *Hansard* will show that I am probably the last member of the Labour party in the Senate to favour the abolition of postal voting.

Senator ST. LEDGER.—The honorable senator has got to do it now.

Senator E. J. RUSSELL.—Why? Is the honorable senator ashamed of his interjection?

Senator ST. LEDGER.—If I did the honorable senator an injustice, I withdraw the statement.

Senator E. J. RUSSELL.—The honorable senator does himself an injustice. It shows that he has no effective control over his thoughts or he would not make such a statement. On the last occasion when this matter was before the Senate, every member of the Labour party, with the sole exception of myself, voted for the abolition of postal voting. I honestly believed at that time that the system was good and necessary, and that it was possible to safeguard it from corruption and enable people who could not otherwise do so to record their votes. I regret to say that I was mistaken. The electoral officials have not been able to devise sufficient safeguards to prevent corruption under the postal voting system. I shall tell honorable senators why. We have in all the States justices of the peace. What I propose to say may not apply to every justice of the peace, but it certainly applies to a great many of them. I restrict my observation to this State, and I say that from the inception of Government in Victoria very few persons have been appointed justices of the peace who have not been in full sympathy with the Ministry of the day. As we have never had a Labour Government in power in Victoria, we have had no Labour justices of the peace.

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Senator O'KEEFE.—The same thing applies in all the States.

Senator E. J. RUSSELL.—I believe that is so. But I speak of what I know and can prove. Our justices of the peace in Victoria have been appointed because they have been the political partisans of, and in full political sympathy with, those who appointed them. These men are permitted to act as authorized witnesses of applications for postal votes. In not one or two, but in a great many, instances, they have failed to maintain the judicial balance of their office, and have actually become partisans and canvassers for a political party in asking people to vote by post. It is sometimes said that we cannot bring forward any proof of this kind of thing. I have investigated many cases of the kind personally, and I have been satisfied that on many occasions corrupt practices have been carried on. But it is one thing to believe that corrupt practices have been carried on, and it is quite another thing to prove it. To-day, we have this proof from the Hamilton district of a case tried at the Hamilton Court. I have here a report headed "Federal Electoral Offences:• Breaches of Postal Clauses: Charges against a Justice." Now what were the charges?

That, on the 22nd April, he witnessed the signature of Selina Cameron to an application for a postal certificate without being personally acquainted with the facts stated and not having ascertained by inquiry that the statements made by her were true.

2. That he induced her to make a false statement to the effect that she was ill and would be unable to attend the booth on polling day.

3. That he attempted to influence her vote.

The justice of the peace referred to was Mr. L. Lesser, of Coleraine. Could he exercise influence in this case?

Senator MILLEN.—What happened in connexion with the three charges referred to?

Senator BLAKEY.—He was fined on each.

Senator E. J. RUSSELL.—He was fined on the charge of not making full inquiry into the facts.

Senator MILLEN.—That was all; there was no case found against him on the other charges.

Senator E. J. RUSSELL.—This Mr. Lesser, who is a justice of the peace, is one of the biggest money-lenders in the district of Coleraine. There are scores of farmers in that district over whom he holds bonds.

Senator FINDLEY.—He is the man who farms the farmer.

Senator E. J. RUSSELL.—What is the position? He goes to an elector who is under a legal obligation to him, and owes him money, and being doubtful about his vote, asks him, as he asked this woman, whether he would not like to vote by post.

Senator MILLEN.—There were justices of the peace on the other side doing the same thing at the last Federal election.

Senator E. J. RUSSELL.—I want to put a stop to it. In this State a member of Parliament has had to pay for a trivial error. This shows that the administration of the law has been clean, and free from party influence. This man Lesser, in travelling around the district, does not meet farmers and farmers' wives, sons or daughters, who are free, but in very many cases persons who owe him money. I ask honorable senators whether they think that those persons have a free choice to vote by post. The possibilities are that in hundreds of cases of this kind the system has been open to corruption, and I do not believe that any man who is anxious to preserve the purity of elections can support it any longer.

Senator ST. LEDGER.—Then if a mortgagor speaks to his mortgagee it is an evidence of corruption.

Senator E. J. RUSSELL.—I hope the honorable senator does not desire to apologize for this case. It is bad.

Senator ST. LEDGER.—I do not. I have not much to apologize for.

Senator E. J. RUSSELL.—A Mr. Silvester, a local solicitor of Coleraine, and an open political opponent of the Labour party, appeared in this case for the defendant Lesser, and what plea did he make? Let honorable senators listen to it. He said—

No doubt hundreds and thousands of the same sort of things are occurring in Victoria.

Senator PEARCE.—Hence 14,000 postal votes.

Senator E. J. RUSSELL.—Mr. Silvester may have exaggerated in that statement, but he has a suspicion, and believes that this kind of thing is going on. Suppose, as Senator Millen says, that Labour justices of the peace are doing the same thing, let me say that I am as anxious to prevent them doing it as to prevent any one else. I object to this practice, whichever side is guilty of it. If it is possible for a justice of the peace, whether he be a Labour man or an anti-Labour man, to do this kind of thing, Senator Millen ought to be with me in trying to prevent it.

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Senator MILLEN.—Then the honorable senator would abolish the ballot because it is possible to commit fraud in connexion with it?

Senator E. J. RUSSELL.—Not to the same extent.

Senator MILLEN.—Now the honorable senator comes to a question of degree.

Senator E. J. RUSSELL.—Mr. Silvester went on to say—

> So far as the public are concerned it is sufficiently marked by this transaction, and the humiliation and anxiety he must have suffered was sufficient punishment for him without any other penalty. I would like to ask your worships to exercise your jurisdiction under section 191 of the Justices Act, and dismiss the case.

I regard an offence of this kind as one of the most serious crimes that could be committed in this country. I might be considered despotic, but if I had my own way, I should abolish fines under the electoral law, and send to gaol any individual, rich or poor, who deliberately offended against its provisions with intent to make our politics impure.

Senator MILLEN.—The honorable senator should communicate with Mr. Holman, who relieved the secretaries of political labour leagues of fines they had incurred for similar offences.

Senator E. J. RUSSELL.—According to one of my colleagues, Senator Millen's speech on this Bill occupied three hours and twenty minutes. I am sorry if, in the course of it, he lost an opportunity, but he does not lose many opportunities, of scoring.

Senator MILLEN.—I do not want to lose this one.

Senator E. J. RUSSELL.—The report from which I am quoting goes on to say—

> Mr. Morley pointed out that there were at least a dozen other charges pending against the defendant.

And therefore I suppose he should be let off with a light fine. Mr. Morley said—

> I think the defendant must also pay a penalty. It is a serious matter. The offence is happening all over Victoria, and there have been prosecutions in and around Melbourne. What the Department feels is that it must avoid suspicion and put this sort of thing down.

Senator PEARCE.—The honorable senator has not mentioned what the fines were.

Senator E. J. RUSSELL.—The defendant was fined £5 on each charge of not having made proper inquiry.

Senator MILLEN.—But the more serious charges were dismissed.

Senator E. J. RUSSELL.—I feel sure that Senator Millen does not desire that I should say why I think they were dismissed.

Senator MILLEN.—The statement was made that a fine was imposed on all three charges.

Senator E. J. RUSSELL.—I did not make that statement.

Senator MILLEN.—Senator Blakey did.

Senator E. J. RUSSELL.—I have heard of some very strong cases of the kind, and have investigated them with the co-operation of officers of the Department. I may say that many rumours, unfounded and untrue, have come even from people on our own side; but while that is so, many of the charges which have been made have been only too true, though it is difficult to prove them. It is sufficient that there should be a suspicion in the public mind with regard to the operation of the postal voting system to justify us in endeavouring to remove that suspicion. I believe that politics are absolutely clean within Parliament, and we should do all we can to make them clean outside Parliament. I have heard it asserted, and I have every reason to believe that in some cases the statement is quite true, that more postal votes have been issued than have ever been accounted for at the poll.

Senator MILLEN.—There are always more ballot-papers issued than are accounted for.

Senator E. J. RUSSELL.—The postal ballot-papers that are unaccounted for have been in undue proportion. Without saying whether I believe these statements, I say that if there is a suspicion in the public mind that they are true, that is a strong reason for proposing the abolition of the system. I can prove that in too many cases justices of the peace, whether belonging to one side or the other, have become political partisans and canvassers for postal votes. When we come to investigate the number of persons who vote by post, I say that the number who would really require to vote by post is so comparatively small that we are bound to accept the lesser of two evils in this case. I am glad to know that there were doctors in this city who maintained the high standard of their profession. But let me inform honorable senators that from the Equitable Building, at the corner of Elizabeth and Collins streets, during the recent Referenda campaign, an organization supporting the Fusion party sent out forms of application for postal ballot-papers to every doctor in Victoria,

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with a covering letter asking them to influence their patients on sick beds to vote against the referendum. I am pleased to say that, to their credit, some of the doctors resented this appeal. It was certainly enough to make any decent man shudder and feel ashamed.

Senator ST. LEDGER.—Who told you that?

Senator E. J. RUSSELL.—As the honorable senator has not spoken, he will be in a position to give the lie direct to my statement. I am prepared to produce a covering letter if he challenges its accuracy.

Senator ST. LEDGER.—I did not challenge the statement, but simply asked a question.

Senator E. J. RUSSELL.—If the only way of giving persons who are ill in bed and suffering pain an opportunity to vote is through the agency of a partisan, whether he be on the Labour side or the anti-Labour side—if doctors are to be asked to worry patients in bed—then I say that this system is bad and rotten, and ought to be abolished. With regard to compulsory enrolment, I do not know why honorable senators opposite should want to know if it is intended to employ the Army for this purpose. I do not know whether they would like to make use of the Navy as well as the Army to enroll the people. They ask us to say how the enrolment can be carried out. But I did not hear that question asked when it was proposed to introduce compulsory military training for lads who, of course, do not read newspapers to the same extent as adults. The boys managed to make themselves acquainted with the obligations imposed upon them, and did their duty. But some honorable senators opposite say that the adults in this community will not know their duty. I hold in my hand a copy of the only official announcement of the introduction of compulsory military training which appeared on the hoardings throughout Australia. Owing to its size, it could not be posted on a three-rail fence, but it was the only public announcement, apart, of course, from the news which was given by the daily and weekly newspapers, in regard to the duty laid upon certain boys in the future. Do honorable senators opposite mean to tell me that our newspapers will refuse to tell the people that the principle of compulsory enrolment has been enacted, and that it is their duty to enroll themselves? Certainly not. There are very large areas which are exempted from the operation of the system of compulsory military training. Of the ages of 14, 15, 16, and 17 years, there were 178,000 lads in Australia, yet 154,247 of them registered for compulsory military training. Not 1 per cent. of the lads who were covered by the Act failed to register themselves. I believe that, on a closer analysis, it will be found that not even ¼ per cent. of them failed to respond to a simple poster of this description. Surely the parents who have been able to look after their boys and see that they registered themselves for military training, are intelligent and keen enough to look after their own interests and register their names on an electoral roll. In the very interesting address which Senator Vardon delivered, he was very anxious to emphasize the necessity of introducing a system of proportional voting. Strange to say, the Opposition fall into the error of always calling upon the Democracy—upon virtue and justice—whenever they want to do anything, no matter how vile the proposal may be.

Senator VARDON.—I am not sure that I called upon them in any way.

Senator E. J. RUSSELL.—The honorable senator called upon the Democracy.

Senator VARDON.—No.

Senator E. J. RUSSELL.—During the course of his address, the nonorable senator made the following remarks—

> On the present basis of representation the Senate might be held by one party. What he desired to see in operation was a true proportional representation, which was the only sound, scientific, and democratic principle. He foreshadowed an amendment with the object of introducing this principle in the measure, the only sound, scientific, and democratic principle.

What is the Democracy? Lest the honorable senator might not accept my definition, I took the trouble to make a copy of the definition given in *Chamber's* dictionary—

> A form of government in which the supreme power is vested in the people collectively, and is administered by them or by officers appointed by them.

I take it that the honorable senator will not quarrel with that definition.

Senator VARDON.—No; it is a very good definition.

Senator E. J. RUSSELL.—The honorable senator did not make it quite clear whether he desired this system of proportional voting to apply to Australia as one electorate, or to the States. Let us assume that he intended the system to apply to the whole Commonwealth.

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Senator VARDON.—No. There is no proposal to alter the representation of the States in the Senate. It will still be equal representation.

Senator E. J. RUSSELL.—For another purpose, I wish to quote some figures. At the last election, the total number of votes recorded on 13th April, 1910, was 1,403,976, which, divided by 36, gives a quota of 38,971.

Senator VARDON.—Divide the total number by thirty-seven.

Senator E. J. RUSSELL.—That is near enough.

Senator VARDON.—No; it will make a considerable difference.

Senator E. J. RUSSELL.—Roughly, it will do for my purpose. Taking the number of votes recorded in the respective States on the same date, it will give the following representation:—New South Wales, 13; Victoria, 12; Queensland, 4; South Australia, 3; Western Australia, 2; and Tasmania, 2. If the honorable senator, who called upon the Democracy, intended the rule of the people, that is the only way in which to apply proportional representation to a Democracy.

Senator VARDON.—Oh, no.

Senator E. J. RUSSELL.—Demos means the people, I think.

Senator MCGREGOR.—He only wants a part of it.

Senator VARDON.—No.

Senator E. J. RUSSELL.—I should like to hear Senator Vardon saying, "In the name of Democracy, let us have the people represented in the Senate in proportion to the electors in South Australia,"

Senator VARDON.—The Constitution stands in the way.

Senator E. J. RUSSELL.—Democracy does not suit the honorable senator here. I ought to have a good deal of sympathy with his proposal, because I believe that where three candidates have to be elected, if I could manage to beat my colleagues, I could poll about a third of the votes, and I believe that the Liberal or Fusion party could poll about a third of the votes in South Australia, so that there would be a good chance that the honorable senator and I would be able to meet here later, shake hands, and congratulate each other. At the suggestion of the Minister of Defence, I ask leave to continue my remarks at a later hour this evening.

Leave granted; debate adjourned.

Sitting suspended from 6.27 to 8 p.m.

THE BUDGET.

Senator McGREGOR (South Australia—Vice-President of the Executive Council) [8.1].—I beg to lay upon the table the following papers—

Estimates of Revenue and Expenditure for the year ending 30th June, 1912.

The Budget, 1911-12.—Papers prepared by the Right Hon. Andrew Fisher, P.C., for the information of Honorable Members, on the occasion of opening the Budget of 1911-12.

In accordance with practice, I move—

That the papers be printed.

I hope that, having regard to the peculiar position the Senate occupies, the course that I am now adopting will be in the interests of honorable senators. In every Parliament in the world, the House corresponding to the House of Representatives is the one in which Governments are made and unmade, and therefore the one which has absolute control of the public finances. But, in a Parliament like the Commonwealth Parliament, the Senate, although not possessing exactly the same power as the House of Representatives, has really a power over the finances which, if exercised, might be attended with very serious consequences, in carrying on the Government. When the Treasurer makes his financial statement in the House of Representatives, it is advisable, I think, for the Government to give the members of the Senate also an opportunity to consider the financial affairs of the country. The only way in which it can be done is by laying the papers on the table, and moving that they be printed. In the other Chamber, the public finances receive very serious consideration, with the result that it is rather late in the session before the Appropriation Bill arrives here. Consequently, honorable senators complain, I do not know whether reasonably, or unreasonably, because they have the right, but not the opportunity, to discuss the finances of the Commonwealth. But we are taking advantage of this opportunity to remove all cause of complaint from honorable senators opposite. I intend to make a short statement, after which the subject will be before the Senate for discussion, and any honorable senator will be able to express his opinion with respect to the Budget-papers, the Estimates of revenue and expenditure, and the general financial policy of the Government. I admit, of course, that it is the duty of the Opposition to find fault with everything that the

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Government are doing, or may attempt to do. Honorable senators opposite are capable representatives, and will, doubtless, do all they can to show the public that the affairs of this country are being mismanaged. But I have no fear of any such criticism; first, because honorable senators opposite are so few in numbers that their opposition is of very little consequence so far as votes are concerned; and in the next place, because the prosperity that has reigned since the advent of the Labour Government to power has been so marked that no matter what the Opposition may allege the public will not believe them. People will say, "Look at the results. Look at the prosperity that we have enjoyed. Look at the bountiful harvests and the enormous wool clip. Look at everything pertaining to the welfare of the country. It is clear that the advent of the Labour Government has been a God's blessing to Australia." Years ago the representatives of the Opposition endeavoured to convince the people that if a Labour Ministry ever occupied these benches there would be blue ruin throughout Australia. It was represented that the country would be ruined by drought, by rabbits, and by every conceivable calamity, even to the extent of letting loose the ten plagues of Egypt. But those predictions have not proved true. The Opposition are universally recognised to-day as being false prophets. It may be said that it is a stretch of imagination to put forward the claim that the Labour Ministry have been responsible for the great prosperity of Australia. Nevertheless, it must be admitted that the Labour Government are here, and that prosperity has remained with us. I sincerely hope and believe—and I have no doubt honorable senators opposite also sincerely hope—that that prosperity will continue. There is every prospect of its continuance. I now wish to give a short outline of the actual financial position of the Commonwealth. The revenue received last year was £18,803,873. Those figures must be regarded in comparison with the revenue for previous years in order to appreciate them. In the year 1904-5 the revenue was only £11,323,049. But as the Labour party grew stronger the prosperity became greater, and, consequently, the revenue increased. During the past six years it has nearly doubled itself. I am sure that when the people recognise these facts they will be pleased that the strength of the Labour party has increased.

Senator St. Ledger.—The honorable senator is as bad as the Kaiser—"Me and God."

Senator McGREGOR.—The honorable senator can attribute these results to any other cause he pleases. I am speaking as a common individual—as one of the great mass of the people of Australia—and am showing how the facts appear to me. The revenue from Customs and Excise was £12,980,443. That amounted to £2 18s. 9½d. per head of the population; and our taxation is levied in so mixed a manner that it is bound to go up and down with the prosperity of the people. The more prosperous the taxpayers are, the better their position to contribute to the revenue of the country. In 1904-5 the Customs and Excise revenue was £8,656,981, which amounted to £2 3s. 5½d. per head of the population. The next item of revenue to which I will refer is one which, at any rate, is due entirely to the Labour party. I refer to the Land Tax. During the past year the amount collected from that tax was £1,370,357. The Government estimate was £1,000,000.

Senator Barker.—The Opposition said that that estimate was excessive.

Senator McGREGOR.—The Opposition said many things upon the subject. I can remember that the Opposition formed various estimates. Some members on both sides even said that the High Court would declare the Act *ultra vires*. It was pretty freely predicted that the Labour Government would be in a fix, because they would be very short in their revenue.

Senator St. Ledger.—Is that what the honorable senator's own side said?

Senator McGREGOR.—I remember that Senator St. Ledger had grave doubts as to the validity of this legislation.

Senator St. Ledger.—I did not say so.

Senator McGREGOR.—There are various ways of expressing opinions, and the honorable senator knows how much can be conveyed by insinuations and innuendoes. Some estimated that the revenue from this source would be not less than £2,500,000. As I have shown, the actual results were £370,357 in excess of the estimate. The result of the tax we regard as beneficial. None of the large land-holders of Australia have gone to a lunatic asylum, or committed suicide, or made an application for an old-age pension. Some of them have sold portions of their land at good prices, and are better off than ever they were. The morbid predictions of our

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friends of the Opposition have been brought to naught, and the country is more prosperous than ever. I want to make a comparison between the position in which the present Government stands in regard to the finances and the position of previous Administrations. In the past, Governments had a very easy way of getting out of their difficulties. If they could not easily patch up the Public Works of the Commonwealth they simply allowed them to go to decay. It is in consequence of that policy that to-day we hear Senator Sayers, and others, growling about white ants in public buildings. By the legislation passed by this Parliament the Commonwealth has taken on substantial liabilities, and any Government worthy of its position must meet them in a manner creditable to the Commonwealth. In connexion with the Northern Territory, and its transfer to the Commonwealth, there was a sum of £151,513 borrowed by South Australia in excess of what had really been spent on the Territory. That sum had to be handed over to the Commonwealth. But against that the Commonwealth had to pay in connexion with the redemption of bills, and other liabilities, on account of the Northern Territory, £273,250. I also wish to point out in connexion with the finances that past Governments—Governments of which members of the Opposition were supporters, and some of which were supported even by members of the Labour party, because we were bound to follow at their tail, not having strength enough to form a Government of our own—paid over to the States money that was, to the extent of £6,059,088, in excess of constitutional obligations.

Senator ST. LEDGER.—We were bound to pay over that money.

Senator McGREGOR.—We were not bound to do so. There would not be so many moth-eaten post-offices in Queensland, and elsewhere, if the Commonwealth Governments in the past had provided the facilities to which the people were entitled. But they neglected to carry out improvements, and to maintain buildings in a fair state of repair, in consequence of which the Commonwealth bill for buildings and renewals is much larger to-day than it otherwise would have been.

Senator ST. LEDGER.—We have not paid a cent to the States for the transferred properties yet.

Senator McGREGOR.—The honorable senator says, "We have never paid a cent." I say, "You have never paid a cent." Honorable senators on the opposite side held the reins of Government for ten years, and they never paid a cent. We have only just come into power, and we are beginning to pay. I shall tell honorable senators how much in a few minutes. It is not we, but you, on the other side, who are to blame. During the financial year just passed, we had an unexpectedly large surplus of revenue, owing to the general prosperity throughout the Commonwealth. There was an excess of revenue over expenditure amounting to £1,829,524.

Senator ST. LEDGER.—The Government were that much out.

Senator McGREGOR.—No, we were that much in. If the honorable senator went out some night with £30 in his pocket and came back with only an IOU for £30, he would be £60 out. We were not out at all. We went out with £16,841,629, and we came in with £18,803,873, or £1,829,524 better off than when we went out. Senator St. Ledger is very clever, but generally in the wrong direction.

Senator MILLEN.—The Government estimate was not a very clever one.

Senator McGREGOR.—I think it was more than clever. It was really a Scotch estimate, as frugal as it could possibly be. Owing to the general prosperity of the country, it was shown to be much under the mark; and, consequently, the people of Australia are to-day in a much better position than it was anticipated they would be. When we found that we had this £1,829,000, it was necessary that we should do something with it. If we had done what previous Governments have done in the past, we should have handed it over to the States, and let the white ants and bottle flies continue to ravage the post-offices in Queensland and other States. The present Government did nothing of that kind. They divided the amount, putting one-half into a Trust Fund for the establishment of an Australian Navy, and the other half into the Old-age Pensions Fund. The wisdom of our action in putting this money into Trust Funds, instead of sending it back to the States, or blowing it out on the Melbourne Cup, will be seen a little later on. I have dealt with the position of affairs during the last financial year. I now come to the Estimates of revenue and expenditure for the current financial year ending 30th June, 1912. The estimated revenue for this year is £19,515,000, and the estimated

expenditure for the year is £21,227,679. Honorable senators will see that the estimated expenditure is much larger than the estimated revenue. Something, consequently, had to be done to meet the excess of expenditure over revenue amounting to £1,712,679. Where were we to go to find the money for the purpose? We could only go to the Trust Funds, and we have taken that £1,712,679 from the Trust Funds to make up the amount we propose to spend during the current financial year. It might be said that we have no right to spend more than the actual revenue for the year, nor should we have proposed to do so if we had not had this amount in the Trust Funds to fall back upon. Because the estimated revenue of £19,515,000 is less than the estimated expenditure of £21,227,679, we have had to fall back on the Trust Funds for the balance. If we had wasted the surplus revenue of last year, we should not have had this money to fall back upon, and honorable senators will see now the safe position in which the Government have kept themselves. I want to show what this amount of £1,712,679 is really required for, in order that honorable senators may know the justification for taking it from the Trust Funds. Of the amount, £600,000 will be required for the Post and Telegraph Department. Honorable senators may recollect that the authorities of the Department, and also the Postal Commission, recommended the expenditure, within a few years, of about £2,000,000 on that Department. We are making provision for the expenditure within two years on the Post and Telegraph Department of the £600,000 to which I have referred, and this year another amount of £700,000. The expenditure of a similar amount in the next financial year will bring the expenditure upon this Department up to the £2,000,000 that has been asked for. That is where some of the money is to go, and every citizen of the Commonwealth will be delighted at the determination of the Government to put the Post and Telegraph Department and its equipment in a proper condition. The balance of the amount of £1,712,679, namely, £1,112,679, will be used for the payments we shall require to make during the financial year on account of the Fleet. I might explain to honorable senators that this sum of £1,712,679 is not a recurring amount, and the same may be said of many of the amounts appearing on the Estimates for this year.

Senator MILLEN.—When the honorable senator says that it is not a recurring amount, he will admit that there will be a payment of some sort to be made for similar services.

Senator McGREGOR.—Yes; but Parliament will have to agree to those payments, and must accept the responsibility. I am referring now to payments which Parliament has already sanctioned, and has directed the Government to make. I hope that the Government will do all that they possibly can to carry out the directions of Parliament. From the commencement of the Commonwealth we were giving back all that we had to spare to the States, when they really did not want it, and we did. It is an absolute fact, well known to all the people of Australia, that the States did not want the money.

Senator MILLEN.—They wanted it.

Senator McGREGOR.—They wanted it; but they did not need it. Honorable senators will find a table showing the very small amounts spent on public works during the time the Commonwealth was paying back surplus revenue to the States. The Labour party have done all they possibly could, up to the present, to keep out of the money market. They intend to continue to do so; but I do not say that the time will not arrive when, in order to carry out some of the undertakings authorized by this Parliament, honorable senators will not have to accept the responsibility of finding the money in some other way if the expense cannot be defrayed out of revenue. But that is in the future. During the current financial year, the Government propose to spend from revenue, and the surplus of last year, an amount of £4,306,365, on works. For the construction of similar works every State Government in the Commonwealth has been going to the money market. Honorable senators will admit that this is a great step in advance on anything that has been done in the past. If what the present Government spent during the last financial year were added to the £4,306,365 which they propose to expend on works during the current year, it would amount to more than we spent in the previous ten years of the existence of the Commonwealth in the same way. This should show that in the Labour Government the people have a Government that is prepared to do something. I shall endeavour now to interest honorable senators by showing how some of the revenue is to be expended. I have said that £4,306,365 is to be spent

on works. Then, to meet our obligation to give 25s. per head of population to the States, we shall require £5,776,250. I am sure that no one begrudges that amount to the States.

Senator LYNCH.—It is £500,000 more than they received last year.

Senator McGREGOR.—That is quite true. The Post and Telegraph Department, apart from what is to be expended in the way I have already described, will require £3,935,980. For Invalid and Old-age Pensions we require £2,190,000. For Defence, we require £1,873,633. I am sure that honorable senators, in view of the opinion expressed by this Parliament, will accept the responsibility of doing all that is possible to provide adequately for the defence of our country. For interest and sinking fund on Transferred Properties, we require £673,600. There are other propositions requiring very large amounts of expenditure; and, as I have said, the total estimated expenditure will exceed the estimated actual revenue for the year by £1,712,679. I should like, shortly, to refer to the expenditure proposed in connexion with the different Departments of the Commonwealth. For the Parliament it is estimated that this year there will be required £185,341. The expenditure under this head last year was £209,678. We, therefore, propose to spend £24,337 less in this financial year in connexion with the Parliament than was spent last year. For the Prime Minister's Department, there will be required this year £15,414, as against £9,020 last year, or an increase of £6,394. It must be remembered that the Prime Minister's Department has taken over the Auditor-General's Department, and that will account, to a considerable extent, for the increased expenditure proposed. The Treasury Department is charged with the payment of old-age and invalid pensions, and will require this year £2,359,095, as against £1,951,409 last year, or an increase for this year of £407,686. The Attorney-General's Department this year requires an expenditure of £63,142, as against £55,414 for last year, or an increase of £7,728. Honorable senators who are prepared to devote sufficient time to the study of the papers placed before them will see why these increases are necessary. Another Department that requires a considerable increase of expenditure is the Department of External Affairs. This year, it will require £532,899, as against £453,256, or an increase of £79,643.

Senator VARDON.—What is the honorable senator quoting his figures from?

Senator McGREGOR.—From the statement placed in the hands of honorable senators.

Senator VARDON.—The honorable senator's figures do not agree with those before me.

Senator McGREGOR.—Senator Vardon will find that, when he makes the proper deductions and additions, the figures will agree. In connexion with Defence, we this year propose to spend £2,264,156. Last year the expenditure on this Department was £1,397,915. This shows an increase for this year of £866,241. Parliament has urged an increase of expenditure in this Department, and is responsible for it. We are, in this matter, only carrying out its wishes. The Trade and Customs Department will this year require an expenditure of £1,145,192, as against £1,032,780 last year, or an increase of £112,412. The Home Affairs Department this year requires an expenditure of £181,645, as against an expenditure last year of £180,739, or an increase of £906. There will not be much objection to so slight an increase of expenditure upon such a Department. It must be remembered that, in carrying out the will of Parliament, and the instructions given to the Government, the Home Affairs Department will have the control, probably, of the greater proportion of the £4,306,365 to be expended on works.

Senator KEATING.—The papers before honorable senators show a decrease of £15,000, and not an increase of £1,000, on the expenditure for this Department?

Senator McGREGOR.—When the figures are properly understood, they will be found to be as I have stated them. The Postmaster-General will have this year a sum of £4,371,952, as against £3,561,928 last year, showing an increase of £810,024. Every person who is familiar with the postal affairs of the Commonwealth knows that these increases to make the service efficient and up-to-date must naturally be made to the extent indicated. I hope that, although increases are necessary this year, and will be perhaps next year and the year following, yet the time will come when the affairs of the Postmaster-General will be in such a position that they can be economically worked, and all the deficits overtaken. I hope that in a very few years the Department will yield a handsome surplus, and thus increase the Consolidated Revenue. I think that I

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have given a fair indication of what has been done during the past year, and also a sufficient intimation of the intentions of the Government with respect to the finances during the next financial year. I have much pleasure in submitting the motion.

Debate (on motion by Senator St. LEDGER) adjourned.

ELECTORAL BILL.

SECOND READING.

(Debate resumed from page 1852.)

Senator E. J. RUSSELL (Victoria) [8.47].—Just before the debate was adjourned I was dealing with the scheme of Senator Vardon to secure a more democratic system of representation in the Senate as an alternative to a proposal which had been made by some imaginary party for the abolition of the Senate. At all events, it was an endeavour on his part to build up a case against the Labour party, on the statement of one individual, that it was our intention to abolish the Senate, and to prevent that, and to make the Senate more representative, which I understand was his guiding motive, he desired to introduce a system of proportional representation.

Senator VARDON.—No; I only quoted a motion which was to be proposed.

Senator E. J. RUSSELL.—I understood the honorable senator to refuse to name the person who had made this suggestion, and to say that it was made by members of the Labour party.

Senator VARDON.—I beg your pardon. Here is the newspaper report, which the honorable senator can read for himself.

Senator E. J. RUSSELL.—I accept the assurance of the honorable senator. I am dealing with the statement which he made, and not with a report in the *Sydney Morning Herald.*

Senator VARDON.—I quoted the report.

Senator E. J. RUSSELL.—Proportional representation was put forward by the honorable senator for the purpose of improving the basis of representation in the Senate. He spoke of it in the light of a democratic proposal; but he had not very far to go to-day to find that he is not prepared, as I should be very willingly, to support a proposal of that sort, provided that it applied to the constituency of Australia rather than to the States.

Senator VARDON.—And for both Houses?

Senator E. J. RUSSELL.—I shall deal with that point in a moment. That would be giving representation to the people rather than the basis of equal representation which we have to-day, and which, of course, I accept. The honorable senator claims that it would be democratic to introduce proportional representation within the States, but he is not prepared to establish a general Democracy throughout Australia. I want to state why neither the honorable senator—nor, I take it, any other representative of a small State—will advocate this system. I want them to refrain from using terms in support of a proposal which is anything but democratic.

Senator DE LARGIE.—And in which they do not believe.

Senator VARDON.—That is not the only false statement which you have made.

Senator E. J. RUSSELL.—Yes; but it is a very good cry if they can get anybody to listen to it.

Senator DE LARGIE.—Mr. President, I draw your attention to an interjection by Senator Vardon that I have made a false statement, and ask you to request a withdrawal of it.

The PRESIDENT.—I did not hear the interjection; but if Senator Vardon made the statement attributed to him it certainly was out of order, and should be withdrawn.

Senator VARDON.—I withdraw the remark, sir, and ask you to request Senator de Largie to withdraw his remark that I made a proposal in which I do not believe. That is what drew out my interjection that it was not the first false statement he had made.

The PRESIDENT.—If that statement was made by Senator de Largie in reference to Senator Vardon, it was out of order, and should be withdrawn. I do not know whether it was made in that connexion.

Senator DE LARGIE.—I would not hesitate for a moment, sir, to withdraw the statement if I had made it. What I did say was that it was a Democracy in which the honorable senator did not believe—an entirely different statement.

Senator E. J. RUSSELL.—I intend to quote some figures, not with the idea of advocating this proposal, but to show the logical application of it. If it is good that the Democracy should be represented, it should not be limited by the borders of the States. The quota which I mentioned before dinner would give to New South Wales thirteen senators, Victoria twelve, Queensland four, South Australia three, Western Australia two, and Tasmania two.

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Senator VARDON.—You are incorrect, because, under my proposal, your quota is wrong.

Senator E. J. RUSSELL.—I do not know whether the honorable senator has a monopoly of any particular system. I think that, as I have dropped the odd figures, even if he increases the number to thirty-seven from thirty-six, that would not give South Australia another representative. I will give the benefit of the doubt to the honorable senator if he wishes.

Senator VARDON.—Then you want unequal representation.

Senator E. J. RUSSELL.—I am not advocating that, but showing that the honorable senator is advocating, in the name of Democracy, a system which he wants to limit to the borders of the States, and shirks the responsibility of advocating its application to the whole Commonwealth. I should be willing to accept the system as a sound one if it were applied to the whole of Australia, as I believe in the representation of the people and the people only. Let us take the other position. This is the democratic proposal which the honorable senator puts forward, and which he can modify a little if he likes. If we limit its application to the States, and take the number of those who voted at the last Federal election, a senator from New South Wales would represent 85,467 voters; a senator from Victoria, 78,089 voters; a senator from South Australia, 18,917 voters; a senator from Queensland, 28,439 voters; a senator from Western Australia, 13,982 voters; and a senator from Tasmania, 9,601 voters. The proposal of the honorable senator does not get over the difficulty which exists to-day, and to describe it as democratic, which means that the government is based on the supreme will of the people, is merely to make use of phrases which either are not understood, or which are used for the purpose of misleading the electors. That can be the only alternative. I want to deal now with the proposal requiring political associations, organizations, and leagues to make a return to the responsible authorities who have to look after the expenditure of their money. It is true that I find no limitation in the Bill. But from whom come the objections to the provision? From the Opposition side of the chamber. It has been proclaimed loudly that the trade unions and political leagues are treated differently from other institutions.

Senator VARDON.—I did not hear any one on this side object to the return being required. We want to extend the provision.

Senator E. J. RUSSELL.—It seems to me that honorable senators on the other side want to be very deaf. There has never been any secrecy, and I hope there will not be any secrecy, in regard to any funds used by a Labour organization. I believe in compelling every political organization, whether it is Labour or anti-Labour, to have a balance-sheet audited and published broadcast, so that the world may know where its funds come from. A few days after the vote was taken at the last referenda, I had the pleasure of stating to the press, and the statement was reported, every penny expended by the Labour party, and whence the money had come. Have the organizations on the other side, who are doing the squeaking, issued any balance-sheets? We have seen challenge after challenge that they should disclose their expenditure, not merely in connexion with the last election, but particularly in connexion with the recent referenda. From what source the money came I am not prepared to state, but I have my own opinion on that point. The challenge was made because it was impossible for the "No" campaign to be carried on in Victoria alone with anything less than £40,000. Every country electorate had its advocate, who was a paid servant of one or other of the Fusion leagues. I have been in a small country district like Kerang, where there are not more than seven or eight thousand voters at the outside, and seen from two to four organizers, in receipt of fat salaries, working and misrepresenting the case. The party which is ashamed to publish its balance-sheet has something to hide. Why? Not because of the astounding number of paid advocates for the cause, but because of the astounding number of men who were deliberately paid to misrepresent the position of the Labour party and those who were supporting its proposals. This was notorious in all districts. I know of many cases, which, if necessary, I could quote, but I do not desire to name individuals who exhibited manliness and courage. I know of a case where a prominent man in Victoria was offered a large sum for a certain number of weeks to go out on a campaign of misrepresentation. He asked what would become of him afterwards. These organizations are prepared to use

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anybody and everybody who are in a position to help, but to leave them to find their own way out of the political quagmire after their own work has been done. Now, who provided the funds, the accounts of which they are not prepared to have audited? It is said that we have a monopoly of the funds of the trade unions. Granted, small as it is. We have a monopoly, it is said, too, of the political organizations. Will Senator St. Ledger, who smiles, say that the whole of the vast sum which was expended by the Liberal organization came from the Women's National League? The reason why they are not prepared to publish a balance-sheet, but quibble, and desire to evade this responsibility is because the money came from a source which they are ashamed of and afraid to disclose to the people.

Senator ST. LEDGER.—If you will not publish your balance-sheet, why should we publish ours?

Senator E. J. RUSSELL.—We have published ours.

Senator ST. LEDGER.—No.

Senator E. J. RUSSELL.—Whether it has been published in a form which is acceptable to the honorable senator or not it has been published.

Senator WALKER.—What about the Australian Workers Union? How many thousands did it spend?

Senator E. J. RUSSELL.—It is a case of save me from my friends. First, Senator St. Ledger says that we did not publish our balance-sheet; then, Senator Walker asks, "What about the Australian Workers Union?" while, the other day, Senator Millen had in his hand a copy of the balance-sheet of that union. It would be better for my honorable friends to hold a Caucus meeting and arrange not to contradict each other. That large sums were supplied is admitted. The object of my remarks is to show the necessity of having balance-sheets audited and published, in the press, if necessary.

Senator ST LEDGER.—The provision will touch our organizations, but it will not touch yours.

Senator E. J. RUSSELL.— Why not? To-day our trade unions, from the Australian Workers Union down to some of the smallest, are proclaimed political organizations and affiliated with a political organization? Does not this provision deal with political organizations?

Senator ST. LEDGER.—The point is, will they be compelled under this Bill to publish their balance-sheets?

Senator E. J. RUSSELL.—Of course they will be.

Senator ST. LEDGER.—I do not think so.

Senator E. J. RUSSELL.—That is recognised and publicly proclaimed from the house-tops. I am prepared, however, to support an amendment to make it quite clear that every political organization shall have a balance-sheet audited and open to public inspection.

Senator ST. LEDGER.—What about trade unions?

Senator RAE.—Where they are political treat them in the same way. Some are political and some are not.

Senator E. J. RUSSELL.—The organizations which take the most active part in politics publish broadcast their balance-sheets in order to show their members and the general public what is being done. The Bill prohibits the employment of paid canvassers or agents. We all admire the man who is prepared to make sacrifices for the sake of his political principles, whatever they may be—the man who will put energy and determination into a campaign for the sake of a principle which he believes will, if adopted, be in the interest of his State. Undoubtedly most of the political corruption which has disfigured contests in the past has come from the clever schemer, who is at all times anxious to ally himself with any party which is able to produce money, and who never makes the mistake of falling in with the party which has the least funds.

Senator VARDON.—What is the value of the services of a man of that character. Who would trust him?

Senator E. J. RUSSELL.—The honorable senator should not ask me that question because he belonged to an organization which whipped them all up and gave them very fair salaries.

Senator VARDON.—I did not.

Senator E. J. RUSSELL.—What occurred in Victoria at the time of the referendum campaign? Every man who had been associated in this State with every doubtful political campaign, who had always hung on to an individual who had money, irrespective of politics; the man who had been one day a Conservative, the next day an anti-Socialist, and the day after a Liberal—nearly all these men who are clever and keen were on one side, and

that is the side on which the money was. And, last, but not least, the great army of paid misrepresenters in this State included the rag-tag and bob-tail who had been kicked out of our party because of their want of principle. That, I take it, represents correctly the position in the other States during that campaign. That is how the other side got all the postal votes in Victoria as far as my experience goes. This Bill, I believe, wants stiffening, because, in certain directions, it does not go quite far enough.

Senator ST. LEDGER.—It wants dead stiffening.

Senator E. J. RUSSELL.—I am afraid that the honorable senator will not have an opportunity of being the undertaker on this occasion. I have devoted some time and attention to the consideration of the system which the officers of the Department have brought into existence—namely, the card system. I believe that with correct and careful administration the card system as now adopted will prevent the inflation of the rolls, will give us clean rolls, and will insure that no more than the correct number of people enrolled shall register votes. I believe that this will enable us to have a better electoral machinery, and the more effectually to stamp out corrupt practices than all the other devices of the Electoral Office put together. I believe that we shall thus contribute towards making Commonwealth elections as clean as they ought to be considering that this is a Democracy. The abolition of the paid canvasser will further assist to destroy an undesirable element in our political life; and the obligation imposed upon the press to furnish returns of the sources from which money is obtained in respect of political advertisements, and other electoral matter, will enable the people to know with reasonable certainty when the newspapers upon which they rely are in the pay of political associations. With the additions that I have indicated, I trust that the Bill will be passed into law, and will assist to realize the ideal of clean political contests in Australia.

Senator ST. LEDGER (Queensland) [9.7].—I hope to cause the Government to experience some hesitancy in regard to their advocacy of this Bill. It was said of the late President Kruger, by a character known as Mr. Dooley, that he ought to have given the franchise to the Uitlanders of the Transvaal, but ought at the same time to have taken care to count th ballot-papers. If he had done that, M Dooley said, there would have been no war. This Bill is a Dooley-Kruger Bill, or, if not exactly that, it is, at any rate, a pretty big chip off that block. The Government, whether they knew it or not, have brought in a measure the effect of which will be very much what a similar measure drawn up by Mr. Kruger would have been. It is somewhat remarkable that the Bill when introduced by the Minister of Defence was defended by means of a quotation from an official memorandum which, to say the least of it, contained a gross inaccuracy—for which the Minister, not the officials, was responsible. That memorandum as quoted observed that the present Electoral Act under section 32, permitted of a proclamation being issued requiring the preparation of a new roll under a system of compulsory enrolment. If the Minister had referred to section 32 of the Act he would have found the provision to be that new rolls for any polling place, subdivision, division or State—

> shall be prepared whenever declared by proclamation and in the manner specified in the proclamation or prescribed by the regulations.

A proclamation or regulation under an Act can contain no more than the Act itself contains. If a proclamation or a regulation contained things not authorized by the Act, the proclamation would be to that extent invalid and the regulation would be ineffective.

Senator PEARCE.—The Government have power to prepare rules as prescribed.

Senator ST. LEDGER.—As prescribed by what?

Senator PEARCE.—By the regulations.

Senator ST. LEDGER.—No, the regulations cannot go beyond the Act; and as the Act does not provide for compulsory enrolment, neither the proclamation nor the regulations could make enrolment compulsory. That that argument is sound as a matter of common sense—as I respectfully submit that it is sound as a matter of law—is proved by the fact that the Government have brought in a Bill to make enrolment compulsory. If they could have made enrolment compulsory under the existing law there was no need for this amending Bill. The Minister is on the horns of a dilemma right away. The very fact that an amending Bill has been brought in to provide for compulsory enrolment shows at once that the former Act did not provide for any such thing. The Minister is re- sible, but the officials ought to be a careful when they submit to a

Minister an official memorandum containing such a statement. Both Minister and officials ought to submit such a point to the Law officers so as to be quite correct.

Senator PEARCE.—That was done.

Senator ST. LEDGER.—Then I can only compliment the Crown Law office upon landing Ministers in a position which, whether as a matter of common sense or of law, amounts to an unanswerable dilemma. I mention this matter, following up the criticism made by the Leader of the Opposition, to show how absolutely necessary it is that the Government should carefully watch its officers and curtail the growing tendency towards beaurocracy. When the Minister of Defence introduced this Bill it was apparent to every one who listened to him that he was explaining a measure which was really within the province of an absent colleague. Throughout his most cursory explanation the Minister left important provisions to be further explained by his colleague. Of course, in his usual fashion, every portion of the Bill with which the Minister of Defence dealt was lucidly explained, and his explanation was perfectly intelligible. But it was insufficient. Furthermore, the Minister introducing this Bill exhibited a tendency which has previously been noted—a tendency to make charges against other people unnecessarily. I mention this tendency because it is growing into a habit, or degenerating into a disease, with him. The honorable senator repeats the offence nearly every time he addresses the Senate. Referring to the return required by this Bill in relation to expenses incurred by persons or organizations, he gave reasons why such a return should be furnished, and then threw out an insinuation which was unjustified. He said that a candidate might furnish a return of his election expenses which was absolutely *bonâ fide*, but he went on to say that, nevertheless, "in his election proper corruption and fraudulent practices might have been rampant." Where is there the slightest evidence—I will not say proof—that anything which can be stigmatized as corruption takes place in connexion with the elections in Australia, or has been rampant?

Senator RAE.—The honorable senator must not expect Parliament to be a Court.

Senator ST. LEDGER.—That is not the point. My point is that the Minister insinuated that corruption has been rampant by saying, "Notwithstanding that it may have been rampant." There is such a thing as destroying a man's character—and more especially a woman's character—by a shrug, or even by silence, without committing oneself to any definite statement. Personally, so to do is the shabbiest of things; politically, it is contemptible. If there is any reason whatever upon which the Minister's statement is founded, it is the duty of the Government to bring forward their evidence at once. Is there a shadow of evidence for the suggestion that bribery or corruption have been rampant in any election in Australia? No. Every time any honorable senator opposite has been asked to give a direct instance upon which such a suspicion or charge can be founded, it melts at once into thin air, or flies away into corners where it is impossible to pursue it. What is the value of this kind of argument?

Senator VARDON.—I call attention to the state of the Senate. [*Quorum formed.*]

Senator ST. LEDGER.—Insinuations thrown out in this way can only lead people to think that attempts have been made, either by those on this side of the Senate or by politicians elsewhere, to bribe and corrupt the electors of Australia. I have no hesitation in saying that it is our bounden duty to attack and refute insinuations of that kind. There may be political sins which may be alleged against political organizations in reference to the conduct of elections. Sins of that kind may reveal themselves if one chooses to search for them. But if honorable senators opposite are quite candid, they will admit that those sins lie just as much at the door of their own organizations as of those who support the Opposition. But they do not justify any such charge.

Senator RAE.—What charge?

Senator ST. LEDGER.—The charge that we want to corrupt or improperly influence the conduct of politics in Australia. I take this opportunity of drawing attention to a matter of which we should all be proud. Apart from the political parties to which we may belong, we can claim that, as far as the politicians and statesmen of Australia are concerned, and as far as our constituencies are concerned also, they have earned a reputation for incorruptibility, which ought to protect them from such insinuations as those to which I have referred. Charges and insinuations of the kind ought to be suppressed, because they

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are in the main unjust to both parties, and can only inflame public opinion unwarrantably. Our object in framing an Electoral Bill ought to be simply to provide an effective political machine by means of which the people of Australia can express their opinions. One of my complaints against this Bill is that it conspicuously seeks to attain its ends, not by direct legislation, but by regulation. Nearly every clause in it refers to things to be determined afterwards "as prescribed" or "by regulation." Indeed, it may be pointed out that the drafting of Bills presented to this Parliament is becoming notorious in these respects. Crucial points of administration closely connected with matters of policy are determined by regulation. Such a practice of drafting must have a powerful influence in determining the form of our legislation—a still more powerful influence in determining administration—and frequently Parliament has to take the whole thing on trust and depend upon regulations of which they have no knowledge during the consideration of the Bill. I should like to say that a very different practice is now being followed in the Queensland Parliament. It has been introduced after repeated requests from members of both political parties, and now, when important measures are under consideration, they are accompanied by the regulations to be proposed under them in a draft form as a supplement to the Bill. In this way, the clauses of a Bill, and the regulations controlling their administration, may be considered together, and members of Parliament are placed in a position to understand how far the regulations, as drafted, will give effect to the policy of the Bill, and how they will influence its administration.

Senator RAE.—We should need plenty of time for the drafting of Bills under those conditions.

Senator ST. LEDGER.—Possibly, it would take some time, but Ministers have at their command the full resources of the Crown Law Department, and the other Departments specially concerned in any measure. The Minister, or the permanent officials of the Department, when submitting to the draftsman the outlines and principles of a Bill, must have a definite idea of the way in which they intend that the measure, if passed, shall be administered. Side by side with the building up of a Bill must go the consideration of the regul which will be required to administer

Senator MILLEN.—Where the Bill provides that certain things are to be done by regulations, the Minister must know the nature of those regulations.

Senator ST. LEDGER.—That is so. We have a right to assume that the officers of the Electoral Branch, in submitting their suggestions to the Minister for the framing of a measure of this kind, will have in view the requirements of its administration. If not, they are unfit for the positions they occupy.

Senator RAE.—The honorable senator must know that regulations are frequently changed without any alteration of the Act under which they are made.

Senator ST. LEDGER.—How can that apply in a case of this kind? We have an amending Bill introduced giving expression to the principles it is desired to enact with a knowledge that its administration will be based upon certain regulations. The building up of the Bill, and the regulations necessary to administer it, must have been simultaneously in the minds of those who are responsible for it. Senator Rae stands up as an apologist for the neglect to supply some outline of those regulations. How does the honorable senator get over the fact that in the Queensland Parliament the course I suggest is followed? I do not desire to give the practice of that Parliament any special prominence, and mention it only because I naturally know more about it than about the Parliaments of the other States. There is nothing to prevent the permanent heads of the Department, or the Minister, taking charge of a Bill submitting the regulations upon which its future administration is to be based.

Senator MILLEN.—A skeleton of them might be supplied.

Senator ST. LEDGER.—We could not expect that they would be supplied in a finished form. Our view of some of the most important features of this Bill must depend entirely upon the form which the regulations for the administration of the different clauses will take. Many of the clauses are in themselves comparatively insignificant as compared to what will appear in the regulations framed to give them effect. One to which I shall refer honorable senators is the proposed new section 32A, sub-section 2, which will be found in clause 7 of the Bill. It provides that—

> The regulations shall prescribe anything necessary or convenient to be prescribed for carrying a system of compulsory enrolment into effect.

not at this stage propose to consider ssity for, or the merits of, a system

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of compulsory enrolment. But the most important feature in connexion with it is certainly the way in which it is to be administered. Senator Millen suggested a way, but that could be only conjecture. The Minister of Defence, in introducing the Bill, did not suggest any method, and Senator Findley, who was in charge of the Bill, has said very little on the subject. Honorable senators who have spoken from the other side have given us no light, and yet it will be admitted that a very great deal will depend on the way in which it is proposed to carry out the compulsory enrolment system. I confess that my mind halts on the question as to whether compulsory enrolment is necessary or judicious.

Senator NEEDHAM.—Does it ever move?

Senator ST. LEDGER.—That is one of Senator Needham's characteristic remarks. It is all that the honorable senator appears to be able to rise to when he descends, or ascends, to an interjection. I can understand that the adoption of a card system, or some modification of it, might remove my present objections to compulsory enrolment, but, so far, we have had no explanation of the way in which it is proposed to give effect to the system. If it were on the lines suggested by Senator Millen, some light having been thrown on the subject by Senator Findley, my objections to it might be weakened. There are advantages in the system. My chief objections to it at present are that it would be expensive and irritating, and possibly would be futile after all. Whether it will be expensive or irritating when in practice will depend very largely on how it will be administered. The Bill declares the principle; but the administration will be in accordance with regulations. Surely, on such a matter—when our minds are halting, and some on this side are prepared to accept the principle—the Government ought to give us information with respect to the proposed administration which would enable us to make up our minds. The words used in sub-section 2 of the proposed new subsection 32A are—

> Anything necessary or convenient to be prescribed for carrying a system of compulsory enrolment into effect.

There is here another obvious difficulty. What is to be understood by the word "convenient"? Let me point out that a system which might be convenient and applicable to the circumstances of Victoria or Tasmania, and might be comparatively easy and inexpensive, might be quite inapplicable to such large States as Queensland, Western Australia, or New South Wales.

Senator MILLEN.—What is the convenience to be considered; that of the public or of the Electoral Office.

Senator ST. LEDGER.—Exactly. We do not know whose convenience is to be consulted. The Bill is framed, from top to bottom, to suit the convenience of the Department that will be called upon to administer the measure. That would be right enough if that were all we had to consider. But we have to consider also the convenience of the public and the various and varying requirements of the different States. I will mention a reason why I direct attention to this matter, and ask that at least a draft of the regulations shall be presented to honorable senators. In connexion with the last Senate election, one of the officers sent in his voucher to the Department for expenses. He was immediately carpeted. Inquiries and reports were made, and the officers of the Department were absolutely dissatisfied with every explanation of a particular item of expenditure. The expenditure had been incurred, and the official was asked to come down to Melbourne in order that the authorities here might have the benefit of a personal explanation of the matter from him. He suggested to me that, as I happened to be going to Melbourne, I might look into the matter; and I did so. The expenditure was incurred for the conveyance of a ballot-box which contained three ballot-papers. The cost of conveying it from the centre of the electoral division to an outside polling place and back to the centre of the division amounted to as much as the total expenditure for the conveyance of similar boxes throughout the whole of the State of Victoria. Naturally, the departmental officials down here seized upon this item, and concluded that the official had been careless in the performance of his duty, or had overlooked an extravagant demand. I pointed out that the box in question had to be conveyed over a distance considerably greater than the greatest distance which could be reckoned in a straight line through Victoria and some distance into New South Wales. I plead that, in matters of this kind, honorable senators should have the benefit of the perusal of skeleton regulations to be framed under a measure, in order that they may be in a better position to determine, not only the policy on which it is founded,

but the extent to which the administration proposed will give effect to the principles it contained. I refer honorable senators now to clause 8, and the proposed new sub-section 61E—

> In any prosecution in any court of summary jurisdiction in respect of any contravention of any of the regulations—

which we have not yet seen—

> relating to compulsory enrolment, instituted by any officer—

I remind honorable senators that, under the existing Act, "Officer" includes the following:—The Chief Electoral Officer of the Commonwealth, the Commonwealth Electoral Officer for a State, a returning officer, an assistant returning officer, an electoral registrar, a presiding officer, an assistant presiding officer, a doorkeeper, and a poll clerk. These are all officers, and each of them will be able, under this Bill, to institute a prosecution for any contravention of the regulations relating to compulsory enrolment. I confess that, in the circumstances, I should like very much to see those regulations.

Senator MILLEN.—Would the definition shut out a policeman?

Senator ST. LEDGER.—I think it would, since certain officers are specifically mentioned in the definition in the existing Act, which it is not proposed to amend by this Bill. It would not, I think, under this Bill, be possible to include a State police officer. That is an opinion cursorily formed, and given for what it is worth. The proposed new section goes on to provide that such a prosecution may be instituted, not only by any officer, but by any person acting under the direction of an officer. I doubt whether the Minister can point to a similar provision in any Act of Parliament. What precedent is there for this? I do not think that even the Customs Act contains such a provision. If my memory serves me correctly, prosecutions under that Act must be instituted with the consent of a Minister or of an officer mentioned in the Act. I doubt whether any Act of Parliament can be referred to in which an officer intrusted with the power of prosecution is allowed to delegate his prosecuting power in such a way. Whether that be so or not, this is an extraordinary provision. Usually such a provision in an Act is accompanied with a condition that the prosecution must be with the consent of the Minister, or some permanent responsible officer of the Department. We have complained that the Government in this measure are not doing much for the extension of the franchise; but they are running amok with the extension of facilities for prosecutions. We should certainly have some further information as to how it is proposed that these prosecutions shall be carried out. Here, again, I think that neither the officials nor the Minister have recognised the varying conditions of different parts of the Commonwealth. Under this Bill, as it stands, it would be possible for a doorkeeper at a polling booth at Boulia to delegate his authority to prosecute some person for an offence against the regulations committed at Windorah; and the alleged offender might be dragged from Roma to Boulia to answer the charge, although he might be a perfectly innocent man. The expense to which he would be put would be enormous; and if the charge against him were dismissed, he would never be able to recover his expenses. It might be said that I am pleading from an extreme case; but it is a case which might occur, and it would be no satisfaction to the man who might be made the victim of an extremely stupid, or even malicious, act, to say that his case was an extreme one, and, on that account, had not been provided for. It ought to be provided for. When Parliament is asked to give this power to officials, it should be told precisely how it is to be used and administered. Another very important amendment of the Act is the one which deals with regulations, and which is embodied in clause 17. It prescribes the making of regulations for any elector, who on polling day, will not be within any electoral division, to vote before any Electoral Registrar at any time after the issue of the writ and before polling day, subject to making the prescribed declaration. It has been pointed out more than once from this side, and it was practically admitted by the Minister of Defence when he introduced the Bill, that very wide powers are given in this clause which makes provision for absent voting. That statement is not cavilled at, but it has been pointed out that, in the circumstances, the Ministry intend that any person may vote at any polling-booth in the Commonwealth, whether he is in the division in which he lives or not.

Senator PEARCE.—There are some persons who are at sea.

Senator ST. LEDGER.—I can understand that; but what about those persons who will not be at sea? The provision which is made for the former class, and

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with which I entirely agree, is quite different, because it requires the seamen to go before an Electoral Registrar of his State, to say he thinks that he will be outside the Commonwealth, and to record his vote. I hope that we shall be afforded an opportunity to see the regulations on this point.

Senator MILLEN.—The Bill is specific on one point, and that is that there has to be a declaration.

Senator ST. LEDGER.—Yes, but not in regard to the man who is on land, for he may vote at any polling booth in the Commonwealth and for his own division.

Senator PEARCE.—He has also to vote on a form.

Senator MILLEN.—The Bill does not say so.

Senator ST. LEDGER.—He has to vote on the form prescribed, but not to make a declaration. The very fact that he can vote anywhere outside his division is a reason why the form should be prescribed in the Bill. Parliament is surely entitled to this information. Unless the form is prescribed, any corruption or improper conduct which has happened will be but a small circumstance compared with that which may occur under this provision. Why cannot the Minister let us have a skeleton of the regulations? I should say, from its style, that most of the forms accompanied the Bill when it was under discussion in Cabinet. We are all familiar with the forms which are prescribed in the principal Act; but this Bill proposes a new and important departure. The forms and regulations under which it will be carried out are everything. No one objects to give facilities and opportunities to vote to every person in the Commonwealth, apart from the question of whether he is inside or outside his division. The all-important point is: How is the provision to be administered? Take the "Q" form, with which we are familiar. An applicant has to identify himself when he is outside his subdivision, and even when he is in it, and so the form prescribes. He has to set his handwriting to the form as a further safeguard, and if he is too weak to sign his name he has to make a mark in front of an officer, and a declaration, which is set out clearly in the Act, has to be made. Parliament has, I contend, the right to see the safeguards intended to prevent any abuse of the extended facilities. Another clause to which I intend to refer shows the necessity of submitting the regulations. I cannot understand why it is included in the Bill at all, and I hope that the Minister will furnish an explanation. I think it must have escaped his observation. Proposed new section 139A empowers the Department to define by regulation the grounds on which the ballot-papers of absent voters are to be rejected as informal. That power should, I think, be left to the Court. I am not aware that in any other Act the power of declaring a ballot-paper formal or informal has ever been controlled by regulation or defined by the Electoral Department. In all Electoral Acts, State and Federal, the form of the ballot-paper is prescribed. It indicates certain formalities which the elector has to observe. It prescribes, as a rule, exactly what the ballot-paper shall contain, and provides that any mark or writing on the ballot-paper shall have the effect of making it informal. But in this case the Electoral Office seems to be going further. It is left to the officials by regulation to determine when a ballot-paper shall be informal. What may happen if the regulations prescribe hard-and-fast conditions which, if not complied with, may make a ballot-paper informal? When that informality comes to be contested, the Court may be driven to consider the regulations only, and whether the elector has conformed with them or not. It may bind the candidate disputing down to the regulations rather than consider what was the intention to be gathered by the marks placed on the ballot-paper. It seems to me to be asking for a rather large and unusual extension of departmental powers when it goes so far as that. I ask leave to continue my remarks on a future day.

Leave granted; debate adjourned.

Senate adjourned at 9.57 p.m.

House of Representatives.

Thursday, 26 October, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

PAPERS.

MINISTERS laid upon the table the following papers:—

Social Insurance—Report by the Honorable Sir John Cockburn on the Conference held at The Hague, September, 1910.

Ordered to be printed.

Defence Act—Military Forces—

Regulation No. 199 (*b*) Amended (Provisional)—Statutory Rules 1911, No. 166.

Financial and Allowance Regulation No. 6 Amended (Provisional)—Statutory Rules 1911, No. 167.

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DEFENCE.

CADETS: TRAIN TRAVELLING—CHRISTMAS VACATION—MANŒUVRE AREA, ROSS.

Mr. CHANTER asked the Minister representing the Minister of Defence, *upon notice*—

1. Is he aware that, prior to Federation, several of the State Governments permitted cadets, when undergoing training, and in uniform, to travel on the railways free of charge?

2. Have any requests been made to the State Governments to give the cadets now undergoing training under the Commonwealth Defence Act a similar privilege?

3. If not, will he make such request?

Mr. ROBERTS.—The answers to the honorable member's questions are—

1. Prior to Federation cadets were carried free in Victoria, not in New South Wales and Queensland. As regards the other States, information will be obtained. Since Federation payment has been made for all cadet travelling.

2. (*a*) No, but in New South Wales it has been ascertained the senior cadets are being conveyed to parades on the State tramways at a minimum and maximum fare of 1d., provided the boys are in uniform and are on duty. This fare is charged irrespective of the number of sections travelled. (*b*) A request was made to the several State Governments on 30th December last to reduce the rates of railway fares charged for senior cadets. It was urged that from the point of view of national necessity the Commonwealth Government should not be charged in the fulfilment of its obligations to the people of Australia any more than sufficient to recoup actual loss to the States concerned.

3. As no concession was obtained under the request made in December last, it was not considered worth while, under the circumstances, asking the respective State Governments to carry the cadets free of charge.

On the 11th inst., the honorable member for Hunter asked if the Minister of Defence would endeavour to make arrangements for avoiding the drilling of cadets during the Christmas holidays. I have been furnished with the following reply:—

Instructions have been issued that parades are not to be held between 15th December, 1911, and 15th January, 1912, and, in the case of detachments formed at educational institutions during the midsummer vacation.

Mr. McWILLIAMS asked the Minister of Home Affairs, *upon notice*—

If he will inform the House what steps have been taken to purchase a military area in the vicinity of Ross, Tasmania?

Mr. KING O'MALLEY.—Certain areas in the vicinity of Ross, Tasmania, have been suggested as suitable sites for a manœuvre area. Information in regard to the lands within the suggested areas has been obtained, and supplied to the Department of Defence, and the matter is now under consideration by that Department.

SUGAR COMMISSION.

Mr. KELLY asked the Minister of Trade and Customs, *upon notice*—

With reference to the Royal Commission on the Sugar Industry—

1. Is he correctly reported as follows in *Hansard* of the 21st September, last:—
   "The Government have decided that the Commission shall be a non-political Commission" (page 703)?
   "We think it is wise to appoint an outside body whose members may inquire into the conditions surrounding the sugar industry free from all political bias" (page 705)?
2. Is it a fact that the *personnel* of the Commission appointed is as follows:—Mr. Justice Gordon, The Honorable Albert Hinchcliffe, M.L.C., Mr. Robert McC. Anderson, Mr. R. M. Shannon, Mr. Thomas William Crawford?
3. Is he aware that the Honorable Albert Hinchcliffe is a member of the Queensland Labour party, and business manager of the Brisbane *Worker*?
4. Is he aware that Mr. R. M. Shannon has stood for Parliament as a selected Labour candidate?
5. Is he aware that Mr. Robert McC. Anderson made the following statement in the Sydney *Daily Telegraph* on the 21st instant:—
   "It is well known among my friends that Labour and its representatives have had my sympathy for years past"?
6. Is he aware that Mr. Crawford has stood for Parliament as a Liberal candidate?
7. Does he think that the *personnel* of the Royal Commission is in keeping with his statement to the House, as quoted above, on the 21st ultimo?

Mr. TUDOR.—The answers to the honorable member's questions are—

1. Yes. That was my intention, as far as such a course could possibly be attained.

2. Yes.

3 to 6. The facts are probably as stated. I am not personally aware of their accuracy.

7. Yes; but I do not think it would have been humanly possible to select any person as a member of the Commission whose mind was wholly free of any political opinion. The intention of the Government, as expressed in my previous announcement, was that the selection of the members of the Commission should be non-political in character, or, in other words, should be preferably chosen from other than members of the Federal Legislature. The selection has been in accordance with that intention.

Mr. KELLY asked the Minister of Trade and Customs, *upon notice*—

With reference to the Royal Commission on the Sugar Industry, why was he able, on the 25th inst., immediately to answer the question of the honorable member for Capricornia bearing on the political views of Mr. Crawford, while honorable members of the Opposition were denied similar information with regard to the other members of the Commission?

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Mr. TUDOR.—The question was asked without notice. I replied that if notice were given I would be pleased to furnish an answer. It is not correct that I refused to supply information on the subject. I was unable, on the facts at my disposal, to afford the information desired, other than in regard to Mr. Crawford and Mr. Hinchcliffe.

POSTMASTER-GENERAL.

GENERAL POST OFFICE, SYDNEY—SLOT TELEPHONE COLLECTOR.

Mr. WEST asked the Postmaster-General, *upon notice*—

1. Is he aware that the public are put to great inconvenience in obtaining post-office and money orders owing to the small place available in the temporary office in Moore-street, Sydney?

2. Will he take steps to resume the Post Office site so that additions may be made to the General Post Office building to meet the large increase of public business?

Mr. FRAZER.—The answers to the honorable member's questions are as follow:—

1. The matter has not previously been brought under my notice. I will have inquiries made with regard to it.

2. The question of providing for the requirements of the Department in Sydney is receiving attention, but I am not yet in a position to state what action will be finally taken.

Mr. WATKINS (for Mr. ANSTEY) asked the Postmaster-General, *upon notice*—

When will the Postmaster-General appoint a collector for the slot telephone tins?

Mr. FRAZER.—An officer has been appointed to this position, and will take up duty on Saturday next.

PEARL-SHELLING INDUSTRY.

Mr. BAMFORD (Herbert) [2.36].—I move—

That a Royal Commission, selected from members of this Parliament, be appointed to take into consideration all matters pertaining to the employment of white and coloured labour now, and to be, employed in the Australian pearl-shelling industry, and in respect of the general conditions under which such industry is now conducted.

In moving for the appointment of this Commission, I am following a precedent set by the Queensland Government about three years ago, when it was found necessary to inquire into the manner in which the pearl-shelling industry was being conducted. The need for such an inquiry has been emphasized by more recent occurrences. The Commission for whose appointment I ask would be political, that is, composed of members of this Parliament; and, as it may be objected that, inasmuch as a short time ago I urged, in connexion with another Commission, that it should be non-political, my actions are inconsistent, I would point out that they may be reconciled if consideration is given to the fact that our policy in regard to the sugar industry is a settled one, we having decided that it shall be conducted wholly by white labour, whereas the White Australia policy has not been applied to the pearl-shelling industry, which at present is almost entirely worked by coloured labour. Some time ago, the late Minister of External Affairs issued a memorandum to this effect—

Inform the Sub-Collector of Customs at Thursday Island, for communication to the Torres Straits Pearl-Shellers Association that I have been giving full consideration to the conditions under which permits are issued for the admission of aliens to work in the pearling fleets, and have decided that the time has arrived when some definite steps should be taken to give the benefits of labour in that industry to people of our own race.

My ruling on the subject now is that owners of pearling vessels may have permission to indent Asiatics, preferably Malays, to work in their vessels for a period of two years from the 1st January, 1911, but that after that date all engagements shall terminate, and no permits for admission for further employment shall be given except in the cases of boats in which the diver and tender are both white men. In those cases permits to introduce Malays to the number of five per lugger will be granted, provided that the local authorities certify that local labour suitable for employment as crews is unprocurable.

I have carefully considered the proposals put by the Association—

There are two associations—the Western Australian Association and the Torres Straits Association—

in their letter of the 24th November, and wish a reply to be sent that I understand the conditions under which the industry has been worked and appreciate the efforts which, speaking generally, have been made by employers to conform to the conditions laid down by the Department. I do not consider that it is the duty of the Government to advertise for or assist the immigration of labour for the pearling industry, except in a general way, as is done with respect to other industries in which there is a shortage of labour.

So far as advertisement is concerned, the Government will be prepared to instruct the High Commissioner to give publicity to the fact that a certain class of labour is required as soon as the employers have decided upon the terms and conditions to be offered. Arrangements for the engagement of particular men and assistance to emigrate must be made privately or through the State Government.

I think that the matter of assisting in the establishment or maintaining of such a school as is suggested is one for the State rather than the Federal Government.

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The decision as to the cancellation of all permits on the 1st January, 1913, subject to the ruling as to their continuance if white men are employed, is to be communicated also to Port Darwin, Broome, and other towns from which the pearling business is conducted, who should also be informed of the communication sent to Thursday Island.

That was the memorandum issued by the late Minister of External Affairs, and it lays down that after 1st January, 1913, no permit shall be issued for the introduction of coloured labour in connexion with the industry. Those engaged in pearl shelling, however, have taken exception to it, and have made no effort so far to conform to the regulations. Reports have been furnished from various centres, more particularly in Western Australia, regarding the industry, and I propose to read from them a few extracts showing that the pearl shellers maintain that there is no possibility of continuing the industry except under present conditions. They state very emphatically that white labour is not procurable, because, in the first place, of the peculiar conditions of the industry, and, secondly, because the price of the shell does not permit of what is called decent wages being paid. The report of Captain Mackay to the Premier of Queensland on 4th September, 1911, was to the effect that the pearl shellers were opposed to white labour on the ground that diving is totally unsuited to that class of labour and unremunerative. The Government Resident at Thursday Island reported last year that the facilities then existing for recruiting would cease on 31st December, 1912, and that whilst at one time the opinion was favorable to the employment of white men, a different view was now held. A telegram was also received from the Premier of Western Australia asking if it were true that no permits were to be granted after 1st January, 1913, as the matter was serious. The regulation made by the Minister was that no engagement made since the decision should be binding after 31st January, 1912. A scheme was submitted in May last by the Western Australian Pearlers Association proposing that recruiting should be conducted under the supervision of a committee. I have a copy of that scheme before me, but I regret to say that I have not been able to obtain a copy of another scheme formulated by the Pearl Shellers Association of Torres Straits, which, although somewhat similar, is not identical with it. The Pearl Shellers Association of Torres Straits proposed that a school should be established to provide for the teaching of diving, and that it should be under the supervision of the Government and a committee appointed by the pearlers. The Sub-Collector at Onslow reported that no change had been made in the direction of employing white labour to meet the wishes of the Government, and a similar message was received from the Sub-Collector at Cossack, another port on the Western Australian coast. A summary of the report from the Sub-Collector at Broome is as follows:—

No practical efforts made by pearlers to meet the Government's wishes. Western Australian Pearlers' Association have intimated that with a view to furthering Government's wishes they have authorized their committee to submit scheme to the Minister for the introduction and training of white men as divers and tenders.

No information has been furnished from Port Hedland, where the industry is conducted upon only a very small scale, but a letter has been received from the Pearl Shellers Association of Torres Straits by the Sub-Collector at Thursday Island deprecating any immediate substantial alterations, and stating that the industry would not pay with the present "take" and the price of white labour used. They suggested that the Government should charter two luggers and man them with white labour for two seasons; that they should advertise in Great Britain, Norway, and Sweden, as well as in countries from which white divers are recruited, and that a bonus should be offered. From Port Darwin information has been received as follows—

No white labour available. Jolley and Company submit statements showing loss on working lugger with white labour would be, approximately, £38 15s. per month.

These are the opinions of pearlers as submitted to the Sub-Collectors of Customs at the various ports to which the Minister's memorandum was supplied. The scheme submitted by the Western Australian Pearlers Association to the Minister of External Affairs was as follows:—

Sir,—1. Confirming my telegram of the 5th instant, as per copy enclosed, I have now the honour of submitting the following scheme for the introduction and training of white men as pearling divers and tenders, which the members of this Association have directed their committee to lay before you for your consideration and approval.

2. *Scheme for the recruiting of white men and their training as divers and tenders*—

(*a*) *Recruiting.*—This to be conducted in the United Kingdom and in Europe, under the supervision of a Committee of Advice, in London, consisting of (it is suggested)—The Agent-General for Western Australia, Mr. M. S. Warton, Mr. Fred. H. Sprang, Mr. G. S.

Streeter—assisted by other gentlemen who might be willing to interest themselves in the matter. Any member of the Association visiting London also to be nominated as a member of the London Committee of Advice.

Every endeavour also to be made to recruit suitable white labour within the Commonwealth.

The facilities hereby afforded to be open to any member of the Association who may be desirous of engaging men on his own account.

(*b*) *Terms of Agreement with the Men.*—The men obtained from the United Kingdom and Europe to be engaged in terms set out in the draft agreement enclosed herein for your approval.

(*c*) *Training Station.*—A training station, consisting of five pearling luggers and a schooner, to be established and conducted on behalf of the Association. The vessels to be leased for a period of twelve months (with the option of a further lease if same can be obtained at a satisfactory price), and placed under the management of a person thoroughly competent to take charge of such a fleet and supervise the training of the men.

Tenders for the leasing of these vessels, as from 1st January next, to be called without delay.

The fleet to start operations at the beginning of next January.

(*d*) *Control.*—The Government to be offered representation on the Board of Control.

(*e*) *Manning the Fleet.*—The vessels to be completely manned by white men, thirty of whom, ranging in age from seventeen to twenty-seven years, to be ordered through the London Committee of Advice, the balance required to be obtained within the Commonwealth, if possible. The men to be in Broome in the month of December next.

I should like to be permitted to put the details of the cost into *Hansard* without having to read them.

Mr. SPEAKER.—The honorable member must read them if he wishes them to appear in *Hansard*.

Mr. BAMFORD.—

(*f*) Cost of Training Station for Twelve Months.—The following data are estimated. The amount of anticipated revenue might appear to be placed very low, but it must be borne in mind that the principal purpose of the fleet is the training of raw material, which, on being turned out proficient, would be replaced by further drafts of inexperienced and unprofitable labour :—

Working cost of one lugger—

	£
Rent of lugger, with pump, helmet, and corslet	120
Insurance, £300 at 8 per cent. ...	24
Wages, 6 men at £3 each per month	216
Rations, 6 men at £2 10s. each per month	180
Gear, repairs, and upkeep	123
Total	£663
Passages and cost of procuring six men at, say, £15 each	90
Total	£753

Working cost of schooner, including expenses of supervision—

	£
Rent	120
Insurance on, say, £400	32
Wages of superintendent	240
Wages of 6 men, at £3 each per month	216
Rations, at £18 per month	216
Gear, repairs, and upkeep	50
Total	£874

Total estimated cost—

5 luggers at, say, £750	£3,750
1 schooner	874
Total	£4,624

The schooner constitutes what is called the floating station. It is anchored in some convenient place, and from that centre the luggers, numbering from ten to fifteen, or even more, are worked. They get their stores, gear, and other requirements from the schooner, and all the shell is taken to the schooner to be opened, cleaned, and packed. It is then taken by the schooner itself to the nearest port for shipment.

Estimated revenue—

	£
1½ tons of shell from each of 5 luggers—7½ tons at, say £160 per ton	1,200
Pearls, say, £25 per lugger ...	125
Total	£1,325
Leaving a net (estimated) deficiency of, say	£3,300

(*g*) Financial.—The net loss arising from the working of the training station to be borne equally by your Government and the Association.

3. In regard to this scheme, I am directed to mention that the London Committee of Advice, which it is proposed to appoint to supervise the recruiting abroad, would consist of gentlemen well acquainted with the requirements of the pearling industry and the conditions peculiar to it. Mr. M. S. Warton was lately Resident Magistrate of Broome, a position he occupied for many years. Mr. Streeter has been intimately associated with pearling from the inception of Broome, and Mr. Sprang, the managing partner of Messrs. Heinke and Company, submarine engineers, in addition to the knowledge of this industry he has gained from personal observation, is closely in touch with the divers of the United Kingdom, and the class of men from which they are drawn.

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It is the intention of the Association to make every endeavour to obtain within the Commonwealth a supply of white labour suitable for the requirements of the training station, and, at the same time, thoroughly test the possibilities which the United Kingdom, France, Germany, and the Northern countries of Europe may afford for obtaining a good class of men.

4. By having each vessel of the fleet entirely manned by whites, every man, it is hoped, will obtain not only a training in diving and tendering work, but a knowledge of local navigation and seamanship essential to the proper performance of his respective duties. On each man attaining proficiency as a diver or tender, endeavours will be made to find employment on pearling vessels belonging to members of the Association, the vacancies thereby occurring in the training station being filled by further recruits. The Association believe that under no other method is it practical to effect the change from Asiatic to white divers without dislocating the whole industry, and imposing extreme hardship on the many small proprietorships comprising it.

5. In deciding that the training station should start operations next January, members of the Association were influenced by the belief that the change from Asiatic to white divers and tenders, if possible at all, is one that can only be effected gradually, and must take many years to complete. It seems, therefore, advisable that an immediate beginning should be made in the direction of obtaining white men for diving and tendering purposes, so that, in the event of the Association's scheme proving successful, full advantage may be taken to obtain and train as many men as possible during the present period of exemption.

The Association desire that everything done in connexion with the carrying out of this scheme should meet with the approval of your Government, and to this end suggest that the operations of the training station be open to the inspection of an officer appointed by you for the purpose.

6. In asking for the financial assistance of your Government towards the carrying out of the scheme, the Association respectfully beg to remind you that the necessity for such a scheme has arisen from your Government's decision to refuse pearlers permission to employ, after the end of the year 1913, indented Asiatic labour, except in the case of luggers, on which the diver and tender are both white men. Though members of this Association sincerely hope that their proposals for the initial introduction of white divers and tenders may prove successful, they nevertheless cannot shut their eyes to the very great difficulties that lie in the way of providing the whole industry with such men, and the support they are giving this scheme is actuated more by their desire to do everything possible to further the wishes of your Government than anything else.

7. Whilst the pearlers have been charged with having shown no evidence of endeavours on their part to obtain white divers and tenders, it can, on the other hand, be shown that nothing has been done by the Commonwealth Government to induce such labour to come forward, notwithstanding the fact that the Senate, as far back as 1905, at the instance of the Hon. the (present) Minister for Defence, affirmed the principle of assisting the industry by bonus, or otherwise, to enable the replacement of coloured labour by white labour

Members of this Association, from practical experience, are well qualified to form a trustworthy opinion concerning the likelihood of desirable whites taking up an extremely hazardous occupation as pearl-shell diving, with all the dangers and discomforts attaching to a life at sea, in a tropical climate within the hurricane zone, cooped up in a very small boat for months at a time; and they consider that if the Commonwealth earnestly desires the introduction of white divers and tenders into the industry, a special inducement, in the nature of a bonus, should be offered. The Association accordingly asks your Government to supplement the endeavours to introduce such labour under the foregoing scheme, by offering without delay a bonus of at least £25 per ton on all shell raised by white divers and tenders.

8. In the event of your Government not approving of the Association's proposals my committee respectfully beg that you will favour them with a statement of its objections and alternative suggestions for the introduction of white divers and tenders into the industry.

9. In conclusion, the association takes the opportunity of again pointing out that your decision to limit permits for Asiatic pearling labour to luggers on which both diver and tender are white men, places the present holders of pearling vessels—all citizens of the Commonwealth—at a further disadvantage in regard to possible foreign competition, and makes the latter a more likely contingency than heretofore. Under existing regulations, the Government of the Commonwealth has effective control over all indented Asiatic labour engaged in the industry, and it is impossible for such labour to form settlements ashore or obtain more than a mere wages interest in the operations of pearling.

The view that the presence in the industry of men of a particular race, working under the foregoing conditions, constitutes an undesirable state of affairs from a national aspect, becomes dwarfed into insignificance when the possibility is considered of that industry passing completely into the hands of the same race, but beyond all control of the Commonwealth.

Protected by the 3-mile limit, outside of which by far the greater part of our shell is found, such a competitor would exploit the wealth which at present provides a livelihood for Australian citizens, and, in doing so, would make use of our ports, obtaining his supplies under bond, duty free; obtaining an interest in these waters that would afford a powerful pretext for the presence on our coast of his nation's warships.

From remarks you are reported to have made to representatives of the press, it appears that your Government acknowledge that the Commonwealth is not in a position to guarantee pearlers immunity from foreign competition, so that in the event of such competition resulting from the enforcing of your decision relative to the employment of white divers and tenders, the present Australian proprietors would be driven out of the industry, and it would be impossible for them to regain a footing therein, unless the Commonwealth placed them in a position of freedom equal to that of the foreigner by the removal of customs duties and various restrictions at present placed upon the industry.

I have, &c.,

(Sgd.) STANLEY PIGOTT,
Secretary.

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That is the case put forward by the Western Australian Pearlers' Association. They say they are quite willing to assist the Government in procuring white labour under certain conditions. The responsibility which they propose should be undertaken by the Government is rather severe, and it is to be hoped that honorable members will carefully consider it before giving it their sanction. This question has been a burning one in my electorate for a considerable time. I had on one occasion to move the adjournment of the House in order to draw attention to the way in which the industry was being conducted. At that time the pearl-shellers of Torres Straits, after some difficulty had arisen between this Government and their association, determined to withdraw their fleet from Australian waters, and a number of them left and conducted their operations under the Dutch flag. However, the Dutch regulations were found to be restrictive, and the conditions so unsuitable that the business was unprofitable, and they returned, and have since, for some eight years, prosecuted the industry in Torres Straits. The Queensland Government, as I have said, appointed a Royal Commission, but that Commission took a wider scope than that now proposed, inasmuch as it considered the allied industry of bêche-de-mer collecting. It is very unfortunate—and it furnishes another argument in favour of Unification—that the pearl-shelling industry is conducted under divided control. The bêche-de-mer industry, on the other hand, is mostly carried on by aborigines, the licences being held mainly by Japanese, who obtain the natives on the coast. I may say that the Japanese do not always return the natives to their own villages, but land them 100 or 200 miles distant, leaving them to find their way home as best they may. That is a grievance which, up to the present, has not been coped with by the Government.

Mr. MCWILLIAMS.—Is aboriginal labour governed by regulations?

Mr. BAMFORD.—To some extent. Those engaged in the bêche-de-mer industry are under a penalty if discovered to have aborigines on board without a licence or permit; yet, as a fact, the natives are taken from place to place without the knowledge of the Government, and, as pointed out in the report of the Royal Commission, much inspection would be needed to insist on the observance of the law on such a coast. In the pearl-shelling industry, the boats are licensed by the State Government to fish in certain waters, while the Federal Government has control of the labour by which the boats are manned; and this divided control has led, if not to friction, to inharmonious relations. The Queensland Royal Commission, which was appointed in May, 1908, reported strongly in favour of the employment of white men in pearl-shelling. The Commissioners were Captain John Mackay, Mr. H. A. C. Douglas, and Mr. G. H. Bennett; and in their report they make some comparison between pearl-shelling and the sugar industry. It is pointed out that a certain stigma applied to white men—I am not saying that it did—working in the sugar industry side by side with kanakas, and that the same applies to the white men employed in pearl-shelling, they being "looked down on" because of their living and working with Asiatics. The employment of white men solely, the Commission points out, would remove this stigma, as it had done in the sugar industry; and certain recommendations were made, very like those put forth by the Pearl-shellers Association of Western Australia.

Mr. SAMPSON.—Do the bêche-de-mer operations extend beyond the State boundaries?

Mr. BAMFORD.—Very little, because the bêche-de-mer industry does not extend beyond the Barrier Reef, which is within territorial waters. I shall not read the report of the Royal Commission *in extenso*, but content myself with quoting the recommendations as follows:—

With a view to encouraging white men to engage in the pearl-shell industry as divers, and to securing their gradual substitution for aliens in that capacity, we recommend—

1. That the present restriction on the issue of divers' licences be removed so far as to permit of licences being granted to white men.

2. That the employment of alien divers shall cease entirely within five years from the date of the establishment of a School of Marine Biology and a School for White Divers, and that of the divers now licensed, and who may still hold licences at the end of the second year after the establishment of the schools, one-fourth shall not be granted licences in each of the four succeeding years.

The scheme of the Pearl-shellers Association of Western Australia is somewhat like this, only it contemplates the work being done in two years instead of five, though I think the smaller term is impossible—

3. That a training school for the instruction of white divers be established, and that, for this purpose, not less than two luggers of from 20 to 25 tons burden, equipped with all gear requisite for diving and transplanting shell, be either purchased or chartered.

4. That selectors of cultivation areas be permitted to raise shell of, say, from 3 to 6 inches, nacre measurement, and to transfer such shell alive to their cultivation areas.

5. That State assistance be given to pearl-shellers to co-operate in the business of exporting shell, and that the Agent-General in London be instructed to furnish information from time to time regarding market conditions.

6. That the Government consider the advisability of placing the possibilities of the industry before the classes of men referred to in section 104 of the Report.

7. That the employment of white men as crews shall not be compulsory; and

8. That, as aboriginals of the mainland of Torres Strait and of Papua have proved themselves suitable for tenders and crews, and as they have certain natural rights in the Northern fisheries of Queensland, their employment in those capacities be continued.

Some eight years ago I had the pleasure of travelling with the then Premier of Queensland, Sir Arthur Morgan, and the ex-Treasurer, Mr. Kidston, and I made some suggestions in this connexion which, had they been adopted, would, I am sure, have removed to some extent the present difficulties. At that time there was in Queensland the Lytton Reformatory, near the mouth of the Brisbane River, some of the boys from which have turned out good citizens. I suggested that these boys, instead of being trained as tinsmiths, saddlers, bootmakers, and so forth, should some of them be trained at Moreton Bay to the work of diving, and later sent to Torres Straits, where a good living could be earned. The price of shell was then high; and the beds not worked as much as they have been since, some of them being now almost entirely depleted of shell. My suggestion was, I think, reasonable, and the Premier promised consideration, but no action was taken. The Commission spoke strongly in favour of the restriction of the industry to white labour, saying in one paragraph of the report—

> The patient industry, the uncomplaining endurance of hardships, and the generally law-abiding character of these Asiatic sojourners in our midst are admitted. In many respects they are not undesirable residents; but in no country in the world outside the British Dominions is any primary industry allowed to be monopolized by a race of aliens.

The Torres Straits pearling industry is almost entirely in the hands of aliens, and has been so for some years—

> The total declared value of all produce exported from Thursday Island during 1907 was £102,655, and the amount sent to China and Japan last year alone, through the post-office and the two banks referred to, was no less than £21,123.

That is, 20 per cent. of the value of the total exports. Unless steps are taken to prevent it, these people will continue to monopolize the industry. I favour the employment of white labour solely in our industries wherever that is possible, though I am willing to hear the other side. I opposed the appointment of a Commission to inquire into the sugar industry when the abolition of black labour in connexion with that industry was proposed, because I thought that the desire was, not to investigate facts, but to secure delay until after another election, when a reversal or modification of policy might be secured. I was, however, willing for an investigation of the conditions of the industry, and I am in favour of it now. What we have to ascertain regarding the pearl-shelling industry is—Can it be conducted wholly by white labour, and, if not, is it worth preserving? The pearl shellers say that if we do not maintain the industry ourselves, aliens will continue to control it, working outside the 3-miles limit, and using our ports for watering and victualling. Some time ago, I asked the Minister of External Affairs whether that could be prevented, but constitutional lawyers, among them the honorable member for Angas, seemed to be of the opinion that our jurisdiction does not extend to all the islands and reefs off the coast where shell is to be obtained. Only lately, however, the Customs Department brought down the coast, under surveillance, two vessels whose skippers were afterwards fined for illegal practices.

Mr. GREENE.—In that case, action was taken because of something done off an island forming part of the territory of Western Australia.

Mr. BAMFORD.—A question for the Commission to investigate is—How far does our jurisdiction extend over the waters surrounding the continent? The latest report of the Fisheries Department of Western Australia which I could obtain, is four years old, being dated 1907. It contains statistics regarding the number of men employed, and the "take," and gives the number of boats employed and their owners, but there is not a word as to whether white or coloured labour should be employed. For the purposes of my argument, the report is worthless. The report of the Government Resident at Thursday Island for 1910 is more informative. It says—

> A fact that must not be lost sight of is that the Japanese are thoroughly conversant with the value of our shelling grounds, and it will

be a matter of considerable difficulty to keep them off the beds. By purchasing some old vessel, say, at the Aru Islands, they may sail over here and transfer their crew to one of their countrymen's boats, after sinking their own vessel. Again, a Japanese crew could clear out for Dutch New Guinea, from where, under a foreign flag, they could defy us, mixing without fear of detection, with their countrymen working on other boats in Torres Straits waters. It is a well-known fact that the Japanese are, as a rule, extremely clannish, and they would never inform on any of their countrymen who were endeavouring to evade our laws.

That seems to strengthen the statement of the pearl-shelling association that aliens can, without interference, deplete pearl beds not far from out coast, but beyond the 3-miles limit. To show how little control is exercised over these waters, I might mention that, although certain areas off Darnley Island were closed in 1903 because of the lives which were lost there by diving in deep water, the regulation has never been enforced, it being found impossible to enforce it without great expense. Consequently, fishing goes on there, although the death rate among the divers is very high indeed. I hope that the Ministry and honorable members will be impressed with what I have said about the advisableness of appointing a Commission for the investigation of the industry, not from the State, but from the Federal stand-point, with a view to ascertaining if the White Australia principle is applicable to it.

Sir JOHN FORREST (Swan) [3.24].—The thanks of the House are due to the honorable member for Herbert for having brought forward this matter, which is an important, and a very difficult, one. I do not agree with the proposal that the members of the Commission should be members of Parliament. Members of Parliament have to give many months of time to their parliamentary duties, and not many could afford to spend a considerable time in Northern Australia investigating this matter. Many honorable members could not altogether neglect their private and public duties during recess. Consequently the scope of choice will be limited if members of Parliament only are to form a Commission. The pearl-shelling industry must be closely investigated before action is taken which might disastrously injure it. The industry is a very important one, our exports of pearl and tortoise shell for 1909, the latest year for which I could obtain statistics, being valued at something like £300,000. It is certainly remunerative to those engaged in it, but is carried on under very great discomfort and difficulties. Our White Australia policy has hampered the industry, although not to a very serious extent, and we have always been confronted with the fact that if we imposed upon it too many restrictions we should force it into the hands of people of other countries. Foreign boats could fish for pearl outside the 3-miles limit under the law of nations, and men from those boats could come ashore from time to time to obtain water supplies and fuel. We have had foreign pearlers in Torres Straits, and the danger is one that is always threatening. Naturally the State desires to derive from this industry as much benefit as possible. The practical work relating to pearl-shelling would not be taken up by white men, in my opinion, unless it was very remunerative, and those actually engaged as divers in the industry are well paid. The question which the Government has to decide is whether white men can carry on the work of diving for pearl-shell, and whether they will engage in the industry if we prohibit coloured labour. No doubt the Government have already come to a decision on the question, and if they have decided it wisely a good deal of the difficulty has been overcome. My own opinion is that diving for pearl-shell is not a suitable industry for white men. Although I have had no personal connexion with it, I have been told that white men have unsuccessfully attempted to engage in the work.

Mr. CARR.—It is suggested that a Select Committee should be appointed to ascertain whether or not the work can be carried on by white men.

Sir JOHN FORREST.—Quite so; but I am told that the work of diving makes serious inroads upon the health of those engaged upon it, and that white divers come to the surface bleeding from the ears.

Mr. MATHEWS.—That is also the experience of the black diver.

Sir JOHN FORREST.—He does not feel the strain to the same extent, or, if he does, he does not mind the physical discomfort so much as does the white man. If the white man can do the work, I see no reason why he should not be encouraged to take it up.

Mr. CANN.—I do not think any white man will rush it.

Sir JOHN FORREST.—That is my belief; but if the Ministry think that white men are able, and willing, to do this work,

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their course must be fairly clear. The employment of coloured labour in the pearl-shelling industry does not affect the policy of White Australia, so far as its main aspects are concerned. One of the objections raised to the introduction of coloured aliens is that they enter into competition with the white man, and that their presence here is calculated to affect the purity of our race. We have no desire to see a coloured population in Australia; we prefer, rather, that the Commonwealth should be inhabited by white races. The coloured pearlers, however, do not enter into competition with white men, because white men, apparently, have no desire to take up the work. Another point to be remembered is that these coloured pearlers live, for the most part, on the sea, and come ashore only at rare intervals. They land only during the off season, and remain at one or two centres. Broome, I think, is practically the only centre to which they go in Western Australia. They are kept under close surveillance, they must obtain permits to remain on land, and every man must be accounted for. In these circumstances, therefore, they do not interfere with what is known as the White Australia policy in the same way as do coloured aliens who are allowed to settle on the mainland. It is for that reason that we have been content to allow the carrying on of this industry by coloured labour since the inception of Federation, and also because of the knowledge that if the conditions imposed were too stringent we should run the risk of destroying this valuable industry. I should have expected the Government to adopt some more practical course than the issue of a notice that after a certain date the employment of coloured labour in the industry shall cease. That is a drastic and destructive policy to pursue. I take it that the Government believe that white men can do this work, otherwise they would not have issued this notice; and, that being so, their next step should have been in the direction of proving that their belief is well founded. I should have expected them to say: "We shall not destroy this industry; we will man some boats with white labour, and experiment."

Mr. THOMAS.—That would be Socialism.

Sir JOHN FORREST.—And that is what the Government believe in.

Mr. THOMAS.—The right honorable member would not advocate it?

Sir JOHN FORREST.—The Government have power to adopt such a course, regardless of what my opinions on the subject may be; but I trust that power will not remain with them very long. There would be no difficulty, so far as the Commonwealth is concerned, in making such an experiment. A boat could be manned by some of the members of the Government or their supporters, and they would afterwards be able to tell us of their experiences.

Mr. THOMAS.—Would the right honorable member take charge of such a boat?

Sir JOHN FORREST.—No, I do not believe that the work is suitable for white men, but since honorable members opposite consider that it is, why do they not enter upon the experiment? Let it be clearly understood that I am not advocating such an experiment. I merely suggest that it should be undertaken by the Government since, apparently, they consider that white men can successfully carry on the industry. I do not think that the appointment of a Select Committee of members of Parliament would furnish the best means of inquiring into the industry. In the first place, a member of Parliament would be loth to put his name to a report that the industry could not be carried on by white men, or to advocate that it should be conducted, as at present, by coloured labour. Most honorable members opposite would probably prefer to advocate the abolition of the industry, rather than to support the employment of coloured labour.

Mr. RILEY.—Does not the right honorable member think that it is waste labour in any case to go for pearls?

Sir JOHN FORREST.—I do not. Why should we ask honorable members to report on such matters knowing, as we should, that they would enter upon the work with preconceived ideas in regard to it? Not one honorable member, on the Government side of the House, would be prepared to put his name to a report stating that white labour could not be utilized in this industry.

Mr. FINLAYSON.—Then, it would be equally unwise to appoint a member of the Opposition on such a Commission or Committee.

Sir JOHN FORREST.—I should advocate the prosecution of the inquiry by some person or persons free from political bias.

Mr. FINLAYSON.—Where would such person or persons be obtained?

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Sir JOHN FORREST.—I think we could secure the assistance of business men and medical authorities with experience of what white men can do in this direction.

Mr. THOMAS.—We have just appointed a non-political Commission to inquire into the sugar industry.

Sir JOHN FORREST.—If it would be in order for me to refer to that appointment, I should say that a more biased Commission was never appointed.

Mr. FINLAYSON.—It is absolutely non-political.

Sir JOHN FORREST.—I do not think it is.

Mr. SPEAKER.—Order!

Sir JOHN FORREST.—Men who have preconceived opinions on political questions cannot be described as non-political, and to appoint a Committee or Commission of members of Parliament to inquire into this question would certainly be to appoint men having preconceived ideas with regard to it. What we need to ascertain is the view of fearless experienced men competent to express an opinion, if, indeed, it is necessary for us to obtain any further information on the subject.

Mr. CANN.—Let them try the diving.

Sir JOHN FORREST.—That is a very practical suggestion. I understand that the divers are paid high wages. I cannot agree to the appointment of a Select Committee or Royal Commission consisting of members of Parliament, although I would favour any other proposal that would enable us to obtain expert information. Even if this inquiry were made, I do not think it would materially assist us. We already know a good deal about the industry. I have a knowledge of it extending over thirty years—from the days when the diving was carried on by the natives to the present time, when diving dresses are worn. The drastic action taken by the Government will probably result in the whole of this industry passing into the hands of the people of other countries. The Dutch and the Japanese would be able to go with impunity to our pearling grounds. They could have a depôt-ship, and it would be unnecessary for them to land, except, perhaps, to obtain water and fuel. Indeed, they could bring their own coal and condense water for themselves, but they would probably land for the sake of cheapness, and they have a right to do so under the law of nations. The question is—Are the Government going to destroy this industry altogether? If so, the industry will not be abandoned, but will be prosecuted by the people of other nations, and I see no good that is likely to come to us from that course. These people are not doing us any harm now; they only come in now and again, and they live on the sea, carrying on their vocation where they have a right to, independent of us, so long as they obey the law.

Mr. CANN.—Do they do us any good?

Sir JOHN FORREST.—I think they do. The industry represents a sum of £300,000 a year, and a lot of people live on that. We cannot afford to throw away that sum. While I am not prepared to support the honorable member's motion, I agree with him that the question is very important and difficult. I do not think the Government are dealing with it in a statesmanlike way by decreeing that, after a certain date, no more coloured labour shall come in to work the industry. They will come in whether the Government like it or not, but they will not come in under our laws. We cannot interfere with independent nations working on the sea, and, that being so, I disapprove of the "bull at a gate" policy adopted by the Government. Their idea seems to be, "Do something, never mind what the result may be." At the same time I should not be prepared to agree to a Commission consisting solely of members of Parliament.

Mr. FINLAYSON (Brisbane) [3.43].—I confess that I speak on this question with some diffidence, because my knowledge of the business is comparatively recent, and very limited. This, however, is a suitable opportunity to express some of the opinions I formed during my recent visit with other members of this Parliament to the northern parts of Australia. The original itinerary of the Papuan tour had to be considerably curtailed, but three senators and three members of this House were able to accept the invitation of Judge Murray, the Lieutenant-Governor of Papua, and with him visited Thursday Island. While there we were waited on by a deputation from the Pearl-shell Fishermen's Association. During our short stay of nine or ten hours every facility was given to us to find out as much as we could about the industry.

Mr. CANN.—Were they white men?

Mr. FINLAYSON.—Yes. They were the owners of the boats—the men who control the industry. They told us that they represented about 110 boats engaged in the industry in Torres Straits, and as there are seven men on each boat, they represented 770 men. Each boat carries a diver,

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a tender, and a crew of five. I wish honorable members to understand that I can speak on this matter only as it affects Torres Straits. Some time ago it was reported that the Papuans, who are recruited for the Torres Straits pearl-shelling industry, had been supplied with liquor. The Papuan Government have taken the greatest care, and been most successful, in preventing the Papuans from getting intoxicating liquors.

Mr. SPEAKER.—Order! The honorable member is now going beyond the terms of the motion.

Mr. FINLAYSON.—At present there are about 120 Papuans employed annually in the pearl-shelling industry in Torres Straits, and when the Papuan Government were informed that these men were being supplied with liquor on the boats, and when they went ashore at Thursday Island, inquiries were made, with the result, rightly or wrongly, that an Ordinance was passed, under which the recruiting of Papuans for the industry is to cease at the end of this year. This constitutes a considerable grievance with the pearl shellers of Thursday Island. They absolutely deny that any Papuan was supplied with liquor either on the boats or on shore. They have invited investigation and criticism, and asked for an explanation. When I was at Thursday Island in July last, they felt that they were under a slur or stigma in that regard. The difficulty is increased by the fact that, at the present time, Malays and Papuans nearly equally supply the crews of the vessels, and when the Papuan labour is stopped the pearl shellers are compelled to fall back on the Malays for the crews for the luggers. But when they try to recruit Malays now, the Government of the Netherlands step in and say, "No," the reason given being that the Commonwealth Government have refused to allow the Papuans to be recruited on account of their having been supplied with liquor, and that that is a good and sufficient reason, to their mind, for refusing to allow the coloured population of the Malay Peninsula and islands to be recruited. It will be readily understood that we on this side have very little sympathy with any attempt to make coloured labour an essential part of any industry in Australia. I am prejudiced in favour of the white man being exclusively employed in Australian industries, and am hopeful that the recruiting of Malays will not only be discouraged and prohibited by the Government of the Netherlands, but also that, so far as our power over the territorial waters extends, the recruiting of Papuans for the industry will also be discouraged. I say that for a double reason. Papua needs all the labour it can possibly get for its own development, and the pearl-shelling industry is not at all detrimental to the white man, nor does it offer any serious drawbacks to his continual and regular employment in it. Indeed, one member of the deputation at Thursday Island said he was quite in favour of white divers and tenders, and was prepared to man his boats with them if the other pearl shellers would do the same, but he very properly said that he would be unfairly and unreasonably handicapped if he did it on his own account while others were under no similar obligation. The difficulty, of course, arises in regard to the crew. It is admitted by every one that the Papuans make good crews, that they are successful boatmen, and are quite reliable and capable. It is questionable whether we are not gaining to some extent by allowing the Papuan to be engaged in this industry to the extent of supplying the crews of the boats, but the Ordinance has been passed, and he has to go. What, then, is to be done? The pearl-shelling industry cannot reasonably be allowed to languish. In 1909, according to the *Commonwealth Year-Book*, there were 567 boats engaged in the industry; the value of the boats and equipment was £221,080; the number of men employed was 3,883; the quantity of pearl-shell obtained was 1,770 tons; the value of the shell was £270,256; and the value of pearls obtained was £77,788. The Papuans are paid at the rate of £1 per month wages, and are provided by the owners of the boats with clothing, food, and tobacco.

Mr. CANN.—Is that a trade union rate?

Mr. FINLAYSON.—£1 a month is a very good rate for a Papuan. The ordinary native labourer gets on an average £6 a year in Papua. These men are paid £12 a year, and are provided with clothing, food, and tobacco. They are recruited at Daru, where there is a Government Resident Magistrate, and all wages must be paid to the Papuan at that place in the presence of the Magistrate on his return from his engagement. No deductions are allowed on any consideration, and no excuse for short payment is taken. The divers are mostly Japanese. Their general wage is from £20 to £25 per ton of shell, and the diver gets all the pearls. That

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struck me as very peculiar; but the reason is very obvious. When the diver is down below, he can open the shells and find out if there are any pearls, and, if there are, he may secrete them. For this reason, he gets all the pearls, whether big or little, and the owner of the boat never knows what pearls are found, or their value. I was interested in noticing that, in October, 1909, a pearl found in Torres Straits, weighing 32½ grains, and valued at £1,000, was exhibited in Melbourne. The shell is what the owners do business on; and they pay the divers £20 to £25 a ton, it being worth in London from £82 to £85 a ton. The owners of the boats provide all that is necessary in the way of equipment and material. Some time ago, an effort was made to induce white men to do the diving, and the share system, which was strongly advocated has, I believe, been found very successful. Certain efforts were made to provide thoroughly-equipped boats, which it was thought the divers, out of their earnings, would be able to make their own in a very short time. One of the members of the association informed me that, to thoroughly equip a boat, means about £550; but he further told me that in the previous two years the income from his own boat was £250. It will be seen, therefore, that in a period of four years the divers could pay for the vessels and make them their own under the share system. These facts prove that the industry is a very remunerative one—that those engaged find no difficulty in making it pay. Their real difficulty will be found when they have to do without Papuan and Malayan labour. The industry is not confined to Torres Straits, but, as I have already pointed out, extends right around from Cape York to Shark Bay; indeed, pearl has been found as far south as Moreton Bay. We may say that the workable coast-line for this industry, on a payable basis, is roughly about 2,000 miles; but the inshore grounds have been so continuously and closely worked, that it is now found necessary to go further afield.

Mr. PALMER.—How far do the boats go out now?

Mr. FINLAYSON.—Up to 20 miles out; and the fishing grounds really extend over 100 miles.

Mr. PALMER.—But that is beyond our jurisdiction.

Mr. FINLAYSON.—It is beyond the 3-mile limit, but the Queensland Government annexed a number of islands between Cape York and the coast of Papua, so that our territorial power is not interfered with.

Mr. PALMER.—Is that not rather a peculiar action on the part of the State? Is annexation not a Federal matter?

Mr. FINLAYSON.—The State Government acted so as to secure territorial power, and thus unlimited control is given over that part of Torres Straits.

Mr. PALMER.—I question whether the State had power to do anything of the sort.

Mr. FINLAYSON.—But they did it.

Mr. GREENE.—The Imperial Government did it for them.

Mr. FINLAYSON.—At any rate, it was done. The Queensland territorial rights run to, I think, 3 miles from the coast of Papua, and pearling luggers occasionally make venturesome voyages 100 miles from the coast. This, however, is exceptional, because, during the hurricane season especially, and at all times of the year, to some extent, there is danger so far from land. It was also pointed out that an ordinary diver can go down 15 fathoms without any danger. Naturally, however, as the shell becomes scarcer or smaller, there is always the temptation to go further and deeper. The water fished in so far is from 3 to 15 fathoms, and the latter is reckoned a safe depth for white men. The Japanese hold their lives much cheaper than do ordinary white men, and they often venture into deeper water; hence the danger of bleeding from the ears and nose, and so forth, pictured for us by the right honorable member for Swan.

Sir JOHN FORREST.—What I described does happen.

Mr. FINLAYSON.—That is only because the divers needlessly venture into great depths. By going further around the coast, they might be able to get good fishing ground at reasonable depths; but when they are getting good pearl, they are inclined to stay where they are and take all risks. It has been decided, I think, by the Commonwealth Government, that in three or four years from now alien divers will not be allowed to fish in Commonwealth waters, and there is a hope of getting men from Norway, Sweden, and the northern parts of Europe generally, to take

up the business. This is a policy which will commend itself to the people of Australia, because it means the employment of white people whose interests and mode of life are akin to our own. I warn the Minister of External Affairs, however, that great difficulty will be created before very long, unless care is taken. After the deputation was over, in the desultory conversation that ensued, I found that the members of the Pearl Shellers Association do not intend to make the slightest effort to prepare for the time when the alien must go and the white man take his place; there must be some training, something done to insure that the white man will be ready to step in. The pearl-shellers, however, are living in the hope that the Labour party will not always be in power—that, perhaps, before the time arrives, this party will have left office, and that they will be able to get an extension of time.

Mr. RILEY.—Do they think there will be a "black-labour" party in power?

Mr. FINLAYSON.—They apparently think so.

Mr. RILEY.—Nonsense!

Mr. FINLAYSON.—The pearl-shellers on Thursday Island hope that the white men will not be ready, and that they will be able to come to the Government and say, "Your Ordinance is absolutely useless; the alien diver is gone, and there is no one to take his place, and the industry must go to pieces, because of the stupid White Australia policy." They hope that with this pitiful tale, and doleful prospects, the Government will be induced to extend the term for another year; and there is the further hope that such extensions may go on from year to year, with the result that white men will not be employed at all. There are one or two members of the association who honestly desire to employ white men; and one of them had the courage to say so at the deputation. That gentleman said, "I know I am opposed to my friends in the association in this matter; but, while they know that, so far as I am concerned, I would not have a coloured man on the boats, I am simply tied by the laws in operation, and by the usages of the association."

Sir JOHN FORREST.—Is the name of that gentleman a secret? Will the honorable member give it?

Mr. FINLAYSON.—I will not give the gentleman's name publicly, though I have it amongst the full notes I took at the deputation.

Sir JOHN FORREST.—Was it a public deputation?

Mr. FINLAYSON.—No; it was arranged at the invitation of the Pearl-Shellers Association, who sent a special message asking us to meet them.

Mr. GREENE.—Was there anything confidential about the gentleman's statement?

Mr. FINLAYSON.—So far as I know, there was not.

Mr. GREENE.—Then, surely, there can be no objection to making his name known?

Mr. FINLAYSON.—I do not think it would be fair to the gentleman to do so.

Sir JOHN FORREST.—Why not? He made the statement publicly.

Mr. FINLAYSON.—The gentleman said quite openly, before the other members of the deputation, that he was quite in favour of the Commonwealth regulation whereby aliens would depart, and white men take their place.

Sir JOHN FORREST.—Perhaps he was a new chum!

Mr. FINLAYSON.—I do not think so, because he owns quite a number of boats, and is one of the active members of the association; only he happens to be a man of advanced views.

Sir JOHN FORREST.—He ought to come out in the open, and let us know who he is.

Mr. FINLAYSON.—He is a man who looks on affairs in their proper light, believing in the Labour party, and, above all, in the White Australia policy.

Mr. FENTON.—I thought that the right honorable member for Swan also believed in the White Australia policy!

Mr. FINLAYSON.—So he does—at times. I understand that the Pearl-Shellers Association has made an offer in this connexion, though I am not quite aware of the full particulars. The honorable member for Herbert, in submitting this motion, made some reference to this matter, and I understand that it was proposed that four boats should be provided by the Government as a school for the training of divers and tenders. The expenditure was estimated at something over £2,000, and the Pearl Shellers Association offered to pay half the loss, if any, which was estimated at about £800 for the first year. For that offer I give the association all credit, because I believe that it was sincere. The appointment of a

Royal Commission would enable us to know what should be done for the training of white men, either Australians or immigrants from other parts of the world, to take charge of the industry when the coloured aliens have been got rid of.

Mr. LAIRD SMITH.—Why could not the Minister find that out for himself?

Mr. FINLAYSON.—It would be a good thing for the Minister to make himself acquainted with the industry, and he might do worse than spend a week in a pearl-shelling boat. Something should be done to forestall any intention the pearl-shellers may have in postponing their evil day. They are making a good thing now because their profits are high, and coloured labour is cheap.

Sir JOHN FORREST.—They deserve all that they get.

Mr. FINLAYSON.—Yes; but their profits should enable them to pay wages which would satisfy white men.

Sir JOHN FORREST.—What do they pay their divers?

Mr. FINLAYSON.—From £20 to £25 per ton of shell, and the pearls that are found. The divers get the pearls, because they cannot be kept from them. They open the shells underneath the water.

Sir JOHN FORREST.—The honorable member is speaking about what he does not understand. The shells are brought up, and opened at leisure.

Mr. FINLAYSON.—What I have stated is correct. Those who visited Thursday Island must be interested in it as an outpost of the Commonwealth. It is a sort of feeler for Australia, to warn us of danger from the north. The Defence Department is going to spend thousands of pounds in dismantling the existing fort, which is obsolete, and in the wrong position, because it does not command the trade route, and in constructing a new fort which will give us a proper defence. The island is already connected with telegraph cables, and in addition a wireless installation is to be provided to put us into communication with Papua. But to-day Thursday Island is overrun with coloured aliens. In its streets there are few white persons in comparison with the Chinese, Japanese, Malays, and others, a heterogeneous collection.

Mr. RILEY.—Are there any Scotchmen there?

Mr. FINLAYSON.—What is the saving element of every community has found a lodgment at Thursday Island. If it were otherwise, we might not have held the place so long.

Mr. FENTON.—Thursday Island is not worse than the Northern Territory.

Mr. FINLAYSON.—Let us clean Australia a bit at a time, if we cannot do it all at once. I am not frightened by the Jingo talk about the Japanese designs on Australia. My fear is of China rather than of Japan. But the Japanese in Thursday Island are believed to be engaged in charting all the navigable channels, openings in reefs, shoals, and the like. We should not allow an outpost to be inhabited chiefly by a mixed coloured population. If the 100 pearling boats now working in Torres Straits were each manned by seven white men instead of by seven coloured aliens, we should have, instead of a force which is a danger to us, one which would be a defence and protection. The pearlers, instead of being available as pilots for an enemy, would assist in the defence of Australia. We have more to think about than the mere selling of pearls and shells at a great profit in Great Britain and elsewhere. This country is so good that every man living in it should be willing to defend it; but it cannot be defended properly so long as a vulnerable point is in possession of those who may one day be our enemies. It would greatly increase the security of Australia if, in place of the coloured men who are now finding a living at Thursday Island, we had a white population of 2,000 or 3,000 settled there. No true Australian can desire to have any part of his country occupied by aliens, or any Australian industry conducted by them, if it can be carried on by white men.

Debate (on motion by Mr. GREENE) adjourned.

SUGAR COMMISSION.

Motion (by Mr. W. ELLIOT JOHNSON for Mr. MCWILLIAMS) put—

That Order of the Day No. 2 (General Business) be postponed until Thursday, 2nd November.

The House divided.

Ayes	...	...	12
Noes	...	...	25
Majority	...	...	13

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Deakin, A.	Ayes.	Quick, Sir John
Edwards, R.		Ryrie, G. de L.
Fairbairn, G.		Sinclair, H.
Forrest, Sir John		
Fowler, J. M.		*Tellers:*
Glynn, P. McM.		Johnson, W. Elliot
Greene, W. M.		McWilliams, W. J.
Archibald, W. O.	Noes.	O'Malley, King
Bamford, F. W.		Ozanne, A. T.
Cann, G.		Poynton, A.
Carr, E. S.		Riley, E.
Chanter, J. M.		Roberts, E. A.
Finlayson, W. F.		Scullin, J. H.
Fisher, A.		Smith, Laird
Foster, Frank		Thomas, J.
Frazer, C. E.		Tudor, F. G.
Higgs, W. G.		West, J. E.
Johnson, W. J.		*Tellers:*
Mathews, J.		Jensen, J. A.
Moloney, Parker		Page, J.
Cook, Joseph	Pairs.	Watkins, D.
Kelly, W. H.		Fenton, J. E.
Foster, Richard		Catts, J. H.
Wynne, Agar		Hughes, W. M.
Livingston, J.		Anstey, F.
Irvine, Hans		Brennan, F.
Groom, L. E.		Spence, W. G.
Hedges, W. N.		Maloney, Dr.
Smith, Bruce		Mahon, H.
Palmer, A. C.		Howe, R.
Best, Sir Robert		Hall, D. R.
Irvine, W. H.		Charlton, M.
Thomson, John		McDougall, J. K.

Question so resolved in the negative.

Notices of motion called on under Sessional Order.

PENSIONS: DEFENCE FORCES.

Mr. MATHEWS (Melbourne Ports) [4.32].—I move—

That, in the opinion of this House, legislation should be introduced to provide a system of pensions to the members of the Defence Forces, and that the resolution be communicated to the Senate, with a request for its concurrence.

I may say at once that this is not a party question, and that the present Administration, as well as all previous Governments, from the inception of Federation, have felt that something in the direction proposed by me is really necessary. The sole objection raised hitherto to the introduction of this system has been one as to ways and means, and I dare say that that will be the only objection offered to-day. I do not think, however, that the difficulty is insurmountable. If we were always to consider whether we could afford to give men their due rights, I am afraid that very few men would receive that to which they were entitled. I take it that what has actuated previous Administrations will possibly influence the present Government in dealing with this matter; but, since Australia has determined to adopt a larger and more extensive scheme of defence than we have ever had before, we ought to recognise that adequate provision should be made for those to whom we look to defend our country. Whilst we claim to be an advanced and democratic nation, I think we are the only civilized country that has failed to make provision for the payment of pensions to members of its Defence Forces. As a people, we cannot allow that state of affairs to continue much longer. The Government have announced that they are considering this matter; but the knowledge that the House held that the time was ripe for action would probably act as an incentive, and cause them to set about making immediate preparations for giving effect to this proposal. I hold the view that pensions should be made payable to the officers, warrant officers and men of the Naval and Military Forces, and that this system should apply both to the Militia and the Permanent Forces. Some people think that the pension system should relate only to the Permanent Forces; but that would be a very small proposal, having regard to the defence possibilities of the very near future. I would warn the Government to profit by the example of the United States of America, which, owing to the belated introduction of a system of defence pensions, finds itself to-day in a most peculiar position. America, as we know, was hurried into a civil war which cost the nation thousands of lives and millions of money, and resulted in thousands of its citizens being maimed for life. No preparation whatever had been made for such a contingency, and the Government suddenly found themselves forced to provide for many individuals who, as the result of the war casualties, were unable to provide for themselves. A pension scheme had consequently to be hurriedly devised. Owing to this unpreparedness on the part of the Government, the United States of America during the last forty-five years has spent nearly £200,000,000 by way of defence pensions, and has never had any certainty that the persons receiving pensions were in every case incapacitated from earning a living owing to participation in the war. I believe that it has now been practically determined that a pension shall be paid to every man who took part in the American Civil War, and we can well understand what enormous dimensions such a system will assume. The scheme so hurriedly de-

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vised by the Government of the United States provided for the payment of joint pensions to the men and their wives, so that a war pensioner, when eighty years of age, or at the point of death, could marry a girl of, perhaps, seventeen or eighteen, and pass on to her for life the benefit of the system. The whole system is far more expensive than it would have been had it been carefully provided for in the early days. In these circumstances, I think it will be recognised that it is highly desirable that the Government should seriously consider the institution of a defence pensions system at an early date. They have already made certain provisions in this regard. Two leading British naval and military authorities visited Australia some time ago at the invitation of the Government to report upon the naval and military defence of Australia. One of these, Lord Kitchener, in his report, recommends the payment of pensions to officers only. I am rather surprised that, so far as I can see in his report, he makes no provision for the payment of pensions to the men.

Mr. JOSEPH COOK.—Did not Lord Kitchener recommend a system of deferred payments?

Mr. MATHEWS. — Speaking from memory, I believe he recommended the payment of pensions. Admiral Henderson, in his report, puts forward an idea which, up to a certain point, we might accept. He says—

> The rates of emoluments for officers and men should be calculated on the following bases :—
>
> (*a*) The rates paid in the Mother Navy.
>
> (*b*) The higher rates of wages paid in Australia to those employed in civil occupations than in the United Kingdom.
>
> (*c*) The higher cost of living in Australia than in the United Kingdom.
>
> A system of pensions or annuities is essential to an efficient Naval Service. It is necessary that Naval officers and the higher ratings among the men should be able to regard their Naval employment as a professional career, and so devote their whole energies and intelligence to the Naval Service; this necessity cannot be insured unless such officers and men have an assured competence, modest though it may be, for life. It is also necessary to efficiency that the Government should feel able to dispense with the active service of officers who may have rendered good service, but who are not considered fitted for advancement and yet have reached an age which renders them unsuitable for service in a junior rank; the retention in active service of officers for a considerable time after they have been passed over for promotion is detrimental to the Navy, and does not make for either efficiency or economy. When no pension system is in force, the hardship of dispensing with the services of such officers and putting them out of employment without pay falls too heavily upon them. This would result inevitably in their being retained in appointments for which they were unfitted, and, moreover, would cause such appointments to be closed to more suitable younger officers.

He very rightly recommends that, in fixing pension or pay we should take as a basis the difference between the rates paid to civilians in England and Australia. If the civilian in Australia receives higher pay and has better conditions that the civilian in the Older Country, necessarily the members of our Defence Forces, being also citizens of Australia, should be paid in proportion. We make provision in Australia now for paying certain amounts to those who are injured on service; and the same thing obtains with the territorials in the Old Country. I believe that in Australia the payment is based on three years' service; but I do not see why a man who has been maimed for life through carrying out his defence duties should get only a certain small payment. If any man is deprived of the means of earning his livelihood, whether he is in the Naval or Military Forces, and whether he is a permanent man or in the militia, we should make provision for him to live in a civilized manner. The justice of their claim is not debatable. It is simply a question of when the time will arrive for giving effect to it. But the big difficulty is this: For many years, we maintained that we were not a military nation. In a sense, to-day we are not a military nation. Our standing army is small, and we are endeavouring to make up for it by a Citizen Force. We have, however, come to the conclusion that we must take our stand, from a military and naval stand-point, with the rest of the Empire, and do our share in its defence. We ought, therefore, to recognise that we must pay for defence, and pay those who take part in it.

Mr. JOSEPH COOK.—Lord Kitchener recommended compulsory deductions of pay, but not pensions.

Mr. MATHEWS.—But only for officers. I admit that I made a mistake in saying that Lord Kitchener recommended pensions. I am in favour of pensions, and not of deferred pay. I should not be so foolish as to say I would not accept a system of deferred pay if it were offered, but there are many arguments against it. I am surprised that Lord Kitchener did not touch the

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case of the men in his report; but perhaps he recognised that the men's pay was so small that it would be impossible to deduct anything from it. We take our men for the Permanent Force in the full vigour of their mental and physical capacity. We take only the best, and we take them when they are young, and when, perhaps, they have not had an opportunity of being trained in any other occupation. We say that when they reach an age at which they are unfit to be in the fighting line we will retire them, and throw them upon the world without making any provision for them to earn a living. That system is cruel and hard on the individual, and on those dependent on him. It tends, also, to create a class of men who, having been thrown upon the industrial market, will be a menace to those already there. They will be incompetent from an industrial stand-point, having been trained only in the art of war, and there will be a tendency for them to take positions, if they can get them, at lower than the ruling rates of wages. Officers in the Australian Navy are compulsorily retired at the following ages:—Captain and engineer-captain, 55; commander and engineer-commander, 50; lieutenant and engineer-lieutenant, 45; sub-lieutenant and engineer sub-lieutenant, 40; paymaster-in-chief, fleet paymaster, staff paymaster, or paymaster, 60; assistant paymaster, 40; commissioned and other warrant officers, 55; chief petty officers and petty officers, 55; other ratings, 50. In the Military Forces recently, several officers were thrown on the world at the age of fifty-eight without a pension. The following are the retiring ages for the Military Forces:—Major-general, 62; colonel, 58; lieutenant-colonel, 55; major, 55; captain, 50; lieutenant, 48; officers of the Australian Army Medical Corps Reserve, 60; quartermaster and bandmaster holding commissions, 60; military staff clerks, warrant officers, armament artificers, assistant armament artificers, and other Ordnance Department artificers, and non-commissioned officers, 60; men, 55. The whole of these men, who have devoted their lives to the profession of arms, are thrown out on the ground that they are not fit to be in the firing line. After spending hundreds of thousands of pounds on their training, we say to them, "We have paid you only small wages, in most cases, during the whole of your term, and now you can go and do what you like; we do not care."

Mr. LAIRD SMITH.—Are not those men placed on the Reserve List?

Mr. MATHEWS.—They get no pay; up to the present they have been simply told to go. Who can pretend that a man at the age of fifty or fifty-five, who has been earning a decent wage, can save enough to retire on? We know very well that very few are able to do so. I now desire to draw a comparison between what is done in Australia, and what is done in the conservative old Motherland. No honorable member will, I think, charge the British Government with paying their soldiers too much either in the way of wages or pensions; and yet we find that there is really no great difference between the rates there and the rates here, as the following table will show—

Rank.	Imperial Service Pay and Pension.	Commonwealth Pay.	Increase.
	s. d.	*s. d.*	
Warrant Officers—			
Sergeant-Major, Engineers	11 2	13 0	16 per cent.
Sergeant-Major, Armament Artificers	12 2	13 0	7 ,,
Master Gunner—1st Class	11 2	13 0	16 ,,
N.C.O.'s and Men—			
Master Gunner—3rd Class	8 11	10 9	20 ,,
Regimental Quartermaster-Sergeant	8 7	11 0	28 ,,
Regimental Quartermaster-Sergeant Armament Artificer	10 5	11 0	5 ,,
Staff Sergeant-Major	9 5	10 0	6 ,,
Company Sergeant-Major	6 0	6 3	4½ ,,
Sergeant	5 0	5 6	10 ,,
Corporal	4 0	4 6	13 ,,
Bombadier	3 9	4 3	14 ,,
Gunner	2 5	4 0	66 ,,

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We know, of course, that the gunner is, and the lowest in the ranks of the British Army are, paid at abominably low rates, and it will be observed that the percentage increase in this connexion is considerable. It is generally accepted, I believe, that our artisans, and workers in almost every walk of life, are paid 80 per cent. higher wages than in the Old Country; but the figures I have quoted show that we have in no degree paid sufficient in Australia to compensate for the absence of pensions. The following is the scale of pay which would be due to the soldier in the Commonwealth if a minimum increase of 80 per cent. was given over the rates in the British service—

Rank.	Imperial Service Pay and Pension combined.	Commonwealth Service.	Balance over First Pay of Commonwealth Service.
	s. d.	s. d.	s. d.
Warrant Officers—			
Sergeant-Major, Engineers	11 2 plus 80 per cent. ..	20 1	7 1
Sergeant-Major, Armament Artificers ..	12 2 „ „ ..	21 10	8 10
Master Gunner—1st Class	11 2 „ „ ..	20 1	7 1
N.C.O.'s and Men—			
Master Gunner—3rd Class	8 11 „ „ ..	16 0	5 3
Regimental Quartermaster-Sergeant ..	8 7 „ „ ..	15 5	4 9
Regimental Quartermaster-Sergeant, Armament Artificer	10 5 „ „ ..	18 9	7 9
Staff Sergeant-Major	9 5 „ „ ..	16 11	6 11
Company Sergeant-Major	6 0 „ „ ..	10 9	4 6
Sergeant	5 0 „ „ ..	9 0	3 6
Corporal	4 0 „ „ ..	7 2	2 8
Bombadier	3 9 „ „ ..	6 9	2 6
Gunner	2 5 „ „ ..	4 4	0 4

I have already referred to the low pay of the gunner, and I have only to point out that the higher sum paid in Australia was not due to any desire to give better wages, but simply because, otherwise, we should not have got the men. No one can contend, in the face of these facts, that there is no need for defence pensions in this country, on the ground that the wages are high enough to enable the men to provide for an annuity of some sort. With the knowledge that several members on both sides of the House desire to address themselves to the question, and that I should like to see a decision come to this afternoon, I shall not further prolong my remarks. I have no desire to harass the Government in submitting this motion: indeed, I should rather think they would welcome a vote of the Chamber. I point out once more that we are the only civilized country which does not pay pensions of this sort, and that it is unfair to throw men on the world at so early an age, handicapped as they are by their previous training; and I submit that, under all the circumstances, the Government ought to receive the proposal in no antagonistic spirit, but proceed to make some provision for the members of our Defence Forces

Mr. OZANNE (Corio) [5.3].—I have great pleasure in seconding the motion, which the honorable member for Melbourne Ports is more than justified in submitting. For many years, I know, the consensus of opinion has been rather in favour of abolishing pensions; but that was brought about by the fact that members of the Public Service, who were paid a living wage, with sick benefits and annual leave, were, at the termination of their services, granted fat pensions by a generous Government. Naturally, the general public, who are not insured permanent employment, and do not enjoy any of the privileges conferred on public servants, claimed that they were entitled to consideration. In the case of the Defence Forces, however, the aspect is entirely different. The men so employed have no feather-bed jobs, as I know from personal experience of some six or seven years. The occupation they follow is dangerous; and the records show several cases, particularly in the artillery, where men have been permanently incapacitated or killed, without any provision being made for them, or their dependents. They have had to rely on the generosity of the Government of the day; and sometimes the Government, in their wisdom, have not been

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so generous as one would like under the circumstances. In selecting men for the Defence Forces, we do not pick the "weeds," but men physically capable of heavy work. We all know that it requires a very able-bodied man to work the guns of the artillery; and, further, if we are to have the best service, it is necessary to have men of some mental capacity. As a matriculated man, who has gone through the examination papers of those desirous to rise in the service, I know that they display knowledge far above what is required in the sixth-class standard of our State schools. If honorable members would only read some of the mathematical questions presented at these examinations, they would be astounded at the intricacy of the work. All the while, these men are asked to accept what I term a sweating wage, although the Government, in this respect, ought to set an example. Past Governments have failed to recognise the value of the services rendered, but it is essential that we, as a Labour Government, should repair the omission. For many years a gunner here was asked to accept 2s. 6d. per day and his keep, and, although I had some idea of remaining in the Forces, I did not do so when I found out what the prospects were. Last session I had the honour of approaching the Minister of Defence, and also Colonel Wallack, in reference to an increase in the remuneration.

Mr. PAGE.—There was not much patriotism about the honorable member! He went in for the "boodle"!

Mr. OZANNE.—My patriotism is of the sort that I worked for practically nothing in the artillery. It is unjust to ask a man to give the best part of his life to his country for what is equivalent to about 3s. a day. The sooner we wipe that kind of patriotism off the slate the better.

Mr. PAGE.—I gave my services as a soldier for a "bob" a day.

Mr. OZANNE.—Of course, we do not desire to repeat the experience of the United States in the matter of pensions. At the conclusion of the Civil War, a generous people, who were sick of conflict, had not the heart to refuse the claims that poured in. There was no statutory legislation as a guide, and every claim was recognised. The honorable member for Melbourne Ports told us of the case of the old United States soldier of eighty years of age, who married a young woman, and how his pension would be continued until the death of the latter. With such cases as these we find that, while in 1861 the total pensions paid in the United States was £200,000, the amount had increased in 1865 to £1,700,000; in 1875 to £5,900,000, in 1885 to £13,100,000, in 1895 to £30,000,000, and in 1905 to £34,000,000. Thus we see that the further we get from the time of the war, the larger the total amount of the pensions. From my brief experience of public life, I feel confident that in the case of war in Australia, no member of this House would have the heart to refuse claims for pensions; at any rate I know that I should not be able to do so. It is absolutely essential that there should be some legislation to guide us. Last year I made several comparisons of artisans' wages here and in Great Britain, showing that, on the average, our artisans receive from 80 to 120 per cent. more than artisans similarly engaged in Great Britain. But, as the honorable member for Melbourne Ports has shown, our soldiers receive much less than 80 per cent. more than British soldiers. For instance, a sergeant-major of engineers in the Imperial service, taking into consideration the value of his pension, gets 11s. 2d., but in the Commonwealth Forces only 13s., including all allowances—a difference of only 16 per cent. in favour of the Commonwealth officer. In the Imperial service a sergeant-major of armament artificers gets 12s. 2d., and here he gets 13s., or only 7 per cent. more; a first class master gunner 11s. 2d., as against 13s., or only 16 per cent. more; a third class master gunner 8s. 11d., as against 10s. 9d., or only 20 per cent. more. A regimental quartermaster-sergeant occupies a very onerous position. Not only must he know all about drill and guns, but he must also possess a good education. Yet, in the Imperial service, such an officer receives only 8s. 7d., and here 11s., or only 28 per cent. more. A regimental quartermaster-sergeant of armament artificers receives 10s. 5d. in the Imperial service, and 11s. in our service, or only 5 per cent. more; a staff sergeant-major receives in the Imperial service 9s. 5d., and here 10s., or only 6 per cent. more. The rates for a company sergeant-major are 6s. in the Imperial Army, and 6s. 3d. here, or only 4¼ per cent. more; for a sergeant 5s., as against 5s. 6d., or only 10 per cent. more; for a corporal 4s., as against 4s. 6d., or only 13 per cent. more; for a bombardier 3s. 9d., as against 4s. 3d., or 14 per cent. more; and for a gunner 2s. 5d., as against 4s., or 66 per cent. more. When this Government came into power, the pay of a

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gunner was equivalent to only 3s. a day; but, under a Labour Administration, the gunners have obtained a slight increase, though not as much as they deserve. Furthermore, under the old regulations, only 10 per cent. of the married men were allowed to go on the strength of a regiment. Sergeants had to keep their wives and families on 5s. 6d. a day, and gunners were still worse off. But last session the Minister of Defence allowed all married men to go on the strength. That is what has been done by the party which is accused of desiring to break up the home tie. I hope that more will be done in the same direction. If we made the pay of our officers and men 80 per cent. more than that of the Imperial Army, a warrant sergeant-major of engineers would receive 20s. 1d., an increase of 7s. 1d.; a sergeant-major 21s. 10d., an increase of 8s. 10d.; a first class master-gunner, 20s. 1d., an increase of 7s. 1d., and so on; the increase to a gunner being only 4d. These increases amount to something over £1,000 a year for eleven men. A sergeant-major of engineers who, if these increases were given, would receive 20s. 1d. a day, performs work of a highly technical character, equal to that of engineers on board steamers, who get about £25 a month and their keep; whereas, at present, the officers to whom I refer get only £16 a month, without keep. Sergeants, if the suggested increase were given, would receive only 9s. per day, while ordinary labourers get 8s., 9s., and even more, a day. Yet sergeants are in charge of detachments, and, on occasions, of groups of guns. Outside the army those in charge of men are called gangers, and receive 9s., 10s., and even up to 12s. a day. The men in our Military Forces give more than value for the pittances they receive, and should be paid, at least, as much as men doing similar work outside the army. A gunner would get only 4s. 4d. a day at the higher rate, but his status is surely as good as that of an ordinary labourer. I trust that the Government will recognise that these men are physically and mentally capable, and should be paid wages commensurate with their ability and duties. I understand that the Minister favours a deferred-payment system, but, if such a system were adopted, what would become of the old soldiers who are about to retire after the faithful discharge of their duties? Their services are as well worthy of recognition as are those of the men now doing duty. The deferred-payment system might do great injustice to men who joined the service long ago, when conditions were not so favorable as they are now. As for a superannuation scheme, it is recognised that the cost of administration is greater than with any other scheme. The Government should do the best they can for these men, at a minimum expense, and should not adopt a superannuation scheme with premiums higher than would be charged under a deferred-payment system or a pension system. The honorable member for Melbourne Ports has pointed out that the various Governments throughout the world provide pensions for their soldiers. I have spoken of the British pension system; let me now deal with that of Canada. I find, on referring to the Act of 1901, that no deduction for pensions is made from the pay of the rank and file or non-commissioned officers, but there is a deduction of 5 per cent. from the pay of officers. After fifteen years' service, a pension is given at the rate of one-fiftieth of £100 for each year of service, or £30 a year; at the end of sixteen years, the pension is £32; at the end of twenty-six years, £52; and at the end of twenty-nine years, £68, which is the maximum. The police pensions in Victoria ceased in 1902, but there is a strong desire for the re-establishment of the pension system. The ordinary civil servants do their work without risk, but the police and military are engaged in dangerous occupations. I was very pleased when the Minister of Defence last session gave permission to the members of the Military Board to meet and discuss a scheme such as would be acceptable to the whole service. That was the first time in the history of responsible government in Australia, so far as I am aware, that such a privilege had been conceded to the Military Forces. The men met, and subsequently placed before the Minister of Defence certain resolutions. The position was carefully explained to him, and the Minister, in reply, said that—

> He had recognised for some considerable time that the pay of the service was unsatisfactory, and that he proposed making some provision in the next year's Estimates. He expressed grave doubts as to whether a pension scheme would be acceptable to members of the present Parliament—

I trust that the Minister's fears are groundless, and that the Opposition will awaken to a sense of their neglected duties, and strongly support this motion.

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Mr. JOSEPH COOK.—Does not the honorable member think that he had better stop dragging in this partyism? The men behind him will not thank him for doing so.

Mr. OZANNE.—The honorable member had an opportunity to take action when in office, but he failed. The Minister of Defence went on to say that—

He had discussed a deferred-pay system with Colonel Wallack, which, he thought, would meet the requirements of the deputation. He promised to favorably consider the requests made, and that he would bring the pension proposal before the Cabinet.

I hope that he has done so, and that the Government will submit this session a measure to give these men justice. I ask only for justice on their behalf, and feel very strongly that they are entitled to it at our hands. After this deputation had waited on the Minister of Defence, a Defence Bill was introduced, and it contained the following clause—

Funds may be established in such manner and subject to such provisions as are prescribed for providing for the payment of annuities or gratuities to members of the Defence Force permanently injured in the performance of their duties, and for the payment of annuities or gratuities to members of the Permanent Forces who are retired on account of age or infirmity.

That shows that the Minister recognised that these men were making a just claim, and the House, in passing that provision, unanimously indorsed the view that something was due to them. Later on a deputation waited on the Acting Minister of Defence, Senator McGregor, who, in the course of his reply, said that—

He was pleased to have met the men and heard their position. He knew that a great many difficulties existed as to the pay and other working conditions of the soldiers, but it must be remembered that all these had come down to the present Government as legacies from past Administrations, and it had been impossible to put everything right during the few months they had been in power.

The Government have rectified certain wrongs, but they have still a long way to go, and I hope that they will remedy this wrong during the present session. The Acting Minister of Defence continued—

The men might rest assured, however, that early consideration would be given to their representations, both respecting increased pay and future provision for the retired soldiers of Australia.

On that statement I base my remarks today. I hold that I am quite justified in urging that pensions should be granted to these men, and also that the should be made equivalent to those ruling outside the service. The Minister continued—

To begin radical changes right away would upset the calculations as to the cost of Military Forces, and the public was naturally anxious to keep in touch with the advancing cost.

I am satisfied that the public, whilst demanding at our hands the recognition of its own rights, is quite prepared to recognise the rights of these men. We have passed legislation providing that private employers shall not sweat their men—that they shall give them reasonable rates of pay and fair working hours, and we ought to set an example to them. We should set our own house in order before appealing to others to do so. Senator McGregor went on to say—

He hoped that some system similar to that introduced for the Naval Forces would soon be possible for the soldiers. But that would scarcely meet the case of those who had done faithful service for thirty years, because if they came under a deferred-pay system they would get very little out of it.

He recognised that the deferred-pay system was not a fair one to apply to the Military Forces. Its application to the Navy, which is as yet in its infancy, will hurt no one; but if it were applied to the Permanent Military Forces, it would injure many who have given years of faithful service to their country—

A man who had given thirty years to the Military Service would find the world very hard when he was suddenly launched on it without money. The Minister was making inquiries into the European systems, and would see how the difficulty could be surmounted. Ministers had been considering how they could evolve some scheme satisfactory to the men and public. As to the request for a Board of Inquiry, that would be put before the Cabinet at once.

We know that the Minister of Defence is anxious to deal fairly with these men, and I am confident that that is the desire of honorable members generally; but whenever a proposal of this kind is brought before the House, we are met at once with the cry that the state of the finances is against its adoption. If we are always going to legislate on those lines, then we must justify the cry of the manufacturer, who, when asked to pay certain wages, says that his industry will not permit of their payment. If a private manufacturer is not justified in advancing such an argument in support of the payment of sweating wages, are we justified in urging that the people of Australia will not be able to bear the additional expense that such a system as this would involve? Every individual in the

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community is worthy of his hire. These men are asked to defend the wealth of Australia, and why should that wealth not pay them? As those who have been in the service know full well, they have to fill very difficult positions. There are other honorable members, in addition to the honorable member for Melbourne Ports and myself, who have been behind the guns, and who know the danger of the work, as well as the sacrifices made by the men. They are practically the first line of our land defences, and yet some apparently consider that they are not worthy of receiving what, after all, is only a reasonable rate of pay. I trust that the Minister will act, and that the good work commenced by him last session will be carried on. Notwithstanding that the adoption of this scheme will mean increased expenditure, I think that every taxpayer in Australia is anxious that our Defence Forces should receive that which is fair and right.

Mr. RYRIE (North Sydney) [5.34].—I have much pleasure in supporting this motion, which should command the sympathy of both sides of the House. I do not propose, however, to discuss it at any length, and I regret that the honorable member who has just resumed his seat should have seen fit to make such a long speech, because I take it that there are others who wish, within the limited time at our disposal, to deal with it. As the honorable member for Melbourne Ports pointed out, Australia is the only nation possessing anything in the shape of an army that has not adopted some form of pension scheme for its Defence Forces. It is a disgrace to us, as Australians, that no pension system has as yet been instituted in respect of a body of men to whom we have to look in the hour of danger for our very safety. It is absolutely essential that whatever force we have in Australia should be an efficient one. More especially is this necessary in the case of our Permanent Forces, and the only way to secure efficiency is to offer such encouragement as will induce the best class of young men to enter the service. Unless we do so, we can hope to obtain only second-class material. Another factor for efficiency is long service; but, at present, there is no encouragement for long service. A considerable wastage goes on. Of those who join our Permanent Forces, 40 per cent. retire at the end of their first term. That is not a desirable state of things. Almost all civil public servants in the employ of the Commonwealth and the States have some pension rights, and we should, at least, concede to those in the military service the rights that are enjoyed by the men engaged in our Public Service.

Mr. AUSTIN CHAPMAN.—What about pensions for members of Parliament?

Mr. RYRIE.—We shall be looking to that later on. The least we can do is to evolve some scheme of pensions for our Defence Forces. I may say at once that I am averse to any system of deferred pay. The honorable member who has submitted this motion said that he preferred a pension scheme, but that if he could not secure one he would have to be satisfied with some system of deferred pay. If a system of deferred pay is to be introduced, then the rates of pay must be increased. Men could not maintain themselves and their families decently on the rates of pay at present ruling, and, at the same time, make a contribution out of their allowances to a deferred-pay system. We must, therefore, have a pension scheme, and I should be inclined to vote against a system of deferred pay unless the present rates of pay were increased. I earnestly hope that the Government will give serious consideration to the proposal, and determine to introduce a pension scheme. The Minister representing the Minister of Defence, last Thursday, in replying to a motion that I had submitted with regard to the pay of warrant officers and men of the Military Forces, emphasized the point that a rise of 40 per cent. had been granted by the present Administration to the members of the Military Forces. That increase, however, was given because it was found that recruits could not be obtained for the Permanent Forces. The recruits' pay was accordingly raised from 2s. 6d. to 3s. 6d., but as this was higher than the next in rank, the bombardier, was receiving, it was found necessary to increase the bombardier's rate of pay also. Consequently, the pay of each rank had to be raised, but the increase was less each time, and it stopped altogether when it reached the staff-sergeant. There are non-commissioned and warrant officers receiving to-day the same pay that they received ten and fifteen years ago. That is particularly the case in regard to the more senior among them. Men in the service, who have gone through the mill, and passed strict examinations, having proved themselves experts, should receive an adequate increase in their remuneration, or, at all events, should

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receive an increase in proportion to that given to the recruit. The latest Wages Board decision in New South Wales gave the leading hand in the butchering business a rate of £3 17s. 6d. per week. That is more than the pay of a great many senior non-commissioned officers and warrant officers in the Military Forces. Let honorable members compare the employments. The butchers' leading hand may be a man of twenty-five years of age, but very few warrant officers will be found under forty years of age. If the leading hand in a butcher's shop were discharged, he could easily find employment, but if the unfortunate man in the Military Service got into disgrace, and were discharged, although his crime might not be more serious than that for which the butcher's leading hand was dismissed, he would find it absolutely impossible to get into any other employment. His business is soldiering, and of that the Government have a monopoly, so that he could not get work in his line from anybody else. He would find himself most likely, a middle-aged man, cast upon the world, perhaps without a shilling in his pocket. If he was a married man with a family, he would not have been able to save any money on the pay he had been receiving in the Military Service. He would be cast upon the world absolutely penniless, and without a pension. That should not be so. There is no encouragement for men to enter the service if they have to face those conditions. It is disgraceful that we should subject these men to such a position. If the eyesight of the leading hand in a butcher's shop was a little affected, he would still be able to remain in the shop, but all non-commissioned officers have to be examined every three years by the doctor, and if a defect is found, even in one eye, the man must lose his job. What a prospect for him! What is a warrant officer fit for after he has been in the service from his youth? He is absolutely unfitted to make a commencement in any other occupation of life. We should give these men something to look forward to. It is absolutely essential for the efficiency of the Forces to establish a system of pensions, and it is most important that we should give that encouragement now, because we are about to make an endeavour to create a great army in Australia. If we do not encourage the best material to join as a nucleus for this great Force, the whole project will absolutely fail. The billet of a non-commissioned officer is no sinecure, and it is not every man that can attain to the senior grades. To do so, he must be possessed of considerable ability, and go through many years of laborious toil and study. Let me read some of the questions in the general examination paper set for the master gunner's course—

1. What information should be found in Appendix "B" of Memorandum of Examination of Ordnance, and how should it be compiled? 2. Enumerate the instructions for wetting powder-filled service shell before they can be used at practice. 3. Describe the procedure when requisitioning for expense stores. 6. An accumulator giving 4 volts (No. I.R.) is in series with three resistances in parallel of 5, 10, and 15 w., respectively. What current will flow through each resistance and what is the total current? 7. Give a description aided by a sketch of the volt-ammeter. 8. Describe by the aid of a sketch the 7½-ton Mark II. General Service Lifting Jack.

I do not think any member of the House would like to have to answer those questions. Another paper set in the School of Gunnery, at South Head, for the master-gunner's course, contained the following—

It is desired to instal an alarm circuit from the Look-out stations of four (4) anti-torpedo boat batteries, so that the look-out at any one of these stations can ring the four (4) alarm gongs simultaneously. The gong has a resistance of 100 ohms and requires .05 amperes to ring it. The total distance between the four batteries is 1,000 yards. The only stores for line and battery are 2,000 yards of insulated wire whose resistance is .02 ohms per yard, and a number of small LeClanche cells (1.4; .2). How many of these cells would you require for the purpose? The gongs are connected up in parallel.

That is a very difficult question. I do not know how honorable members would answer it if it were set to them, but it shows that the position of a non-commissioned officer is not very easily attainable. If men in other avocations, such as a man in a butcher's shop, can receive £3 17s. 6d. per week by the award of a Wages Board, surely these men, who have to go through so much study and pass such examinations, after doing a great deal of hard manual toil, should be better paid than they are. These non-commissioned officers are never idle wherever they are, and none of them can get on in the service unless he does a great deal of night study. A case of which I have personal knowledge is that of a staff regimental sergeant-major. I happen to know definitely that he did not receive the increase of 40 per cent., about which the Minister representing the Minister of Defence spoke last Thursday. He got two

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increases recently—the first at the rate of ½d. a week, or 2s. 6d. a year, and the next at the rate of 4d. a week, or 17s. 6d. a year. This man, who was receiving £156 ten years ago, is receiving £156 in pay today. He has had a great deal of reduction in his allowances, he is from £2 10s. to £3 a month worse off than he was ten years ago, and he has a wife and family to keep. He pays £30 a year for the rent of a house over and above what he may be allowed for that purpose. He has insured his life, and the contents of the house against fire, at a cost of £12 10s. a year. Fuel costs him £9, light £3, clubs £1, his church £1 10s., and his uniform £9. These items make up £66 a year, leaving him £90 a year upon which to keep a family. These men are sweated in a most scandalous way, but they are supposed to keep a wife and family on those rates, and have no pension at the end of their service. If a man knew that he would not be cast on the world penniless at the end of his term, he could put up with it, but under present conditions he knows that he must go out at a certain age, without a pension, and utterly unfitted to take up any other vocation. In fact he is cast out helpless and hopeless, without a penny in his pocket. I have pleasure in supporting the motion, but I wish the mover had been more definite on the question of pensions, as opposed to a deferred-pay system. I hope the House will not give the latter system any support. The pay at present received by these military men will not allow of any deductions being made for such a purpose. I trust that the House will extend to this motion the treatment it deserves, and carry it on the voices.

Mr. FENTON (Maribyrnong) [5.55].—I intend to support the motion, but not to speak at any great length, because facts and figures, worthy of earnest consideration, have been laid before the House by honorable members with actual experience or who are well-informed on the subject. We are entering on a large defence scheme, and it is essential that we should consider what is to become, not only of the men who enter the service now, but of those who have served us faithfully and well in the past. There are quite a number of men who have won positions as officers and in the ranks—men of large practical experience who have proved their fitness by examination and otherwise—and they are entitled to consideration at our hands. Various Ministers of Defence and Governments have been approached in this connexion by the men, or by members of Parliament on their behalf; and on many occasions the House has discussed the matter. Senator McGregor, when Acting Minister of Defence, received a deputation from the Military Forces, and, after hearing their views, gave them an exceptionally favorable reply. Of course, Senator McGregor could not speak definitely, because he, in turn, had to submit the proposals to the Cabinet, which, up to the present, has been exceptionally busy, and has not intimated whether it is the intention to support the scheme suggested. The Central Pensions Committee of the Forces, who have the matter in hand, arranged the deputation, and Senator McGregor's reply to them is thus reported—

> He knew that a great many difficulties existed as to the pay and other working conditions of the soldiers, but it must be remembered that all these had come down to the present Government as legacies from past Administrations—

That is true; but it seems to me that this Government are engaged in a campaign, not to keep down wages, but to insure fair remuneration, whether in the Defence Forces or outside. In any case, the fact that this is a legacy is no justification for maintaining the position of previous Governments. I trust that the reforming days of the present Government are not over, but that, if possible, increased pay will be granted in the Forces, or some provision made for the future of these men. The report of the deputation proceeds—

> and it had been impossible to put everything right during the few months they had been in power.

Of course, no one can expect, at one stroke, to sweep away abuses and grievances which have been accumulating for years.

Mr. POYNTON.—Is it not time that a Minister spoke on the motion?

Mr. FENTON.—I thought that, after the honorable member for Corio seconded the motion, some Minister would have either told us the intentions of the Government, or moved the adjournment of the debate.

Mr. ROBERTS.—The honorable member for Grey is well acquainted with the practice in these matters, and he ought not, in the circumstances, to have asked such a question.

Mr. FENTON.—I know nothing about that; but I do know that the Honorary

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Minister was sitting at the table apparently taking notes. If the honorable gentleman is not prepared to tell us the intentions of the Government now, I presume that we who are interested will have to wait. Senator McGregor went on to say—

> The men might rest assured, however, that early consideration would be given to their representations, both respecting increased pay and future provision for the retired soldiers in Australia.

Mr. POYNTON.—When was that deputation?

Mr. FENTON.—I understand that it was on the 24th October last year. A deputation is one of the best methods that the men could adopt to lay their views before the Department; and Senator McGregor, shrewd Scotchman as he is, was evidently impressed by the evidence. He went on to say—

> To begin radical changes right away would upset the calculations as to the cost of military forces, and the public is naturally anxious to keep in touch with the advancing cost.

Of course, I quite believe that when the Defence Estimates are laid before us, it will be found that they amount to a considerable sum. When it is a matter of expenditure, the Treasurer will no doubt have to think very hard, seeing that the enterprises now before us will cost immense sums. Nevertheless, the men who have served us in the past, and are doing so now, should be considered. Senator McGregor went on to say—

> He hoped that some system similar to that introduced for the Naval Forces would soon be possible for the soldiers. But that would scarcely meet the case of those who had done faithful service for thirty years, because if they came under a deferred pay system they would get very little out of it.

That is quite true. We can conceive that if a man, who had been engaged in military pursuits for thirty years or more, and had practically lost touch with the world, had to enter into competition with skilled workers outside, he would have a very small chance of earning a living for himself and his family. Of course, odd cases may be pointed out where a man has a smattering of carpentering or some other trade; but, as the honorable member for Melbourne Ports contended, it would be highly undesirable for such a man, practically a self-taught tradesman, at the age of fifty or sixty, to come into competition with those who had served an ap
and were well-qualified trade

point evidently weighed with Senator McGregor, because he said—

> A man who had given thirty years to the military service would find the world very hard when he was suddenly launched upon it without money.

In my opinion, there is very little opportunity for a man in the military service to even have a small Savings Bank account, and it is hard to see how he can in any way provide for a rainy day. I trust that this Parliament will rise to the occasion, as it ought to have done long since.

Mr. ROBERTS.—I take it that the motion includes all ranks of the Permanent Forces?

Mr. MATHEWS.—The Permanent and Militia Forces.

Mr. FENTON.—We ought not to make fish of one and fowl of the other; and there is no reason why the House should not take kindly to a motion of the kind. Senator McGregor went on to say that the Minister of Defence was making inquiries into the European systems, and would see how the difficulty could be surmounted. I suppose that Senator McGregor was there referring to the visit to England of Senator Pearce, who would have an opportunity to inquire into the English, German, and other systems.

Mr. POYNTON.—Would not the question of incompetency apply to other retired public servants as well?

Mr. MATHEWS.—The members of the Military Forces are retired at a much earlier age than are those in the Civil Service.

Mr. FENTON.—Pensions in the Civil Service have been abolished in Victoria, at any rate, since 1882, but public servants are retained until the age of sixty-five, with a possible extension, of which, however, I do not approve. In the case of the Defence Forces, men are discharged practically in the prime of life, and it is scarcely conceivable how, under present circumstances, they can provide for themselves and their families. It is impossible for men who are receiving so little to put by for rainy days.

Mr. POYNTON.—The pension system is a pernicious one.

Mr. FENTON.—I hope that the Government will evolve a scheme which, if it
ill not wholly satisfy those whose com-

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plaints have been voiced, will go a long way towards doing so.

Mr. POYNTON.—It would be better to give them proper rates of pay.

Mr. FENTON.—They should be properly paid, but there are some who will have to retire within a few years, and the increase would not enable them to make provision for their future. Why should we do injustice to those who have nearly completed their term of service? Let me read what was said by Senator McGregor during the absence of the Minister of Defence in the Old Country—

> Ministers have been considering how they could evolve some scheme satisfactory to the men and public. As to the request for a Board of Inquiry, that would be put before the Cabinet at once.

The motion merely asks for justice to men who, for many years, have had to maintain wives and families on very small rates of pay.

Mr. CANN (Nepean) [6.14].—I am in sympathy with the motion. The men of our Military Forces have as much right to pensions as those in other branches of the Public Service. The police now get pensions to which they contribute, as do the police in the Old Country. But no one would contend that the officers and men of our Naval and Military Forces receive rates of pay from which deductions could fairly be made on account of pensions. The making of such deductions at the present time would drive the best men out of the service. I have been given to understand by officers that to qualify for decent pensions they have to resign, and enter the Imperial service for a number of years. Ministers should take into consideration the advisableness of increasing the rates of pay for all ranks, so as to make it possible to enforce deductions on account of deferred payments. It seems to me that some such arrangement might very well be applied to members of Parliament. I know that if I were thrown out I should be quite unfit for the work of cutting coal. I hope that the electors will retain my services until I get old. A pension system established by deductions from salary would keep us out of the poorhouse.

Mr. W. E. JOHNSON.—The honorable member has the Liverpool Asylum.

Mr. CANN.—I hope that I shall retain the votes of its inmates for a long time to come. The question which we are considering cannot be burked. Both officers and men have sound reasons. Their rates of pay should be at least as nigh proportionately as those of private citizens, who, we have been told, earn from 80 to 150 per cent. more than persons in similar occupations in the Old Country. I am not prepared to say that the difference is so great, but rates are at least 50 per cent. higher here than in the Old Country.

Mr. HIGGS.—Would it not be a good thing to provide a universal national scheme of contributory pensions?

Mr. CANN.—I am in favour of a scheme on the lines of Lloyd George's Bill, applying it, not only to those in our Naval and Military services, but to all our citizens. But a contributory scheme could not be established in connexion with the Naval and Military Forces while the present rates of pay continue. No doubt the Estimates will provide for an enormous increase of expenditure, particularly in regard to Defence. But that is no reason why those we employ in defending the country should not receive a remuneration sufficiently good to make the service attractive.

Debate (on motion by Mr. JOSEPH COOK) adjourned.

Sitting suspended from 6.24 to 7.45 p.m.

ESTIMATES.

Mr. SPEAKER reported the receipt of messages from His Excellency the Governor-General, transmitting Estimates of revenue and expenditure, and Estimates of expenditure for additions, new works, and buildings, for the year ending 30th June, 1912, and recommending appropriations accordingly.

Referred to Committee of Supply.

BUDGET.

Mr. FISHER laid upon the table—

> The Budget 1911-12.—Papers prepared by the Right Honorable Andrew Fisher, P.C., for the information of Honorable Members on the occasion of opening the Budget of 1911-12.

Ordered to be printed.

In Committee of Supply:

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [7.47].—My last Budget speech was delivered on 7th September. Owing to circumstances with

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which honorable members are acquainted the present Budget has been delayed. On only two previous occasions was it delivered as late as the middle of October. I fully admit the inconvenience of a late Budget, and intend, if the duty should again fall on me, to arrange for a very early Budget next year. The revenue for the year ended 30th June last was estimated on the 7th September, 1910, at £16,841,629. The actual receipts were £18,803,873. The Customs and Excise yielded £12,980,443, being £1,280,443 in excess of the estimate, and £1,387,278 more than the receipts of the preceding year.

The Customs and Excise receipts (not including special Tariff, Western Australia) were—In 1904-5, £8,656,981; in 1905-6, £8,921,819; in 1906-7, £9,631,780; in 1907-8, £11,645,352; in 1908-9, £10,844,067; in 1909-10, £11,593,165; in 1910-11, £12,980,443.

They were, in 1904-5, £2 3s. 5½d. per head of population; in 1910-11 they were £2 18s. 9½d. per head. The figures are surprising, considering that before Federation was accomplished it was thought by some that it would be impossible to devise a Tariff for Australia which would raise £2 per head of population, as that was a sum much larger than was raised in any other country. There is no doubt that the splendid seasons with which we have been favoured account mainly for this great expansion of revenue.

The land tax yielded £1,370,357, being £370,357 above the estimate. This year I hope to be able to make a better estimate, as last year we were very much in the dark as to what the results would be.

An amount of £151,513 was paid into revenue by the Government of South Australia, being the credit balance of Northern Territory funds at 31st December, 1910. The reason of this surplus was that the Government of South Australia raised a loan to meet the deficit on the Northern Territory accounts, and the amount of £151,513 was raised in excess of requirements up to the date of transfer. The amount was credited by the Commonwealth Treasury to revenue, the justification for that course being that during the same year the Commonwealth redeemed out of revenue Treasury bills amounting to £273,250.

Mr. DEAKIN.—South Australian Treasury bills?

Mr. FISHER.—Yes, or part of the debt that now falls to the Commonwealth in accordance with the agreement. That is a much greater amount than we credited to revenue.

Honorable members are aware that an Act was passed on the 6th August, 1910, authorizing an advance not exceeding £500,000 from Trust Fund for the purposes of revenue. This was to enable the Treasurer to complete payment to the States on account of 1909-10 sufficient in amount to comply with the Braddon section. This Act was retrospective in its action, and, under its authority, £451,284 was advanced from Trust Fund on the 30th June, 1910, for revenue purposes. £44,517 was paid over to the States on the 30th June, and the balance, £406,767, was paid during August. The whole amount of £451,284 was repaid to Trust Fund from revenue during 1910-11.

Another Act was passed on the 21st October, 1910, authorizing an advance from Trust Fund of £1,500,000 for the purposes of revenue. This was to enable the Treasurer to make payment to the States in terms of section 87 of the Constitution for the half year ended 31st December, 1910.

The amount of £1,114,578 was accordingly advanced from the Australian Notes Account, and full payment was made to the States. The amount was repaid from revenue to the Australian Notes Account in the latter half of the year, interest being also paid to the amount of £5,248.

The Treasurer was enabled by the above Act to make full payments to the State Treasurers up to the 31st December, 1910. The figures for the half-year were—

Customs and Excise receipts	£6,449,133
Deduct expenditure of Customs Department ...	143,110
Net Customs and Excise receipts	6,306,023
Deduct one-fourth ...	1,576,506
Three-fourths	4,729,517

which amount was paid in full. The Commonwealth thus finally discharged its obligations to the States as far as the Braddon section is concerned. The total amount paid to the States in excess of the amount payable under the section in the ten years ended 31st December, 1910, was £6,059,088.

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The amounts actually paid to the State Treasurers on account of the financial year ended 30th June, 1911, are set forth in the following table—

PARTICULARS OF AMOUNTS PAYABLE TO EACH STATE UNDER SURPLUS REVENUE ACT, No. 8 OF 1910.

1910–11.

—	New South Wales.	Victoria.	Queensland.	South Australia.	Western Australia.	Tasmania.	Total.
	£	£	£	£	£	£	£
Amounts payable to States at 25s. per head of population, as at 31st December, 1910	2,054,171	1,624,354	746,292	511,110	343,568	241,934	5,521,424
Special payment to Western Australia	..	..	..	..	250,000	..	250,000
	2,054,171	1,624,354	746,292	511,110	593,568	241,934	5,771,424
Deduct each State's proportion of moiety of special payment to Western Australia, on the basis of population as at 31st December, 1910 ..	46,505	36,774	16,895	11,571	7,778	5,477	125,000
	2,007,666	1,587,580	729,397	499,539	585,785	236,457	5,646,424
Deduct amounts to be withheld from each State in accordance with Section 4 of Surplus Revenue Act, No. 8 of 1910	178,973	143,092	63,788	30,529	20,113	13,505	450,000
Amounts payable to States in 1910–11	1,828,693	1,444,488	665,609	469,010	565,672	222,952	5,196,424

The total amount payable for the year at 25s. per head, including adjustment of the special payment of £250,000 to Western Australia, was £5,646,424. This amount was subject to a deduction of £450,000 under the authority of the Surplus Revenue Act of 1910, the net amount payable being £5,196,424.

The expenditure on account of the year 1910-11, not including the repayment of sums advanced from Trust Fund for revenue purposes, and payments of surplus revenue to State Treasurers, was £11,326,641, showing an increase of £3,827,124 over the previous year in which the expenditure was £7,499,517.

The principal increases in expenditure in 1910-11 were:—

	£
Invalid and Old-age Pensions	371,318
Northern Territory—Redemption of Treasury Bills, &c.	325,730
Sugar Bounty	228,478
Department of Defence (ordinary expenditure) ...	187,371
Post and Telegraph Department (ordinary expenditure)	321,352
Census	96,325
Construction of Fleet ...	1,075,000
Defence Arms, Equipment, &c.	76,905
Defence Works, Rifle Ranges, &c.	73,590
Military College and Naval Training School ...	22,554
Naval Works	24,780
Postmaster-General—Works and Buildings ...	228,055
Other New Works ...	48,721

The year 1910-11 practically closed with a surplus of £1,829,524. This amount was transferred on the 30th June to the funds for the construction of fleet and old-age pensions, in equal portions. The result of placing this sum to the credit of the Trust Funds is that revenue for 1911-12 is freed for other purposes to that amount. I have decided to use £1,712,679 of this amount during the current financial year for non-recurring works which it is usual for Governments to pay for out of Loan Funds. The Post and Telegraph Department has repeatedly stated that it needed to expend £2,000,000 on Telegraph and Telephone Works in a period of two years, in order to bring the service into a completely efficient state. I propose to allot the Department a vote of £700,000 this year, and a similar vote of £700,000 next year; and, in addition, to ask Parliament to vote this year a further amount of £600,000 to be paid into a Trust Fund, and expended therefrom as required during the next two or three years.

I also propose to use £1,112,679 of the Surplus for the Construction of the Fleet. I consider that this is quite a legitimate use of the Surplus, and in my opinion is far preferable to raising loan money for the purpose.

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We shall thus practically expend amounts of £600,000 and £1,112,679, together £1,712,679, of the surplus of last year for these objects.

Honorable members will see that on page 4 of the Expenditure Estimates, an amount of £1,712,679 is accordingly deducted from the total estimated expenditure.

This amount, as I have previously explained, being in Trust Fund and available for expenditure in 1911-12, is deducted from the total expenditure in order to show the actual charge to the Consolidated Revenue Fund during the current financial year.

The balance of last year's surplus, viz., £116,845, will remain in Trust Fund, and be available for expenditure in 1912-13.

The Estimate of Revenue for the current year is:—

Customs and Excise ...	£13,800,000
Post Office (not including pension repayments and contributions to superannuation fund) ...	3,870,000
Land Tax	1,430,000
Defence	40,000
Patents	20,000
Trade Marks, Copyrights and Designs	5,000
Quarantine	4,000
Repayment of States' proportion of pensions ...	36,000
Transfer from Pensions Funds, &c.	3,000
Coinage	210,000
Miscellaneous	65,000
Northern Territory (not including Customs and Excise and postal revenue)	32,000
Total	£19,515,000

The Estimated Expenditure of 1911-12 consists of:—

Surplus Revenue payable to States	£5,776,250
Invalid and Old-age Pensions	2,190,000
Interest and Sinking Fund—transferred properties (two years)	673,600
Naval Agreement ...	200,000
Sugar Bounty	621,500
Iron Bonus	51,000
Bounties on production of goods	31,300
Governor-General—including repairs, fittings, furniture, &c., for Government House	26,228
Parliament	185,341
Prime Minister's Department, including Audit Office	15,414
Treasury	169,095
Attorney-General's Department	63,142
Department of External Affairs (including Northern Territory and Port Augusta Railway) ...	532,899
Department of Defence (not including Naval Agreement)	1,873,633
Department of Trade and Customs	395,109
Department of Home Affairs	180,823
Postmaster-General's Department	3,935,980
New Works and Buildings	4,306,365
Total Estimated Expenditure	21,227,679
Deduct portion of Surplus 1910-11 available for expenditure in 1911-12 ...	1,712,679
Total charge to Consolidated Revenue Fund	£19,515,000

Included in the amount of £4,306,365 for new works, buildings, &c., are the following items:—

Construction of Fleet ...	£1,515,000
Store at Darling Island, Sydney	35,053
Site and building for Department of Treasury ...	22,236
Military College	40,000
Cost of establishment Federal Capital at Canberra ...	100,000
Transcontinental railway, Kalgoorlie to Port Augusta	22,500
Naval barracks, submarine depôt, &c.	53,000
New Quarantine buildings ...	33,280
Emplacements for fixed defences, New South Wales	7,200
Small Arms Factory, Lithgow	19,000
Emplacements for fixed defences, Victoria ...	5,000
Barracks, &c., Maribyrnong	7,000

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Cordite factory, Maribyrnong, site and works ...	16,615
Beerburrum manœuvre area	13,608
Barracks and quarters, Fremantle	9,463
Cottesloe rifle range ...	8,450
Alterations General Post Office, Sydney	8,000
Sydney Parcels Post Office...	25,000
Wireless telegraph station, Pennant Hills	5,800
Wireless telegraph station, Fremantle	11,000
Perth Telephone Exchange	7,262
Purchase of sites—post and telegraph offices ...	50,000
Telegraphs and telephones—ordinary vote for construction	700,000
Telegraphs and telephones—special vote for construction	600,000
Defence—warlike stores ...	300,000
Supply of cloth for uniforms	20,000
Cost of providing four batteries of field artillery ...	45,000
Rifles for Senior Cadets ...	65,000
Reserve of gun ammunition	31,700
Small Arms Factory—working expenses	6,000
Armament and stores for fixed defences	55,660
To replace condemned ammunition	12,000
Cordite Factory—purchase raw materials	10,000
Armament at North Head, Sydney, and Goode Island	5,000
Naval works, dockyards, &c.	20,000
Re-armament of H.M.A.S. *Protector*, *Gayundah*, and *Paluma*	20,000
Northern Territory—buildings, &c.	26,900

The amounts payable to the State Treasurers during 1911-12 are set forth in the following table:—

ESTIMATE, 1911-12.

—	New South Wales.	Victoria.	Queensland.	South Australia.	Western Australia.	Tasmania	Total.
	£	£	£	£	£	£	£
Amounts payable to States at 25s. per head of estimated population at 31st December, 1911	2,095,000	1,656,250	771,250	522,500	368,750	242,500	5,656,250
Special payment to Western Australia	..	..	..	..	240,000	..	240,000
	2,095,000	1,656,250	771,250	522,500	608,750	242,500	5,896,250
Deduct each State's proportion of moiety of special payment to Western Australia on the basis of estimated population at 31st December, 1911..	44,447	35,138	16,362	11,085	7,823	5,145	120,000
Estimated amount payable to States in 1911-12..	2,050,553	1,621,112	754,888	511,415	600,927	237,355	5,776,250

The receipts from the Postmaster-General's Department in 1910-11 were £3,947,648. The expenditure, not including New Works and Buildings, was £3,561,928, showing a balance of receipts over expenditure of £385,720. The expenditure on New Works and Buildings was £783,612. The estimated receipts for 1911-12 are £3,899,050. The estimated expenditure, not including New Works and Buildings, but including interest and sinking fund on transferred properties, is £4,371,952, showing a surplus of expenditure over receipts of £472,902. Of this amount—£472,902—the amount of £435,972 represents two years' interest and sinking fund in connexion with transferred properties. If only one year's contribution were included, the surplus of expenditure over receipts would be £254,916. The proposed expenditure for New Works and Buildings, including a special vote of £600,000, is £1,531,214. In the eleven years from 1st July, 1901, to 30th June, 1912, the balance of receipts over expenditure, not including New Works, &c., is estimated at £1,797,549. The total expenditure for New Works and Buildings is estimated at £4,753,996. Comparing 1903-4 with 1910-11 the revenue of the Post and Telegraph Department showed an increase in the latter year of 55 per cent., while the population had increased by only 12½ per cent.

The cost of carrying out inland mail services has materially risen owing to the increased cost of labour, horses, &c., and provision for this increased cost, as well

as for the extension of mail facilities throughout the Commonwealth, has been made.

The salaries of a large number of permanent employés have been appreciably increased by amendments of rates of pay involving a total annual cost of £107,000. The officers of the Clerical Division benefit under this to the amount of £20,000, those in the General Division to the amount of £87,000. This increase is apart from the ordinary increments, which amount to £70,000 approximately. The wages of temporary employés have been correspondingly increased. In order to carry out the policy of the Government, that broken hours shall not be worked by its employés where they can possibly be done away with, it has been found necessary to considerably augment the staff of the Postal Department, provision being made accordingly in the Estimates.

The contract for the Vancouver Mail Service, which expired on 31st July last, provided for an annual subsidy of £26,626. The contract was not renewed owing to Canada and New Zealand having entered into an arrangement with the contractors for a service between those countries. Provision has therefore been made only for a sum sufficient to cover poundage rates on mail matter.

With the view of bringing the Commonwealth up-to-date in the matter of wireless telegraphy, an engineer for radio-tele graphy was recently obtained from England, and a scheme of wireless telegraphy for Australia is being prepared. An amount of £20,000 has been provided on the Estimates for this purpose.

The loss on the working of the Pacific Cable for the year ending 31st March, 1911, was £48,210. Of this amount, one-third, namely, £16,070 is payable by the Commonwealth.

Mr. SAMPSON.—What reduction does that mean on the previous year?

Mr. FISHER.—A considerable reduction. I am glad to say that the loss is gradually becoming less year by year, and I add the hope, if I may, that there will be a better cable service in the future than there has been in the past. Honorable members will see that a very large amount has been provided on the Estimates in connexion with the Defence Department. The amount of £200,000 per annum is still being paid to the Government of the United Kingdom towards maintaining the Naval Force on the Australian station. The armoured cruiser *Australia* was launched yesterday, and the building of the two protected cruisers *Sydney* and *Melbourne* is steadily progressing.

Mr. W. ELLIOT JOHNSON.—Has the Prime Minister any idea when they will be completed?

Mr. FISHER.—I am not able to say, but the work is going on steadily. Orders have been placed for two submarines, and material for the protected cruiser *Brisbane*, which is to be built in Australia, has been ordered. Orders will shortly be placed for the material for three torpedo-boat destroyers of the *River* class, which will also be constructed in Australia.

The estimated cost of the Fleet Unit is—One armoured cruiser, £2,000,000; three unarmoured cruisers, £1,350,000; six destroyers, £480,000; three submarines, £165,000; total, £3,995,000.

Including the provision on this year's Estimates of £1,515,000 for the Fleet Unit, there will have been provided the following amounts—In 1907-8, £250,000; 1909-10, £60,000; 1910-11, £1,151,280; 1911-12, £1,515,000; total £2,976,280.

So that by the 30th June next we shall have provided, roughly speaking, £3,000,000 out of £4,000,000 necessary for fleet construction. The understanding with the Home Government is that we shall continue the subsidy of £200,000 per annum until we have assumed our full obligations with regard to the Unit, so that the time will shortly arrive when the subsidy will cease.

It is estimated that when all the ships have been placed in commission, the annual cost of the upkeep will be about £750,000. At the Naval Conference in 1909, the Government of the United Kingdom agreed to contribute £250,000 annually towards this amount. The Government have, however, decided that the Commonwealth can very well bear the full expense of maintaining the fleet, and the Home Government accordingly will be relieved of the necessity of furnishing the subsidy.

The ship *Sobraon* has been acquired from the New South Wales State Government as a training ship, and provision is made on the Estimates for the staff. It is hoped to commence the training of 100 boys early next year. A site has been selected for a Naval training college, and the building will shortly be erected. The amount of about £40,000, which was collected in New South Wales for the pur-

chase of a *Dreadnought*, will be available for this purpose. Provision has been made for preliminary surveys of the various ports recommended by Admiral Henderson as naval bases, also for a torpedo and gunnery school at Western Port. There are, at present, forty-one cadets in the Military College at Duntroon, and it is expected that the number will be doubled during the year. So far, the college has been progressing satisfactorily, only one cadet having been retired, and that through continual ill-health. The Small Arms Factory is approaching completion, and most of the machinery is now installed. The whole of the power plant was manufactured in Australia. The Cordite Factory has commenced operations. The Harness and Saddlery Factory is in full working order. The Clothing Factory is nearly completed, and it is expected to commence operations in January next. Two permanent batteries of field artillery have been established, and horses have been purchased for the Militia Field Artillery. Depôt farms for these horses are provided for on the Estimates. The Estimates provide a sum of £300,000, being the second instalment of an amount required to put the Militia Forces in such a state as would enable them to take the field if required. Funds are also provided for the clothing and equipment of the further draft of cadets of the age of fourteen years who will become senior cadets this year. £60,660 is provided for armament and stores for fixed defences. Provision is made for placing two 9.2-in. guns on North Head, Sydney, and also for fortifying Goode Island, which is adjacent to Thursday Island. A sum of £4,000 has been provided in aid of military aviation.

Mr. JOSEPH COOK.—Why tell the enemy where the guns are being placed?

Mr. FISHER.—I only regret that money is not available to place some 13.5 guns where necessary.

Mr. JOSEPH COOK.—That is not the point; why tell the enemy exactly where to find the gun?

Mr. FISHER.—If I did not tell the House, I should have to tell the honorable member for Parramatta and the honorable member for Wentworth.

Mr. JOSEPH COOK.—That gibe does not make the right honorable gentleman's indiscretion any the less. We are allowing the Prime Minister to read his speech, and he might keep his gibes to himself.

Mr. FISHER.—If it will please the honorable member, I shall speak instead of reading it, but I read it for greater accuracy.

The following statement shows the cost of collection per cent. of the Customs and Excise Revenue of the Commonwealth for 1909-10, 1910-11, and estimate for 1911-12:—

1909-10	£2	6	5
1910-11	£2	2	7
1911-12	£2	1	5

(Estimate.)

During the past year, important departures have been made in regard to the administration of the Commerce Act. Owing to increasing stringent requirements of inspection at ports of import abroad, it was necessary for the Commonwealth to appoint its own inspectors in the more important States, in order that it might be in a position to effectively control this work and see that the provisions were properly enforced. For some months, the inspection of meat has been done in New South Wales and Queensland by inspectors appointed by this Department; and the new arrangement has proved a substantial improvement. Fewer complaints are now received from London, while satisfactory arrangements have been made with the authorities of the United States of America for the Commonwealth certificate to be accepted, and exports of frozen meat from Australia are, in consequence, greatly facilitated. We anticipate an extension of our trade also to the Continent of Europe. To meet the extra expense incurred through the appointment of additional inspectors, provision has been made in the new regulations for payment of fees by the exporters, and such payments will, to some extent, cover the expenditure incurred by the Department. Our trade, and the good name of our products, must benefit by the more thorough system of inspection. Two satisfactory Conferences have recently been held between the heads of the Public Health Departments of the States and Commonwealth representatives; and action is being taken towards securing uniform standards for foods and medicines. Provision has been made to send Dr. Norris, Director of Quarantine, to the principal centres of the world, to inquire into and report upon modern quarantine methods. Some doubt has been expressed as to the extent to which the Commonwealth is justified in providing extensive quarantine establishments in the various State centres; and, whilst the public health is

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the first consideration, it is desired to obtain the greatest possible efficiency and protection, and avoid, at the same time, expenditure which is not indispensable. Owing to the probable transfer of the quarantine properties to the Commonwealth, the State Governments have allowed some necessary repairs, alterations, and additions to stand over. The Director of Quarantine considered it would take some hundreds of thousands of pounds to do all that was required. In view of this heavy probable expenditure, the Government considered it was advisable to have a full report on the different systems of the world before taking further action. In anticipation of the passing of the Lighthouses Bill, the Government took action to appoint an expert to report upon the lighting needs of the Australian coast. Commander Brewis, who has been selected, has been for some months busily engaged in inspecting the different localities, and the Government hope to be in the position very shortly of being able to decide which localities most urgently require lights. Provision has been made on the Estimates of the Home Affairs Department for some construction to be carried out during the present financial year. In regard to construction, the time involved in preparing plans and calling for tenders will, it is considered, preclude any large expenditure on this account during the current year.

It is proposed that, as soon as Parliament shall have made the necessary appropriations, the Commonwealth Public Works in New South Wales and Victoria shall be carried out by the officers of the Home Affairs Department, and provision for the increased staff has been made. It is considered desirable that the Commonwealth shall have absolute control over its own works, and it is believed that under the new system expedition, efficiency, and economy will be effected. The system will be extended to other States later on.

A sum of £100,000 is proposed for expenditure towards cost of the establishment of the Federal Capital City. It is proposed to acquire the privately owned lands within a radius of 7 miles of the City site, and other properties upon which works for various purposes will be constructed, such as pipe lines, reservoirs, bridges, weirs, &c. The value of these lands may be placed at £600,000, but the actual amount which will be paid by way of compensation during this financial year will be comparatively small. Provided that the privately owned lands are acquired immediately, then a sum of £50,000 could profitably be expended on necessary works during the year. The contingent liability may be placed at £250,000. These works embrace the construction of a weir on the Cotter River, a bridge over the Murrumbidgee River, water-pipes and laying the same, reservoir, temporary railway from Queanbeyan to the centre of distribution of material, power plant, brickmaking plant, supply of timber, road-making, &c. A sum of £15,000 will also be required to meet expenses for administration and survey operations.

Mr. SAMPSON.—Quite unnecessary expenditure.

Mr. FISHER.—Perhaps the Opposition will vote it out, then!

Mr. RYRIE.—It is the best proposal in the Budget.

Mr. FISHER.—Provision for the connexion of Papua with Australia by wireless telegraphy has again been included in the Estimates. It is regretted that delay should have occurred in performing this important work, but now that we have a wireless expert of our own, it is expected that we shall soon be in a position to help the Territory in this matter. There is also an item of £5,000 under the head of "Loan for Government Plantations." This is an instalment of a loan of £25,000, which is to be devoted to plantations of rubber and cocoanuts, the idea being to provide the Government with a source of revenue, and to illustrate to planters the best methods of production.

Mr. JOSEPH COOK.—To whom is the loan made?

Mr. FISHER.—The late Minister of External Affairs, after his visit to Papua, suggested to me that an annual loan of £5,000 for five years would be an admirable investment. This is the second instalment. The reports are to the effect that not only is the experiment a good one, but that it will provide a lucrative return in time to come.

Mr. BAMFORD.—When is the Government going to put a live man in charge there? (*vide* personal explanation, page 1947).

Mr. FISHER.—When the honorable member is ready to take the position.

On the 1st January last, the Northern Territory came under the control of the Commonwealth. At that date, the public debt of the Territory amounted to £3,931,085, the annual interest thereon being £151,420. The Commonwealth is now responsible for both the principal and

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interest. At the same time, the Commonwealth took possession of the Port Augusta to Oodnadatta railway, and became responsible for the loans raised by the State in respect of the construction of the railway. In considering the question as to the amount of loans raised for the railway, it came under notice that the State had charged to loans an amount of £48,015, being interest on loans during the construction of the railway. Also it was found that the State had expended out of revenue an amount of £34,475 in construction. The Attorney-General has advised that under the agreement with the State the Commonwealth is responsible for both these amounts. The total for which the Commonwealth has become responsible in connexion with the railway is £2,274,487, being £2,240,012 amount of loans outstanding, and £34,475 paid out of revenue. The total annual interest on the loans referred to is £85,352 7s. 3d. Full particulars will be found in the Budget papers, both in respect of the Northern Territory loans and the railway loans. The position of the Commonwealth in relation to the Northern Territory for this financial year, omitting arrears of interest, may be summed up as follows:—

Interest on loans ...	£151,420
Contribution to Sinking Fund	8,900
Ordinary expenditure ...	101,272
New works	26,900
	£288,492
Deduct—	
Revenue	48,000
Total loss on the Territory for this year ...	£240,492

The financial position of the Oodnadatta railway for this year, omitting arrears of interest and sinking fund, is as follows:—

Annual interest	£85,352
Contribution to Sinking Fund	5,600
Extraordinary maintenance	7,200
Loss	£98,152
Capital expenditure (New Works)	2,500
Total	£100,652

I should explain that, under an agreement for twelve months, entered into with the State, the State is to work the railway. The State will bear the cost of all ordinary maintenance of the railway, and will receive the whole of the revenue derived from the railway. The Commonwealth is, however, to pay to the State the amount of all extraordinary maintenance.

Mr. GROOM.—Will the South Australian Government provide rolling-stock?

Mr. FISHER.—I presume that a certain quantity of rolling-stock was taken over. Under the agreement, the South Australian Government was to maintain and work the railway, and take the receipts, and we were to pay for the extraordinary maintenance. With this explanation, honorable members will understand that the amount of £98,152 represents loss to the Commonwealth in this financial year in connexion with the railway. Taking the Northern Territory and the Port Augusta railway together, it will be seen that the Commonwealth is out of pocket in respect of one year to the amount of £341,144.

In connexion with the Northern Territory, it will be observed that provision has been made for the initiation of Government enterprise in a number of directions. In order to give proper supervision over and assistance to the aborigines, a Department has been formed, of which my colleague has been so fortunate as to secure the valuable services of Professor Spencer as chief. The Government are indebted to the Melbourne University for sparing this gentleman to them, in order to initiate a movement which it is trusted will be for the benefit of the natives. In order to have everything in readiness for the settlers whom we hope shortly to be able to invite to the Territory, officers in connexion with all the producing interests are about to be appointed, and arrangements made for a number of public works. It must be pointed out that the Territory for some years to come will demand the expenditure of considerable sums for developing this huge area, which has been intrusted to our care. Improvements in communication especially, both by sea and land, will require the outlay of a good deal of money. In the ordinary Estimates of the Department will be noticed an increase of our contribution to the Tropical Diseases Institute, Townsville. I expect that next year Parliament will be asked to vote an even larger sum, in order that the important investigations now being initiated by Dr. Breinl may be extended over all our tropical areas.

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The total amount collected to date in respect of land tax is £1,387,961. This represents the tax based upon the face values of the returns, but these have still to be tested by the Government valuers. The assessments already made have not taken into account company and insurance interests in individual returns. In some instances these will also add to the revenue. The calculations in this connexion are well advanced, but the results will later be submitted to Parliament. In many cases fines were inflicted where payments were not made by the due date, but where there were reasonable grounds for believing there was no intention to evade the law, these were afterwards remitted, more than £4,000 having been already returned. The amount of £15,765, including tax and fine, still remains unpaid by taxpayers, but the Department has given the defaulters fair warning, and is now remitting the cases to the Crown Law Department for recovery of the overdue amounts.

The total number of land taxpayers in the Commonwealth last year was 14,412. At the request of the Government, the Commissioner recently obtained from the valuers in the several States an expression of opinion as to the effect of the land tax law on the values of land. There was a unanimous opinion that values had not receded, but in many cases had advanced, since the tax was imposed. It should, however, be borne in mind that taxation is only one of many causes influencing values, and any deduction from the bare fact stated would be unreliable. Good and bad seasons, high or low prices for produce, increase or diminution of population, and creation of better facilities of transport, are all potent factors in altering land values, and it would be quite incorrect to attribute to any one cause, such as a land tax, any of the changes that have occurred. It is, however, safe to say that as the Federal tax affects only 14,000 estates in Australia, its incidence on the whole of the remaining lands cannot be so great as has been alleged by some opponents of the tax.

The first notes under the Australian Notes Act 1910 were issued in November last. The chief difficulty at the outset was to secure a sufficient supply of paper. The banks handed over to the Treasury all their unsigned note forms, but the number was found to be far short of requirements. Arrangements were therefore entered into with Messrs. Bradbury, Wilkinson and Company, of London, to print, by permission of the banks concerned, further supplies. These having come forward in sufficient numbers to meet the demand, the Bank Notes Tax Act, which imposes a tax at the rate of 10 per cent. per annum upon issues of bank notes, was brought into operation as from 1st July, 1911. The banks have since that date ceased to issue their notes, and the Queensland Treasury Notes have ceased to be legal tender, and are being presented for redemption owing to the provisions of the Australian Notes Act. Consequently the only paper money which is now being issued in Australia is that of the Commonwealth. At the close of the financial year the Australian notes in circulation amounted to £8,031,217. In addition the fund had received interest amounting to £6,409. The total amount to be dealt with thus amounted to £8,037,626. We disposed of the amount in the following way, viz., we obtained gold amounting to £3,352,281; we made investments, of which I shall give details presently, amounting to £4,642,500; we held on current account in the banks, £19,346, and we had spent in purchase of note forms and other expenses, £23,499. This information will be found in tabulated form on page 82 of the Budget statements.

Under the Act we are required to hold not less than 25 per cent. in gold up to the first £7,000,000, and £1 for £1 in gold above £7,000,000. We should have complied with the statutory requirement if we had held 2,781,217 sovereigns, but as we held 3,352,281 sovereigns, we held 571,064 sovereigns more than we were compelled to hold. The investments I have referred to were:—

New South Wales funded stock	£1,000,000
Victorian Government Debentures	686,000
Western Australian stock	650,000
Tasmanian inscribed stock	200,000
Fixed deposits—	
New South Wales Government ...	1,000,000
Sundry banks ...	1,106,500
Total	£4,642,500

Honorable members will find further details of these investments in the Budget-papers, and will there see that the total annual rate of interest which was being

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earned by the fund at 30th June last was £157,070. After 30th June, 1911, the demand for notes continued, and on 30th September, 1911, the total circulation amounted to £9,421,775. Probably at an early date it will exceed £10,000,000.

On an issue of £10,000,000 the Act requires that we shall hold in gold not less than £4,750,000, or 47.5 per cent. of the circulation. As we were holding a greater reserve than that required by the law, I directed that while the Treasury was not to part with any gold except in redemption of notes, no further gold should be obtained in respect of additional issues until the sovereigns in the Treasury were only slightly more than the statutory requirement. I felt quite justified in this, because two or three million pounds of notes would have to be presented for redemption before the circulation was reduced to the limit of £7,000,000. Thus the Treasury would have ample warning, and would be able to make its arrangements for obtaining gold even if such an extraordinary demand was made upon it.

At 25th October, 1911, the gold held by the Treasury amounted to £4,686,148, the note issue amounting to £9,718,084. The investments of the Notes Fund were then the same as at 30th June, namely, £4,642,500, but, in addition, we had invested in Tasmanian inscribed stock an amount of £300,000, and in Victorian debentures an amount of £294,000. Also we had made an additional fixed deposit in a bank amounting to £25,000. These additional investments amounted to £619,000, and have been made temporarily out of the General Trust Fund. I have, however, directed that as soon as the amount at the credit of the Australian Notes Account is sufficient, the investments shall be transferred from the General Trust Fund to the Australian Notes Account. We may expect that, owing to additional issues and receipt of interest, the transfer can be made at a very early date, and when it has been made the annual rate of interest earned by the Notes Account will be £179,695.

While I was in England, I made arrangements with a leading bank-note firm to supply the Commonwealth with the dies and working plates necessary to enable the printing of Australian notes to be carried out in Australia. The designs have been forwarded to Melbourne; and if, on their arrival, they are approved, arrangements will be made for the appointment of a manager and staff, also for the purchase of the necessary machinery.

I come now to the question of coinage. Coinage is a profitable undertaking. During last financial year, we issued silver coin to the amount of £301,388, and bronze coin to the amount of £8,700. The gross profit on the silver coin—that is to say, the difference between cost of the bullion and face value of the coin—amounted to £191,509. Against that there were sundry charges for brokerage, freight, insurance, and minting, totalling £8,847. After deducting the expenses, we realized a net profit on silver coin of £182,661. From these figures, it will be seen that the average cost to the Commonwealth of each 1s. is about 4⅜d., and that the profit is about 7½d. The bronze issue during the year amounted to £8,700, and on this it is estimated that our net profit was £4,398.

In arriving at the net profit, I should point out that no allowance has been made for making good the loss by wear and tear of the coins. It is not the practice in Great Britain to set aside any sum for the rehabilitation of the coins, and we are following that example for the present. It is a matter for later consideration, however, whether it would not be wise to set aside for this purpose some portion of the profit.

It will be remembered that arrangements made with the British Government in relation to coinage included provision for the withdrawal of British silver coin from Australia at the rate of £25,000 quarterly. Although we began to issue silver coin early in the year 1910, we have not yet been in a position, owing to shortage of coin, to withdraw more than £25,400. The withdrawal of British coins makes room for issues of Australian coins; so that, had we been in a position, during last financial year, to supply Australian coins in lieu of coins withdrawn, the profit would have been much greater. At the 30th June last, our stocks of coin were considerable; and it is hoped that henceforth we shall be able to send to the mints for withdrawal the amounts of British coin agreed upon. The withdrawal of another instalment of £25,000 is at present in progress. The profit on the issue of silver and bronze coins during this financial year is estimated at £210,000. The coinage accounts are set forth in a tabulated form on pages 74 to 77 of the Budget statements.

Coming to the question of invalid and old-age pensions, during last year there was a large increase in our pensions list, due to the commencement of payment to women of sixty years of age and over, and to the payment of invalid pensions. The extension of the Act in each case took effect from 15th December, 1910. Apart from the increase in the number of women, there was an increase in old-age pensions due principally to the gradual disappearance of the feeling that pensions are paid as a matter of charity, or something akin to it. Now that the principle underlying the payment of pensions is better understood, the reluctance of persons to apply for them is vanishing. On the 30th June last we were paying 75,502 old-age pensioners, being an increase of 10,010 over the number of pensioners on 30th June, 1910. At the close of last year we were also paying 7,451 invalid pensioners, making a total on that date of 82,953 invalid and old-age pensioners. The annual rate of expenditure then was £2,054,000, and in the present year we expect to pay £2,190,000. This will not be anything like our maximum payment under the Act, because the Department is still receiving large numbers of claims from women between the ages of sixty and sixty-five years, and from invalids.

During the recess representations were made to the Government that the condition of the blind urgently demanded special consideration. It was found that a person, though blind, could not be granted an invalid pension, because blindness in itself does not incapacitate a person for work. As the blind suffer such manifest disability in their efforts to earn a living, it was decided that, pending an amendment of the Act, the Treasury should pay special allowances to them out of funds at the Treasurer's disposal. At present we are paying special allowances to 102 blind persons, the annual amount involved being £1,990. The conditions under which the special allowances are granted are exactly the same as those relating to invalid pensions, except that ability to earn wages is not a disqualification. So far as earning power is concerned, the blind have thus been placed in the same position as old-age pensioners, who are entitled to receive pensions not exceeding 10s. a week in each case, so long as pension and earnings together do not exceed £1 per week. In granting these special allowances, the Government kept in mind that the welfare of the blind demanded that they should be engaged in suitable occupations, and a new condition has been attached, namely, that every blind person shall be deemed to be earning wages equal to the amount which such person can earn by reasonable effort. Thus, if a blind person refuses to make a reasonable effort to maintain himself, he derives no advantage so far as the pension is concerned. All people who know this subject say that it is to the advantage of the blind, as well as of the community, that they should be engaged in some occupation, if they are able to do it, and we want to aid them in doing it.

A Bill will shortly be presented to Parliament to authorize the issue of Australian Commonwealth stock. It is intended to invest the Australian Notes Account to the amount of £225,550 in the purchase of this stock, in order to provide for redeeming Treasury-bills on account of the Northern Territory, which fall due within the present financial year——

Sir JOHN FORREST.—That is a little loan.

Mr. FISHER.—No; this amount is already owing, and falls due for payment. We have provided for a sinking fund for all our debts. The right honorable member wants us not only to provide a sinking fund, but, also, if that £4,000,000 fell due in one year, to pay it off in that year. The right honorable member knows better. We propose to provide, also, from this source, for the payment of £34,475 to South Australia, being moneys expended by South Australia from revenue, for the construction of the Port Augusta to Oodnadatta railway, the Attorney-General having advised that the Commonwealth is liable for this amount. Later on the stock will be available for providing funds for other approved purposes.

Whilst in England I found that many people were under the impression that the climate of Australia was very hot, and on that account not so healthy as that of Great Britain. This is, of course, quite an erroneous idea, and a totally different story is told by the mortality tables published on page 128 of the Budget-papers. The rate per 1,000 of infantile mortality is 75 in Australia, as compared with 118 in the United Kingdom, 124 in Canada (Ontario), 135 in France, and 178 in Germany. The death rate per 1,000 is 10.3 in Australia, as compared with 13.9 in Canada (Ontario), 14.8 in the United Kingdom, 19.3 in France, and 18.1 in

Germany. Tables have been inserted in the Budget-papers which show the great prosperity which Australia is at present enjoying. The numbers of depositors in Savings Banks increased from 1,022,841 in 1901-2 to 1,483,573 in 1909-10. The amounts on deposit in Savings Banks increased from £33,028,429 in 1901-2 to £53,117,498 in 1909-10. The amount of deposits in ordinary banks increased from £91,447,899 in 1902 to £135,145,240 in 1910. The wheat production increased from 38,561,619 bushels in 1901-2 to 95,262,463 in 1910-11. The exports of wheat increased from 25,100,758 bushels in 1901 to 54,759,195 bushels in 1910; production of butter, from 101,671,066 lbs. in 1901 to 192,710,546 lbs. in 1910; number of cattle, from 8,491,428 in 1901 to 11,761,635 in 1910; number of sheep, from 72,040,211 in 1901 to 92,527,354 in 1910; value of wool exports, from £15,237,454 in 1901 to £28,777,283 in 1910. The number of factories increased from 11,551 in 1903 to 13,197 in 1909, whilst the number of employés increased from 195,810 in 1903 to 266,418 in 1909. The amount of salaries and wages paid in factories increased from £14,139,026 in 1903 to £21,105,456 in 1909. The total trade with United Kingdom, British Possessions, and foreign countries increased from £87,344,912 in 1900 to £134,505,501 in 1910.

I have taken the liberty of asking the State Premiers to give me their latest statistics regarding State railways open for traffic, under construction, and authorized by Parliament. The following table, giving that information, will, I think, be interesting:—

State.	Mileage of Railways opened.		Mileage of Railways under construction.		Mileage of Railways authorized by Parliament.	
	1900.	1911.	1900.	1911.	1900.	1911.
New South Wales ..	2,896	4,070	303	289	..	202
Victoria ..	3,218	3,670	74	272	..	21
Queensland	2,801	4,068	..	1,535	..	554
Western Australia ..	1,632	2,247	..	383	..	571
South Australia ..	1,901	1,972	..	109	..	178
Tasmania ..	547	657	48	92	..	Nil
	12,995	16,684	425	2,680	..	1,526

I have given the latest figures available in the above instances, all of which show the amazing development of the Commonwealth during the last decade. We cannot expect this abounding prosperity to continue without a check. Still, we have been favoured during the present spring with bountiful rains, and in many parts of the country a good harvest is even now assured; although there are warnings from other parts of the Commonwealth of a more serious state of affairs. Let us hope that we will grow as a nation in wisdom as we are growing in wealth, and that in our day and generation we may help, as far as within us lies, to increase the prosperity of this fair land in which we dwell. I should like, before sitting down, to say that, although a matter concerning both Commonwealth and States has not been dealt with particularly in the Budget speech, it is not because it does not lie near to the minds and hearts of the Government, and I am sure of honorable members on both sides, seeing that it is an economic question on which we are all agreed. I refer to the early consolidation of the State debts.

Sir JOHN FORREST.—What has the Prime Minister done?

Mr. FISHER.—I have made every proper inquiry that could be made, and I regret to say that, in my opinion, the time is not opportune to attempt to force this question. But if we can get a united House, and, by a calm presentation of the facts, induce all the parties interested to discuss the question in no controversial spirit, but in a spirit of conference and amity, we shall be able to show that undoubtedly the issue of one stock, embracing the indebtedness of both States and Commonwealth, will be a great economic saving of the taxpayers' money. Every authority consulted admits that one stock would give a better result than the States independently can attain at the present time. It is from no unwillingness on the part of the Government, and certainly from no unwillingness on my own part, that little has been done; and I am thankful to honorable members sitting in Opposition for the endeavours they have made towards a fruitful settlement of the question. But the difficulties that present themselves at the present time are insuperable—a fact that we all regret. It is only fair to say, however, that in regard to the loans that it has fallen to the lot of the Commonwealth to take over—£9,000,000 or £10,000,000 in connexion with the transferred properties, and £4,000,000 in connexion with the Northern Territory—

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the Government have provided, not only for the payment of interest, but for a sinking fund.

Sir JOHN FORREST.—How much per cent. is the sinking fund?

Mr. FISHER.—It is ½ per cent. I am not wedded to that percentage; but I think it is a fair one. At any rate, it is a sound principle that in all these borrowings provision should be made, not only for the payment of interest, but for a substantial sinking fund to meet the principal; and that is the policy of this Government. There is another matter I should like to mention. If honorable members look at the Estimates, they will see a sum of £500 in the parliamentary vote as provision for historical memorials of distinguished men connected with the early Federal movement. I think we are all agreed that the time has come when some such action should be taken.

Mr. GROOM.—I think that £500 is hardly enough.

Mr. FISHER.—Perhaps not; at any rate, we had £100 on the Estimates last year, but it was a sum with which we could do nothing. I hope, however, that, although only £500 appears, that will not be the limit of the expenditure thought to be necessary. The difficulties are rather in the direction of forming a Committee of this Parliament to deal with the matter; and, if I may be allowed to make a suggestion, I should say that, perhaps, the President, Mr. Speaker, and the leaders in both Houses might, in the first instance, be invited to take some action. The Government have no desire to monopolize the control, because this is a matter to be dealt with by both sides in the highest and broadest possible spirit of public life, in order that it may be decided which distinguished men shall be recognised, and the manner in which the recognition shall be accomplished. I am hoping that before many years pass we shall have speedier transport from Australia to all other parts of the world. Those who have been privileged to travel to Europe know very well that the speed of sea passage has been less increased in this part of the world than in any other, although the ships have been all that we could desire. I feel sure I have the sympathy of honorable members on both sides when I express the opinion that we fell into error in providing that the speed of our mail steamers should be so low. I hope, however, that by the time Western Australia is linked up with the Eastern States we shall have ships carrying our mails and perishable produce at not less than 20 knots an hour. That, I think, is only a reasonable proposition; and this country is willing and in a position to compel it to be done.

Mr. FOWLER.—We are disgracefully behind the world in that respect.

Mr. FISHER.—I am only pointing out what I think ought to be done. The voyage from Australia to the Old Country could easily be reduced by one week, and to bring the Mother Country and other European nations a week nearer to us is of more moment than one can even imagine at the present time. We are the most distant outpost of the Empire, and we ought to have an even better cable service than at present. I am happy to be able to say that, although at the Imperial Conference there was some diffidence on the part of the British Government about the provision of additional cable connexion between New Zealand and Australia, they have since thought better of it; and, by the passing of an Act, that step has been practicallly accomplished. There is another matter which I mention with some diffidence, because some people might think it one to make fun of, although I can assure honorable members that is not my view. It is one of those suggestions which, if carried out, would lead to what I call community of interest and better understanding between British people on this side of the world and in the Old Country. I mean the affording to public men of facilities to travel and so extend their knowledge; and, in my opinion, no money out of the Treasury could be better spent. This is no new idea of mine, as those who knew me in the Queensland Parliament will recollect. I have always been of opinion that, if a public man receives the indorsement of the electors as suitable to represent them, and if he can spare the time, his country is well served if he be provided with means to visit other countries and thus make himself better qualified as a legislator. I commend this idea, and hope it will be carried out; because, in my opinion, it will benefit the people on both sides of the world. I hope, also, that the fraternal feelings of our kinsmen oversea will be reciprocated here. I am glad to be able to say that one of the decisions arrived at by the Imperial Conference was that a Commission representative of the Mother Country and all the Dominions should be appointed to

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travel the self-governing Colonies and Possessions, and report on their condition. That will be the first recognition of our common aims and our common standing as a people. Further, and lastly, there is a tacit promise, on behalf of highly representative men and others in official positions in Great Britain, to embrace every opportunity presented to visit the oversea Dominions. We give them a hearty invitation; and I am sure the people of Australia will give them a hearty welcome. I have to thank honorable members on both sides for their great courtesy in listening to a rather lengthy speech, much of which could have been better presented had I possessed the necessary ability. I move—

That the first item of the Estimates, under division 1, The Parliament, namely, "The President, £1,100," be agreed to.

Mr. DEAKIN (Ballarat) [9.27].—I congratulate the Prime Minister on having performed a task which certainly ranks amongst the severest that can be imposed on the Leader of the Government, or upon any member of the Ministry who may be charged with it. I am indebted to the right honorable gentleman for a copy of the figures which he has used in his remarks. They lay before me during the course of the speech, and enabled me to follow him with much greater ease.

We may all take heart of grace sincerely rejoicing at the tale of prosperity which it has fallen to the lot of the Prime Minister to place before the people of the country. On great national issues we are simply citizens of Australia, and citizens of the Empire. Every figure which the Prime Minister read, pointing to our progress—most, if not all of them, we believe to be well-based, and full of propitious promises for the future—appeal to the whole of us as demonstrating what we have always been proud to proclaim, though some have been loth to accept—the enormous potential wealth of Australia—its immense actual wealth today, and its boundless prospective increase in the future. Consequently, the rejoicing is no more on one side than it is on the other in respect to the growth which we have to record. The outlook is exceedingly encouraging in every regard, and no word shall fall from me which would tend to belittle it in any way.

It is one constitutional duty of the members of the Opposition to bring to bear on the material put before us by the Treasurer the best analytical faculty we possess, to discover what there is in his statement to content us, and the directions in which we should walk warily. The method of presenting the national balance-sheet and outlining the Government policy hitherto followed leaves much to be desired. I was not sufficiently disorderly to interrupt my right honorable friend by suggesting that his tables be taken as read; but it would be better if, earlier in the day of the delivery of a Budget, a printed digest of the main features were put before honorable members, so that they could grasp the issues involved. The Treasurer could then devote himself to an analysis of the tables, and an exposition of the great questions of policy with which he had to deal.

Mr. FISHER.—I understand that tables must be read to get them into *Hansard*.

Mr. DEAKIN.—If an alteration of our rules be necessary to do what I suggest, it should be made this session, so that, when we next listen to my right honorable friend, he may be free to speak without an embarrassing mass of detail, such as that through which he had to pick his way to-night. He devoted much more time to mere lists of figures than to the important statements of policy we were awaiting. His elucidation of the problems before us, and examination of alternatives, was consequently so curtailed that, until we have had leisure to read his speech, we shall not be able to apply ourselves with advantage to a real criticism of the proposals omitted or embodied in it. The same complaint has been made year after year. It is unfair to all Treasurers that they should only have time to give a partial sketch of the financial situation. Until we have studied the mass of material laid before us, even striking and suggestive indications of national growth or decline will pass without the scrutiny and appreciation which is their due.

Hence I do not now pretend to offer either a financial policy speech, or even the full criticism which the speech of the Treasurer deserves. Speaking impromptu, and with only an imperfect recollection of the long lists of figures to which we listened for more than an hour and a half, let me first draw attention, for the better realization of our position, to some special circumstances which the right honorable gentleman not unnaturally ignored. An extraordinary transformation of the financial situation was accomplished at the time the

present Government took office, due to the expiration of the bookkeeping period, during which the hands of Parliament had been tied. Synchronizing with this was an entire change of policy introduced by this Government in the distribution of the Customs revenue. These account for our credit balance.

A glance at *Hansard* reminds me that, although the Budget was delivered last year in September—the Treasurer apologized then, as he did to-night, for his delay—there was no chance of criticising it till November, shortly before the prorogation. As a financial transition, for this and other reasons, last session stands alone. There was a most miraculous precision in last year's forecast, the receipts and expenditure alike being estimated at exactly £16,841,629. That was the most daring forecast ever made by a Treasurer. His receipts, in fact, amounted to £2,000,000 more than that estimate. To be fair to the right honorable gentleman, I will assume that this indicated his intention to take a perfectly safe course by setting down his income as just sufficient to cover his expenditure. He was fortunate in knowing pretty well what he would spend, and quite aware that his revenue would far more than cover the amount.

In his first year, he shows a surplus of a little over £2,000,000. That is a very happy position of affairs. He was at pains, and very properly, to appeal to our national sentiment by showing that, out of the lavish resources at his command, he is providing adequately for defence. On questions of broad policy he will have the whole House behind him; criticism of his defence proposals will be only on matters of detail. He told us that the new expenditure on defence would be about £4,750,000.

Mr. FISHER.—No; just under £4,000,000.

Mr. DEAKIN.—The right honorable member for Swan informs me that, by the financial scheme passed last year, the Commonwealth Treasury has pocketed the whole of that by simply withholding it from the Treasuries of the States.

Mr. FISHER.—The right honorable member for Swan proposed to borrow £3,500,000 after he knew that he would get this money.

Mr. DEAKIN.—No; but it may be a poignant regret with him that he was not permitted to spend it. The point to be remembered is that wholly by reason of the new distribution of the Customs revenue and our deductions from the States that we are able to find and spend this huge sum on defence without borrowing. While we have cause for rejoicing, the Treasurers of the States, and those whom they represent, must regard the matter from a very different stand-point.

Mr. FISHER.—They are getting about £650,000 in interest on the transferred properties.

Mr. DEAKIN.—I do not think the last has been heard of that, though I do not know when we shall be able to fully discuss that transaction.

Hurriedly outlining the Treasurer's receipts, I note that our Customs receipts last year showed an increase of £1,200,000, the States parted with the huge sum I have mentioned, and the new revenue from land tax was £1,370,000. There is, in addition, a sum due thence which cannot be assessed. Two decisions of the High Court very much reduced the receipts from the tax, and rendered it less burdensome to the landholders. Probably when the whole sum due for the year has been received, it will be not much less than £1,500,000. But for the decisions referred to, it might have reached the £2,000,000 some of us anticipated when the Bill was under discussion. However, here is an overflowing Treasury, fed partly at the expense of the States, and partly by the Land Tax. We were never so fed before.

Last year we were dealing with figures, then regarded as remarkably high, showing a revenue of between £16,000,000 and £17,000,000. This year we are on the verge of a revenue of £20,000,000, and there is no sign of decline. The revenue of the Commonwealth for future years may probably be assessed at £20,000,000. Those of us who recollect the first beginnings of this Commonwealth, ten years ago, the scrutiny to which Sir George Turner's financial proposals were subjected, though only half the same totals to-day, and the wary manner in which we walked before spending a single penny upon any public undertaking, cannot help being struck by the absolute change. To-day we are speaking lightly of a revenue of £20,000,000. Listening to the golden story unfolded by the Treasurer, we might well be forgiven if we

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privily pinched ourselves to make sure that we were quite awake.

Sir JOHN FORREST.—We had to return three-fourths of our Customs and Excise revenue to the States, and we had no land tax in those days.

Mr. DEAKIN.—Quite so. I think the laughter of honorable members opposite is most unbecoming.

Sir JOHN FORREST.—I do not see much sense in it myself.

Mr. DEAKIN.—No; they do not realize what our financial trials were in those days.

Sir JOHN FORREST.—They have not been taxed.

Mr. DEAKIN.—It is a case of defective sympathies.

Mr. ROBERTS.—We have put a tax on the men who have the sacks.

Mr. JOSEPH COOK.—That is precisely what the Government have not done.

Mr. DEAKIN.—I hope to restore my right honorable friend's customary geniality by calling his attention to the fact that our previous Administration had the privilege of securing a recognition of the right of Australia to the profits of its own silver coinage, which had been so many years denied to us. The profit from that coinage amounts this year to £183,000, while the Treasurer's cautious estimate for next year is £210,000. We are thus in the position of financing the present Government—of finding the means which enable its members to indulge in outbursts of hilarity. Was there ever a more unselfish act?

Let me now rapidly allude to some of the many omissions from the Treasurer's financial statement. One of these, which I was awaiting most anxiously, was dealt with by the right honorable gentleman at the last moment. I think the Committee would have willingly forgiven him had he trespassed upon our patience by giving a frank exposition of the views of the Government, and of the course they are pursuing, in relation to the great operation of the consolidation of the State debts, which we have been so long attempting to handle. He has told us nothing really pertinent. Six or seven years have elapsed since I had the privilege of meeting the Premiers of the States, endeavouring to arrive at an agreement on that all important matter. My endeavour, like some that preceded, and others that followed it, was unsuccessful. But even at that time the Premiers had become impressed with the fact that propositions were being submitted, on the part of the Commonwealth, which promised well to the and would be in the future bett than anything for which they could ho until they united with us in pooling o financial credit. It was all very we while the Commonwealth was still its infantile stages, to point to t great wealth and prosperity of the seve States, and their perfect ability to sta alone. No one questioned it. What w questioned was whether they were obtai ing, or, at all events, could continue obtain, the best terms possible. Wh could not be questioned was that the cre of Australia as a whole must necessari stand higher than that of any portion Australia; and that, in the course of tim that fact must more and more assert itsel Consequently, for years we pressed t States very eagerly and very anxiously this regard, making suggestion after su gestion in order to arrive at an agreemer However little was accomplished, certain something was achieved. The way w not only opened, but well paved before left office; and I cannot but believe th if the Prime Minister and his colleagu had continued to press the matter duri the whole period they have been in pow we should have had a much more encoura ing progress report than we have ha to-night.

Mr. FISHER.—I have never looked upo the question as being a party one.

Mr. DEAKIN.—It is not; it is not ev Federal in the sense of relating only this Parliament. This is an Australia question, affecting every citizen, and en bracing every one of its Governments. Th Prime Minister and his colleagues mu surely have made up their minds, the information afforded to them, as what, in their opinion, is the best plan follow. Yet what have they done?

Sir JOHN FORREST.—They will find more difficult than they thought it was.

Mr. DEAKIN.—At all events, the should present the best plan that the ci cumstances permit. It is not necessary th we should know just what it is; nor do w desire, at this stage, to be made aware details; but if we had been assured th practical communications had been passi between the Commonwealth Governme and the State Governments on some gener basis that we could approve, such an int mation would have been welcomed by th people of Australia. They are lookin forward eagerly to a settlement of this que

tion, and will richly reward with their approval those who may be fortunate enough while in office to make a proposition that can be generally accepted.

Mr. FISHER.—I have had many personal conversations, which are as good as anything else in these matters.

Mr. DEAKIN.—Personal conversations with those concerned are valuable if they lead up to or formulate a plan of joint action which will provide for our mutual interests and development. But they may mean nothing at all. The Governments with which I have been associated obtained the best knowledge that was available in one of the world's financial centres—London—and thought we saw our way to proposals that the States would accept. If the Treasurer will take up the negotiations where we left them, and perfect our proposals, they will receive any assistance that we can give them. This is in no sense a party question, its settlement would be one of the best things that has ever been done by the Ministry or the House.

Mr. FISHER.—Subject to further consideration I have no objection to a Committee from both sides of the House to deal with the whole question.

Mr. DEAKIN.—I welcome that proposal, and at once pass in some haste from that subject to matters that seem to be unwisely regarded as minor.

I heard no encouraging references in the Treasurer's statement to the policy of the Bounties Acts, which the present Ministry found on the statute-book when they took office. I heard no warm appreciation of that policy, and no evidence of an attempt to extend it. Indeed, I heard no record of progress beyond that which would have taken place in the ordinary course of events. This suggests that there is not behind these proposals for the encouragement of particular native industries, which can be reached only in that way, all the zest, warmth, and vigour that we need and desire. I venture to say that some reference, at all events, in this direction was to be expected in a statement of national policy.

Then, again, the Prime Minister has said in this House that he and his colleagues are anxious that certain preferential trade agreements should be brought about between Australia, and New Zealand, and Canada, as well as with South Africa, with whom we had the good fortune to make an agreement that has been profitable to this country. But, although such trade agreements form an important part of the financial policy of the Commonwealth, and were earnestly sought by us, we find that they, too, are relegated to some future period.

Then comes the most striking omission of all. Except for a judicious reference to the development of settlement in the Northern Territory, no allusion was made by the Prime Minister, in his policy speech, to necessary developments of our whole immigration system, even those required to meet demands that have been officially indorsed by representatives of all parties in the States. Industrials, who look at the question from opposite sides, have agreed that thousands of new employés are absolutely required for many industries and callings. We have this appeal for more life-blood for Australia, which I am sure all Australians desire, but save in the relation mentioned the subject finds no place amongst the propositions that have been submitted to us to-night.

No circumstances of industrial unrest by which we are surrounded can have any bearing upon this problem on any scale with which it is possible for us to deal at present. If we were within a day or two's sail of the Old World, and were entering upon an unconsidered scheme of wholesale immigration, we might easily go wrong. But having regard to our poor means of communication with Great Britain, the long distances to be traversed, the cost and delay involved, it is plain that if we used every available vessel to bring immigrants to the different portions of Australia—and there are many—where there is a keen demand for settlers to join in the development of this country, we could not over-supply them. In the circumstances the least we can do is to make a spirited response to the complaints of intending immigrants, giving some evidence that efforts are being made to utilize the ships coming to our shores from civilized countries to increase our numbers, subject to the regulation of our Acts. Any policy that omits this cardinal factor ignores and imperils the future. The Prime Minister has clearly recognised by implication throughout his speech that the necessary and natural consequence of our Federal action is now bearing fruit to such an extent that the demand for white men and white women must intensify all over this continent in an increasingly rapid degree. Why, then, does his Cabinet stand still?

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It is most unfortunate, also, that the Prime Minister, by his studied silence, gave us no encouragement to hope that they are making any endeavour to meet even the obvious flagrant and glaring anomalies that have been discovered in the Tariff, in respect of which we appealed to the House last year. We have neither the employés to meet the present demands here or in prospect from Britain.

Mr. FISHER.—The matter was mentioned in the Governor-General's Speech. As the honorable member knows, it would not be judicious to mention Tariff alterations in a Budget statement unless we were going to do something.

Mr. DEAKIN.—But I want the Government to do something now. I was about to remind the Committee that there was a reference in the Governor-General's Speech that had kindled a good deal of expectation. Tariff proposals, as they affect the Treasury, are peculiarly within the province of the Treasurer. It has been the invariable practice to make some allusion in the Budget statement to the general intentions of the Government, so far as it would be wise to disclose them, at all events, in their effect upon revenue.

Mr. FISHER.—Does the honorable member think that would be the right thing to do?

Mr. DEAKIN.—I do.

Mr. FISHER.—I think not. When the Government are ready, it is a different matter.

Mr. DEAKIN.—They should be ready now. I have been accustomed, both in State and Federal experience, to hear the Treasurers of the day announce whether they proposed or not to deal with Tariff questions.

Mr. FISHER.—I shall never do it.

Mr. FENTON.—Is that not rather an unwise thing to do?

Mr. DEAKIN.—If there are any unwise disclosures in this speech, they are not of that character. Something might be said about the particular information regarding our defences. That was much more unwise than any disclosures about our financial or industrial prospects.

Dr. CARTY SALMON.—The only disclosure is that the Treasurer anticipates a larger amount of revenue from the Customs.

Mr. DEAKIN.—That means no Tariff alteration, even in the direction of remedying admitted abuses. I would not dream of saying that the Treasurer should give a hint as to the precise direction in which he proposed to go.

Mr. FENTON.—If the Treasurer made any announcement, it would enable importers to take advantage of the position.

Mr. DEAKIN.—I doubt it. Considering the period we have reached in this session, it would make very little difference. They could not get the goods here before the necessary resolution protecting the revenue was laid on the table of the House.

Mr. FINLAYSON.—It would lead to speculation, anyhow.

Mr. DEAKIN.—We cannot help speculating about it. This is a pressing need which is continually brought before us, and which is being keenly felt. The sooner the Government make up their minds what they are prepared to do on the question, and do it, the sooner will come a respite from this costly uncertainty. However disappointed people in business may be with what will be done, at all events they will know where they are for another year or two. That would be a great advantage. The omission of any such assurance is one of the most grave and serious of all the omissions in the speech. It must be kept continually before us till it is dealt with.

I did not anticipate that the Prime Minister would to-night unfold his proposal in relation to the Commonwealth Bank, as that will be dealt with in the measure of which he has given notice. But I did think that the policy of that bank, and its place in our financial future, so far as he foresees it at the moment, would have been indicated in some general fashion, so that we could see how it was linked up to those particular enterprises which it is intended to foster and support. We should have had in that direction, also, some general guidance for the public, and enabling honorable members to commence to give a proposal of this magnitude the close and careful attention it deserves.

We still find that our appeals for the establishment of an Inter-State Commission are disregarded. That body is authorized by our Constitution, and its functions, quite irrespective of some that we proposed to add, are of the utmost importance. I regret that we hear nothing in regard to its appointment. The Treasurer referred to that most interesting Imperial Commission which is to visit the various por-

tions of the Empire, and report upon their resources. Personally, I regret that this inquiry is crippled by the exclusion of any investigation into the fiscal circumstances and policies of the different Dominions. Most valuable will be the information which is to be sought by the Commission. Its collocation will occupy a considerable time. The report must be exhaustive in order to be useful, and should be immensely valuable to us when we get the result of its labours regarding ourselves, our fellow Dominions in the Empire, and the Empire generally. But the value of its work would have been much more enhanced if it had been accompanied by an analysis and study of the Tariff and Excise duties levied in each and every part of the Empire. That, and other information of the kind, would have been very pertinent in explaining to us our special developments in some cases, and our failure to develop in others.

Mr. FENTON.—Will not the Commission take that subject into consideration?

Mr. DEAKIN.—I regret that it was specially excluded at the request of the Home Government, whose motives, of course, can be understood. I say nothing in that regard, but in an inquiry of this sort the interests of the Dominions count for a larger factor in some senses than even those of the Mother Country. After all, the resources, and capacities, and circumstances of Great Britain are known to an extent that as to the outer Dominions we cannot approach. Relatively, we are unknown. Full fiscal inquiries ought to be made at least in regard to us, and would have been extremely valuable when made.

The Inter-State Commission ought to do for Australia what that Commission is authorized to do, as far as it can in the circumstances for the Empire as a whole. Our Inter-State Commission ought to have been appointed some time back. We could not then find a House willing to face the relatively trifling extra cost involved, in order that Australia as a whole might be systematically studied, and its data carefully collected, and authenticated. With its guidance in our industrial and other Courts, in our statistics, and in our legislation, we should have before us the essential facts relating to the people, the products, the prosperity, and the general circumstances of Australia. These would enable us to proceed with a confidence which we cannot now possess, because those data have not been properly collected, sifted, and made available. While, therefore, I rejoice in the appointment of the limited Imperial Commission, I regret very much the absence of the Inter-State Commission, and the work it would have undertaken for us.

The Minister of External Affairs will find in this House, and during this session, a very earnest desire to have much fuller information than the Treasurer could be expected to give us yet in regard to the Northern Territory, Papua, and other outlying portions in which we are so deeply interested. The general outline given by the Treasurer is satisfactory as far as it goes, but it requires to be enormously supplemented and made real to us, so that this House and the country may come right behind the Minister, as I hope they will do in the circumstances, and give him every assistance. That is another of these non-party questions to which I have endeavoured to devote the few minutes for which I have ventured to trespass upon the time of the Committee. But really in all matters of high policy we are left in the dark.

With more leisure, more means of comparison, and more data at hand, it will be our duty to analyze thoroughly the details of the various important matters of expenditure and investment which the Treasurer has outlined. As they stand, the two or three outstanding facts which have impressed themselves on us to-night show that our revenue is abundant, and climbing steadily and rapidly. The causes of the rise are perfectly plain to us, and not mysterious to outsiders. Our expenditure is climbing up with it; but the outlay for purposes of national defence and other matters of that sort will be cordially supported all round the House. The question remains how far the Treasurer's speech falls short of doing the necessary justice to our industrial developments, and how many omissions there are which ought to be supplied before we can accept the financial policy as satisfactory to members on both sides of the House, and worthy of the opportunities which Australia enjoys to-day? The sooner those omissions are supplied the better. When does the Treasurer propose that the debate shall be resumed? I presume it will not be next week.

Mr. FISHER.—There are the Works and Buildings Estimates to go on with. We will take the Conciliation and Arbitration Bill, and then go on with the Works Estimates.

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Mr. DEAKIN.—We do not wish to delay any works which are really matters of urgency.

Sir JOHN FORREST.—Does the Treasurer propose to take the Works Estimates before this debate is completed?

Mr. FISHER.—We generally take the Works Estimates first, sometimes on the same night as the Budget is delivered.

Mr. DEAKIN.—I do not know that it would be fair to take the whole of the Works Estimates. The Treasurer could obtain without a query the necessary sum for the next month or two to carry him on with the works, and then we could plunge into the general questions of financial policy in the Budget debate.

Sir JOHN FORREST.—If we pass the Works Estimates, there is nothing much left.

Mr. DEAKIN.—As the numbers stand, our criticism will not have any result in any case. I feel relieved of responsibility in that direction.

Mr. FISHER.—I do not wish to tie the hands of the Opposition, but I think the Works Estimates should be got through before the Budget debate.

Mr. DEAKIN.—That is inverting the natural order of affairs. We can, of course, alter it, and there is a certain amount of interest in the endeavour to persuade honorable members opposite to do what ought to be done. We have no other weapon. If we cannot persuade, we cannot coerce. Perhaps the Treasurer will leave the question over until Tuesday.

Mr. FISHER.—I shall be glad to confer with the honorable member.

Mr. DEAKIN.—I feel that it will be unfair, both to the House and to the Treasurer, if, on the cursory acquaintance which I have been able to gain, chiefly through his kindness in providing me with this document, I were to plunge into that fuller criticism of the Budget which will become part of our duty at a later stage. I propose to reserve any really critical or analytical remarks until then. In a general way I have tried to show the points on which we find ourselves in agreement with the spirit of the Treasurer's address and with his general proposals. Beyond these, the responsibility rests upon us of making the closest and most searching criticism of the proposals of the Government before they are passed into law. In doing that, we shall discharge our duty as an Opposition, and as representatives of the people who sent us here.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.11].—I thank the Leader of the Opposition for his criticism. We are always thankful as a Government for criticism, because in a matter of this kind it is perhaps much more valuable than praise. As regards the immigration question, I intended to speak upon, but overlocked, a matter closely associated with it—that is, that the first essential to the carrying on of the business of the Commonwealth overseas is a suitable building in London for the High Commissioner and for the States. The Government intend to deal with that question earnestly, so that our representatives in Great Britain may be properly equipped.

Mr. JOSEPH COOK.—What has that to do with immigration?

Mr. FISHER.—A building worthy of the Commonwealth in London, properly equipped for the Commonwealth and the States, and with the High Commissioner and the representatives of the States housed there, would be a bigger advertisement for Australia than, perhaps, £100,000 spent in another way would be. People would learn then about Australia. They have only to know what the conditions of Australia are, and we shall get the best class of people to come here of their own accord. I myself and many others did that simply through reading the facts about the country.

Mr. JOSEPH COOK.—How long before the building is complete?

Mr. FISHER.—It may be done in a year.

Mr. GROOM.—Building and everything?

Mr. FISHER.—Yes, at the rate at which things are done now. If the land has to be purchased and the building has to be erected, at a cost amounting to about two-thirds of a million—that would be for a proper substantial property—the money would have to be provided in one year.

Mr. GROOM.—Is the honorable member taking authority to expend that money in these Estimates?

Mr. FISHER.—No; we shall have to proceed by a Bill to deal with a matter of that kind.

Mr. JOSEPH COOK.—It will be three years before the work is finished.

Mr. FISHER.—I hope not. I shall be glad to take into consideration with my colleagues the remarks of the Leader of the Opposition regarding the Inter-State Commission. I think there is something in

what he said. I do not agree at all with the honorable member's proposition that we should make a statement at this stage about the Tariff. When there is any Tariff revision it should be carried out when the Government are ready, and without any intimation.

Mr. SAMPSON.—Is it proposed to make any special grant to Tasmania?

Mr. FISHER.—The Government have not yet considered the report of the Royal Commission, as a Government, and they do not wish to prejudice the report in any way by expressing an opinion. I have no hesitation in saying on my own account that any appeal under section 96 of the Constitution by the Government of Tasmania must receive consideration.

Sir JOHN FORREST.—How is it proposed to spend the £22,000 on the Kalgoorlie to Port Augusta railway?

Mr. FISHER.—That is the whole of the money that the expert engineer desired for this year. If it is not enough the engineer can have as much more as is necessary to hurry the work.

Progress reported.

House adjourned at 10.17 p.m.

Senate.

Friday, 27 October, 1911.

The PRESIDENT took the chair at 10.30 a.m., and read prayers.

ART UNION PROMOTERS' LETTERS.

Senator KEATING asked the Minister representing the Postmaster-General, *upon notice*—

The number of art-union promoters and agents for the same in the Commonwealth whose correspondence through the Post Office has been stopped under the Post and Telegraph Act 1901 (section 57), since the beginning of the present year?

Senator FINDLEY.—The answer is "none."

ELECTORAL BILL.

SECOND READING.

Debate resumed from 26th October (*vide* page 1865), on motion by Senator PEARCE—

That this Bill be now read a second time.

Senator ST. LEDGER (Queensland) [10.33].—When the debate was adjourned last night I was dealing with what I think is a defect in the presentment of this Bill, inasmuch as it provides for so much to be done by regulations without the Senate being furnished with them in draft or skeleton form. I ask the Minister to consider whether they cannot be produced, if not here, in another place. It must be patent to everybody that the collective wisdom of the two Houses may be of assistance to the Minister and the Department in the framing of the regulations. A large number of the members of this Parliament have had considerable experience with regard to the conduct of elections. They are familiar with the regularities and the irregularities which accompany elections, and that common fund of experience would, if properly appealed to, be of great assistance to the Minister, the Department, and the country in endeavouring to insure purity and simplicity of action in connexion with elections. It may be said in answer to my criticism that the Senate will have a full opportunity to consider the regulations when they are tabled. But I would remind honorable senators of what happened in the case of the census regulations and the difficulties which then beset us. There was some trouble in getting the regulations before the Senate; then there was difficulty in finding an opportunity to debate them, but the result of the discussion was that almost all the regulations were thrown out. That shows the danger on one side and the advantage on the other—specially in the case of an important measure—of the Senate having before it these proposed regulations. Few honorable senators give to regulations tabled in pursuance of an Act that minute attention which they often require. It is not until some grave error of administration has been discovered, or injustice has been done to somebody, that the attention of both Houses is called to a defect in regulations. That kind of thing is almost as bad as locking the stable door after the steed has been stolen.

Senator FINDLEY.—That is a very bad simile.

Senator ST. LEDGER.—Am I to understand that the Minister has made up his mind that we shall not be given an opportunity to see the regulations?

Senator FINDLEY.—You know that all regulations have to be laid on the table of the Senate, and to remain there for a certain time.

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Senator ST. LEDGER. — Certainly. But it is of no use for the honorable senator to tell me that Queen Anne is dead, because that will not carry the subject any further. In Committee I shall try to get the regulations laid before us. If that can be done in a State Parliament in the case of important measures, I see no reason why it cannot be done in this instance. One important feature of this Bill is the introduction of compulsory enrolment. On the matter of compulsion in any form I am very much like the proverbial Irishman who, when he arrived in the United States, and was asked for a vote, said, "Is there a Government here; if so, I am agin it?" Whenever I hear of compulsion in a Bill the bent of my mind is to make the Minister show cause why it should be enacted. I want cause to be shown why the principle of compulsory enrolment should be enacted. I have not yet heard sufficient reasons to make me assent to the proposal. It seems to me, as a logical proposition, that compulsory enrolment without compulsory voting is like Hamlet with Hamlet left out. I do not say that even with Hamlet left in I would like that kind of Hamlet any better. I cannot see how the Government, as a matter of consistency or political action or logic, can halt at this point. The reason which might affect the decision of Parliament on compulsory voting would be entirely different from the reason which might influence its decision on compulsory enrolment. Who is to enforce the enrolment, and how is it to be enforced? The Minister has said that he will have resort to the card system. He has assured the Senate that, in a measure, that will be sufficient. Of course, behind the card system he has the weapon of the Police Force. It is clear from his speech, and from the comments which have been made from this side, that it is not the merits or the terrors of a prosecution on which he entirely depends to give effect to the principle of compulsory enrolment. He thinks that the assertion of the principle, together with the machinery which can be used, and the adoption of the card system, will be sufficient to effect the object which he has in view. I doubt that very much. So far as the elector is concerned, he will not help or has forgotten to help the Department. That is where the machinery must begin. When an elector shifts from division to division, or from subdivision to subdivision, and has not given notice of his removal, one of two things must be inferred, either that he has forgotten to give notice or that he will not do so. Is the Minister going to prosecute him right away for that? Surely notice of an intending prosecution will be given to him before the Department proceeds, and if notice can be given of his neglect or failure to perform his duty it seems to me that it would be just as easy to enrol him by the same process. In other words, it will be equally effective to enrol him as to prosecute him. Again, has the Minister given sufficient attention to this aspect of the case: that there are more women than men on the electoral rolls? Does he intend to prosecute the women who fail to enrol? Surely he will give notice to them of his intention to prosecute them. Probably the last thing which occurs to a married woman who moves about with her husband is to transfer her name from roll to roll. The lapse of memory is likely to be much greater with women than with men. It would be a shameful use of the penal provision of the Bill if women were prosecuted without first being reminded of their default by the Department. There seems to be one great objection to compulsory enrolment. When the Department send an official notice to a husband pointing out the neglect of duty by that process it goes nearly the whole way to securing his wife's enrolment in the new division. Therefore, the penal provision would appear to be entirely unnecessary. I dare say the Minister has been told by the officials that the mere fact of prosecution will in itself be a powerful reminder to a defaulting elector of his duty, and to some extent a warning to every other elector of the liability for the non-performance of that duty. In other words, does the Minister or the Department anticipate that a prosecution in, say, Collingwood, will remind an elector, say, at Thursday Island, of his duty in that respect? It is childish to imagine that that effect will be produced. Again, will a prosecution in the Police Court at North Brisbane or Woollongabba be a reminder to dilatory electors at Townsville or Croydon of their duty? Not at all. So that, from the point of view of the effectiveness of prosecutions in this matter, the prosecutions will have to be widespread throughout the Commonwealth, and to be, comparatively speaking, incessant before they will serve the purpose intended. In that way the system, if it does not become persecution, will be a

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continual source of irritation, and, it may be, ridicule. I think that, notwithstanding the confidence of the Department and the Minister, it will be found that this provision will fail. The main object of instituting compulsory enrolment is to see that qualified adults are enrolled. Yet in this Bill the Minister strikes at—and may destroy—the most powerful means at present existing for keeping these persons on the rolls and purging the rolls of those whose names ought not to appear thereon. The political organizations on each side are powerful. In many instances they may be called voluntary machinery for helping the Department in that respect. Of course, the officials are not responsible for what has been done, or what is proposed in the Bill to be done, with regard to organizations. It contains clauses which may wipe out the organizations belonging to one political party. They may refuse to continue their existence because of the inquisitorial nature of the provisions. They may decline to go on with their political work, and confine themselves to individual action. So that we may destroy by this Bill, intended to bring about compulsory enrolment, one of the most powerful means we have hitherto had to secure the enrolment of electors. I come now to the question of the counts and recounts at contested elections. The provision dealing with the matter will no doubt be closely considered in Committee. When the numbers polled for different candidates at a contested election are close the counting is not a matter of much consequence, but the recounting may be all-important. When the votes are being counted those which are rejected as informal are set aside, and the returning officer has authority to give or refuse to give them to a candidate. It is of the utmost importance at a closely-contested election that the unsuccessful candidate should, if possible, be able to have declared as formal the votes which appear to be in his favour, and have been declared to be informal. On those votes the final result of the election may depend. It is in such a case that the recount becomes all-important. The candidate may be advised that if votes declared informal are really formal he may on a recount be the elected candidate. He has two tribunals to appeal to. He may first of all appeal for a recount to the Divisional Returning Officer, who may refuse it. He may then appeal to the Chief Electoral Officer, who may also refuse it, and then if he wishes to go further, and take the matter before the Court, he has, under this Bill, another difficulty placed in his way, because provision is made to enable the electoral officer to appear before the Court of Disputed Returns. I ask for what purpose this is to be allowed, if it is not in order that the electoral officer may fight the candidate appealing for a recount?

Senator FINDLEY.—Does the honorable senator think that the petitioner should be at liberty to make any charges he pleases against the Department, and that no one should be present on behalf of the Department to answer them?

Senator ST. LEDGER.—I admit the force of the interjection. The Minister, in speaking on the Bill, asked us to assume that the Commonwealth electoral officers will be men of common sense. No one desires to cast any serious reflection upon them, but might I not also ask the Minister to assume that the candidates will be men of common sense, and that none of them will be likely to ask for a recount without having very good reasons for doing so?

Senator FINDLEY.—A candidate may ask until the crack of doom, but unless he can show substantial reasons he is not likely to get a recount.

Senator ST. LEDGER.—A candidate will not ask for a recount without substantial reasons, but in this Bill the Government are assuming that the reason of the electoral officers will be superior to that of the candidates. I ask the Minister to assume that the candidates will be possessed of common sense equal to that of the officers of the Department. On this point a very valuable suggestion was made by Senator Sayers, which, if adopted, would remove a great deal of the objection to these provisions of the Bill. The honorable senator suggested that where the voting is close and the number of informal votes, as in the case of a Senate election, may be large, an unsuccessful candidate appealing for a recount should get it if he puts down a sum sufficient to cover the cost. He will have substantial cause for asking for a recount, and if he is prepared to put down a sum of money sufficient to cover the expense in order to establish his belief, there is no reason why he should not be permitted to do so. A recount at this stage may decide everything. It was pointed out that if in one case a recount

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had been granted a contest before the Court of Disputed Returns would have been avoided. I have suggested that the only reason why an electoral officer should be allowed to go into the Court must be to afford him an opportunity to support his own decision refusing the appeal for a recount. Neither the Ministry nor any other honorable senator on the other side has offered any reason why the electoral officers should be given this privilege. What defect is there in the existing electoral machinery which calls for this amendment? Although attention has been sharply directed to the matter from this side, we have heard no explanation of this most important alteration, and, with all respect, I say that that is not the way to discuss the Bill or to treat the Senate. I come now to deal with the very important provisions affecting political organizations. So much has been said on the subject that I need not go into the details of the clauses dealing with the matter. They are very drastic, and, in my opinion, are intended to have only one effect, and that is to terrorize these organizations, and to prevent as far as possible their formation. Whether that is really the intention, only the Government can say; but I think the effect of the provisions proposed will be in the direction I have mentioned. Most people are reluctant to disclose to any Government official their private business, or the manner in which they exercise private rights. There is an instinctive horror amongst Britishers of that kind of thing. It is an extraordinary thing that the clauses of this Bill dealing with organizations have no precedent in history. Is there a Parliament in the world, in any constitutionally governed country, which has ever attempted to do such a thing as is here proposed? I do not think the Minister can find a precedent for it

Senator VARDON.—That does not matter. The Minister wants it.

Senator ST. LEDGER.—I can tell honorable senators where to find a precedent for something like it. It may be found in Russia and in France during disturbed times, when organizations were fighting for their political rights, at the point, sometimes, of the sword, or under heavy penalties. No other precedent for these proposals exists. Might I ask why this extraordinary and unprecedented manner of dealing with political organizations has been resorted to in Australia? Have representative public men of Australia, inside and outside Parliament, been so persistently corrupt that a measure like this should be directed against them? I say that it is a libel on the public men of Australia, and also upon the electors. Taking our people on the whole, and admitting whatever individual exceptions can be discovered, I say that, just as our public men have the highest reputation for incorruptibility in the whole world, so the general body of our electors is equally sound. There is here a blow struck at our political organizations. Their officials are to be asked to disclose their expenditure. That can only be on the supposition that the expenditure has been incurred for corrupt purposes. Where is the evidence of that? Over and over again in connexion with the operation of the postal voting system we have asked for evidence of corruption. Many things have been said by way of charge, but not a single word by way of proof, of the exercise of undue influence in the operation of the system. It seems to me that these clauses have been submitted with distinctly malicious and unjustifiable political intent. We carry the war into the enemy's country, and point out that honorable senators opposite have organizations that spend enormous sums of money politically. The charge is made that political bodies supporting this side spend money corruptly. There is no proof of it. There are organizations on the other side that spend enormous sums of money for purely political purposes, but no honorable senator on this side has charged them with using their funds corruptly, or with seeking to unduly influence the electors. I do not, and shall not, make any such charge. I do not think that any one has substantial evidence to support such a charge. We are quite free and candid in the matter. Why cannot honorable senators opposite be equally free and candid with us? We make no charge as to the immense sums of money which they spend on elections. Why cannot they be as just to us? When will the other side tire of calling themselves just and righteous, and of calling us and our organizations unjust and wicked? Why cannot they be manly and straightforward in reference to charges of this kind? When they allege that immense sums of money are improperly spent by our organizations, why cannot they have the manliness to bring forward clear and distinct evidence in support of their assertions? Another objection which we have

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to the provisions of the Bill with which I am dealing is that they cannot affect the organizations which do political work in support of the Ministerial party. Would the Government accept an amendment to make the Bill apply to Labour organizations as well as to others? The Minister, in introducing the Bill, led us to infer that all organizations would be affected by the Bill. I have read the clauses over and over again, and as far as I can see not one of the Labour organizations will be affected. Further than that, if we were to insert distinctly the words, "trade organization or trade union," we should not catch them. But do honorable senators opposite mean to say that trade union officials and organizations carrying on political work, do not know how to use their forces in such a way as to appear to separate the industrial from the political side? Do they not know how to make it appear that nineteen-twentieths of their expenditure and work is to be credited to the industrial side, and scarcely a shilling to the political side? Nevertheless, it is a matter of public notoriety that trade unions and organizations closely associated with them spend enormous sums of money for political purposes.

Senator FINDLEY.—We wish they had enormous sums to spend.

Senator MILLEN.—The Minister means that, having spent the money, he regrets that the organizations do not still possess it.

Senator ST. LEDGER.—They will have to have the Commonwealth bank at their disposal before they can play tricks like that. Let me show the amount of money which has been spent by the other side and their organizations. I have consulted the twenty-fifth report of the Registrar of Friendly Societies in Queensland. This document deals, not only with friendly societies pure and simple, but also with trade unions. The revenue of these unions in Queensland in 1905 was £5,021. In 1906 it rose to £7,159. By leaps and bounds the income went up until in 1909 it reached the sum of £16,867. On what objects was the money spent? I will give the figures. Out of £16,867 these unions spent only £2,532 in benefits. They spent £8,398 on management. Nearly half the total funds contributed by trade unionists in Queensland were therefore spent on management. Management of what? Is there an institution, financial or otherwise, in Australia which could be carried on if it spent 50 per cent. of its money on management?

Senator GIVENS.—Are we discussing the management of trade unions under this Bill, Mr. President?

Senator ST. LEDGER.—I shall not try to drive the meaning of these figures into the honorable senator's head, but I remind him that I am quoting from a public document.

Senator GIVENS.—It has nothing to do with this Bill.

Senator ST. LEDGER.—It has a great deal to do with the Bill. The honorable senator was not in the chamber when I led up to my point. Honorable senators opposite charge us with using immense sums of money on our political organizations. They ask us to furnish returns of our expenditure. My answer is that their organizations spend enormous sums of money on political work.

Senator LONG.—On what?

Senator ST. LEDGER.—I am giving actual instances. My complaint is that these organizations will not, and cannot, be effected by the Bill. Besides the £8,398 spent on management they spent £5,326 in other directions, including assistance to unions, legal and political expenses, and contributions to their newspapers. In other words, out of the total of £16,867 which was the entire income, only £2,532 went in personal benefits to the members of the unions, leaving about £14,000 to be spent in management and carrying out the objects of the unions in other directions, including contributions to newspapers.

Senator MILLEN.—Of that £8,000 nominally spent in management a large amount was spent indirectly on political work.

Senator ST. LEDGER.—Of course.

Senator LONG—How much went to the assistance of kindred societies in connexion with strikes?

Senator ST. LEDGER.—That is not disclosed.

Senator LONG.—But it is included in the total.

Senator CHATAWAY.—I think that information is furnished in the report.

Senator ST. LEDGER.—I did not take out those particular figures, if they are there.

Senator McDOUGALL.—Trade unions do not exist for the personal benefit of the members.

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Senator ST. LEDGER.—I thought that was one of their objects.

Senator GIVENS.—Collective benefits.

Senator MILLEN.—Does Senator McDougall suggest that unions exist only for the benefit of the officials?

Senator ST. LEDGER.—I leave that to him. If they do not exist for the personal benefit of the members who contribute these funds, for what object on earth do they exist?

Senator GIVENS.—To give the honorable senator something to talk about.

Senator ST. LEDGER.—Assuming that in Queensland £14,000 out of £16,000 has gone largely for political purposes—I do not say that the money was improperly used to influence unduly elections, because there is not the slightest evidence of that—what inference can we draw concerning the rest of Australia? I wish to make it clear that, in my opinion, these unions are perfectly entitled—especially in this country where questions affecting the industrial as well as the political advancement of the workers are closely bound together—to contribute their funds and spend them in these directions. Political and economic questions are so closely bound together that it is almost impossible to separate the two in a return. Taking it that in Queensland £14,000 out of £16,000 has been directly or indirectly spent on political work, and taking the population of Australia as seven times that of Queensland—I think also that Queensland's contribution to trade unionism is a little below rather than above the average contribution in the other States—it appears as an almost irresistible inference that about £120,000 is contributed in Australia to the various workers' organizations. Assuming that the same proportion of expenditure exists in the other States, we may infer that only about £17,000 out of the £120,000 goes for the purely personal or economic advantage of the members of the unions or for the purposes for which these organizations were primarily created. I do not think that honorable senators opposite can get away from those facts and inferences. I believe that this estimate of £120,000 is rather above than below the amount contributed to the unions of Australia. Is it not, therefore, pure Phariseeism for honorable senators opposite to charge us with manipulating large sums for political purposes? Is it not worse than Phariseeism to insinuate that we are the only persons who collect money for such objects? I venture to say that in proportion to the numerical strength of trade unionists in Australia there is nobody in the world that raises so much money, or uses it so persistently—and, I will add, so well—for political purposes as the Australian workers do.

Senator MCDOUGALL.—They use it fairly.

Senator ST. LEDGER.—I have not said that they do not use it fairly. It would be unmanly to insinuate that they do not, because I have not the slightest evidence of anything of the kind. But when we carry the war into the camp of honorable senators opposite, and ask them to give us any evidence that we use our money—which is infinitely smaller in amount than that which they use—corruptly or improperly, not a shadow of proof is forthcoming. These insinuations are simply made with the object of inflaming public opinion—with the object of making it appear that money is being used corruptly and improperly entirely on the one side. The returns made under this Bill will disclose that comparatively little is spent on the one side, whilst comparatively large sums are spent on the other; and then these particulars will be employed in the Pharisaical manner with which we are so well acquainted. It will be said: "See how disinterested we are! See what self-sacrificing work we do! We spend compartively little on elections, but look at the amount spent by the other side!" That is how this information will be used. That is the intent and purpose of the Bill. Honorable senators opposite cannot escape the charge of being afraid to meet us fairly. They will compel us to disclose information which they dare not disclose on their own side.

Senator MCDOUGALL.—I will produce one of the Opposition party's posters, and will guarantee that he cannot tell me where it was printed.

Senator ST. LEDGER.—What has that to do with the matter? That is one of those red herrings that are always drawn across the trail whenever charges are made against the Ministerial party. Does the honorable senator think that I am standing up to contend that no improper things are ever done in connexion with the conduct of elections on any one side in politics? Every one of us knows that our agents occasionally do things which are unjustifiable and wrong. It is in the nature of things human that persons should sometimes overstep the mark. Look at the

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abuses which arise in connexion with trial by jury. Would honorable senators opposite condemn trial by jury because some juries are foolish, and others are occasionally even criminal? Do they say that the whole jury system is corrupt because some juries do improper things? They dare not go so far as that. Every human institution is faulty in some of its parts. No matter how carefully devised an institution may be, abuses will creep in.

Senator GIVENS.—That is a reason why we should provide as many safeguards as possible.

Senator ST. LEDGER.—Exactly.

Senator McDOUGALL.—You are not game to tell me who printed this leaflet.

Senator ST. LEDGER.—The document bears no imprint. It is a cartoon printed in red and white, and has something to do with Mr. Fisher and Mr. McGowen.

Senator CHATAWAY. — Probably it was issued by the other side.

Senator ST. LEDGER.—There is not a tittle of evidence to show where it comes from. Yet Senator McDougall charges me, or some body of which I am a member, with being responsible for its circulation. That is characteristic of the reckless way in which he hurls charges at others. He holds this cartoon up as an instance of our awful iniquity, and the desperate things to which we resort. There is not a tittle of evidence by which any one outside of a lunatic asylum could attach its publication to anybody.

Senator McDOUGALL.—Because you are not game. This is the sort of stuff that you send out without a name being attached to it. It is contemptible lying.

Senator ST. LEDGER.—One would not brush a fly off a horse's tail for a reason like that, yet we are charged with the responsibility for the issue of this cartoon. I shall now deal with the provision relating to election advertisements in newspapers. I do not think that the metropolitan and provincial newspapers care the proverbial tinker's malediction whether it is passed or rejected. The insinuation is that in the past newspapers have been subsidized enormously by political organizations for the insertion of matter which was misrepresentative of the political views of the opposite side. That is a dream, born of a diseased political imagination. There is not an atom of evidence in support of the suspicion. Senator after senator on the other side, from the Minister downwards, has hurled against the newspapers charges which amount to nothing less than charges of corruption.

Senator FINDLEY.—Where did all the money come from which was spent during the referendum campaign—from the clouds?

Senator MILLEN.—You ought to know.

Senator ST. LEDGER.—Thousands of pounds came from Labour organizations. There is some suspicion that the metropolitan and provincial newspapers were got at. Schoolboys outside politics would not reason so rashly or stupidly as that. Every honorable senator on the other side must know well, though he does not want to make the admission, that for ten times £100,000 one could not buy the press of Australia. The sum which we could afford to give, and it is very small, could not influence the opinions of the newspapers. In the whole of Australia there is not a single journal which one could buy with a subsidy.

Senator CHATAWAY.—Senator Findley said not long ago that the Sydney *Bulletin* could be easily bought.

Senator FINDLEY.—I beg the honorable senator's pardon; I did not use those words at all.

Senator CHATAWAY. — You used words which meant the same thing.

Senator FINDLEY.—I said that it changed its attitude as soon as it got a certain advertisement.

Senator ST. LEDGER.—That is only a polite way of saying the same thing. In exactly the form in which the Minister now puts his charge against the Sydney *Bulletin*, that charge has been made over and over again against that journal. On the Stock Exchange it amounts almost to a proverb that there is one or other newspaper in Australia which can be bought at any time. These charges are more or less reckless. The Minister seems to have some reason for making a charge against one journal, but to make such charges against the metropolitan and provincial newspapers is unworthy of schoolboys. Honorable senators opposite know it to be wrong. What have we to do with the past history of the *Argus*, or the *Age*, or the *Daily Telegraph*, or the *Brisbane Courier*?

Senator GIVENS.—What did Senator Fraser say about the attitude of the *Age*?

Senator ST. LEDGER.—Let Senator Fraser, when he is here, stand by what he said. I believe that if he, or anybody else,

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says that by his commercial or political influence he can coerce the policy of any big metropolitan newspaper, he is, to use an expression of the pavement, "talking through his neck," and not through his brain. It is impossible. Because metropolitan newspapers may, at times, have supported us, that is not a proof that we subsidized them to do so. Many of them have opposed us just as frequently as they have supported us. Is it to be said that when they opposed us they acted corruptly, or that when they supported us we bought their support? The charge contradicts itself. It is unworthy of honorable senators opposite to say such things of the newspapers. Because a majority of the newspapers have been strongly against the Labour party, especially when the referendum was taken, they are charged with being vehicles of wilful and gross misrepresentation. It is said that the newspapers were made vehicles for that purpose by reason of the money which was given to them, but they do not sustain their charge in one case.

Senator FINDLEY.—Senator Fraser made these charges against the *Age*.

Senator MILLEN.—And Senator Findley made them against the *Bulletin*.

Senator FINDLEY.—I know who made them against the *Bulletin*.

Senator MILLEN.—Deal with your own charges, and never mind those of an absent man.

Senator ST. LEDGER.—One judgment possibly was as bad as the other. I am not going to allow particular circumstances in the history of a newspaper to determine the whole question. We must look at these matters as a whole, and, on the whole, the press of Australia cannot be bought, nor ever has been bought. This provision is, of course, intended to strike at the newspapers. It will not strike a blow worth one cent in the way of damage to them. They will have no objection to furnish a return. But, again, the same contrast will be displayed when the returns are published to the world. It will be said that the *Age*, the *Argus*, and the *Telegraph* received so much for political advertisements, or for disseminating political information, but that the righteous Labour party did not spend one penny. The Labour press is subsidized by enormous contributions. The fund for their daily newspaper, which is not launched yet, has reached £50,000 or £60,000, and it will be subsidized to a very large extent by an annual contribution of 5s. or more per head from an immense number of workers. Not one cent of that expenditure will be included in a return furnished under this measure. When the returns are published, honorable senators on the other side will be able to refer to them, and say, "Not one penny has been spent on our press, but a few hundred pounds has been given to the press on the other side." That is a conclusion which they will be able to substantiate literally, but one which will be the grossest falsehood in fact. This portion of the Bill is likely to receive close criticism in Committee. I now come to the most important portion of the measure, and that is the provision to abolish postal voting. One reason which has been given for the provision is that the system has been used corruptly. Again, the answer is: No evidence. I admit that the system has been improperly used by both parties.

Senator McDOUGALL.—Can you give a justification for your party publishing this obscene cartoon?

Senator ST. LEDGER.—As the honorable senator has not spoken yet, he will have a chance to deal with that red rag.

Senator McDOUGALL.—Can you give any justification for your party publishing it?

Senator ST. LEDGER.—With the honorable senator's permission, I shall deal with the proposal to abolish postal voting. Not a tittle of evidence has been given to show that the system, although, at times, it has been used irregularly and improperly, has been used corruptly. If it is intended to abolish the system, because it cannot be properly controlled or safeguarded, that assertion is not justified by facts. If honorable senators are to proceed on that principle, they will punish the best of our institutions. A remarkable feature will arise in the working of the measure. Very properly, polling booths are proclaimed at charitable institutions, so that the aged and infirm inmates need not walk outside the grounds to record their votes. But the aged and infirm, who, happily, do not need the assistance of charitable and benevolent institutions, who would rather face death than go to them, have no polling booth taken to their door. It must be known to every member of Parliament that many of his personal friends and relatives are in such a condition of health, and at such an age, that it is impossible for them to go to a polling booth. Under this Bill, some of

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the best and worthiest of our men and women, who have borne the burden and heat of pioneering work in Australia, will not be able to vote. I know dozens of women whose condition of health, combined with their age, is such that it might mean death to them to go, amidst the excitement of an election, to a polling booth to record their votes. I do not object to the creation of polling booths in places which the Act allows, in order to permit aged and infirm persons to exercise the franchise. But I ask honorable senators opposite why the old and the infirm should not be allowed the privilege of voting by post? It is said that the system has been abused. Granted. It is quite easy to establish such safeguards that the abuses will be minimized. It is an injustice to aged and infirm persons to be deprived of the right to vote. This clause will disfranchise thousands of old men and women, some of whom are among the most deserving citizens in the Commonwealth. They are to be disfranchised on the ground that political organizations may have abused the system which enabled them to record their votes. It is a maxim in criminal law that it is better that ninety-nine guilty persons should escape rather than that one innocent person should be punished. Under this Bill, if old and infirm persons cannot walk 5 miles to a polling booth, they will be disfranchised. Why? Because of the improper or irregular use of postal voting in the past. It will be seen that instead of the franchise being extended, it is restricted by this measure. For these reasons, I move—

That all the words after the word "That" be left out, with a view to insert in lieu thereof the following words:—"in the opinion of this Senate the public interest calls for increase, rather than the curtailment, of voting facilities, and that in particular the system of voting by post should not be abolished, but should be extended under proper safeguards and simplified."

Senator KEATING (Tasmania) [11.34].—I beg to second the amendment. I think that the outstanding feature of this measure is the curtailment of voting power. It should be made quite clear to the members of each House, before it becomes law, that that is what the Parliament is asked to do. It will be clear to the electors throughout the Commonwealth, as it has been made clear to honorable senators during this debate, that although this is a Bill designed to amend the Electoral Act, its principal amendment, and apparently its chief and most important object from the point of view of those promoting it, is to abolish the system of voting by post. This system had been introduced, and was in force in Tasmania before the establishment of the Commonwealth. I think that it was in operation at the first elections for the Commonwealth Parliament in that State. If so, it was the only State in the Commonwealth in which postal voting was then an established practice. When we proceeded to lay down the electoral law for the Commonwealth this fact was noted, and we established a system of voting by post for Commonwealth elections. Since then I believe I am right in saying that each of the States has adopted the system, though they may not have adopted in detail the provisions of the Commonwealth law. They have, at any rate, affirmed the desirableness of the system, and have recognised its advantages. So far as I know, none of the State Parliaments has shown any outward disposition, such as is evidenced by this measure, to abolish the system.

Senator PEARCE.—Queensland abolished the system.

Senator KEATING.—I am corrected in regard to that, but I was speaking as one who was not quite cognisant of what took place in all of the States.

Senator PEARCE.—The Queensland Parliament abolished it practically unanimously.

Senator KEATING.—If so, I am quite certain that much more cogent reasons for its abolition must have been given in that Parliament than have so far been tendered here.

Senator MILLEN.—The New South Wales Labour party supported it.

Senator KEATING.—In connexion with its proposed abolition by this Bill a great deal has been said on both sides as to abuses that have crept into its use. I should imagine that, even if abuses had crept in to the extent indicated, though not stated in detail by those who support the abolition of the system, that should not of itself be regarded as a sufficient ground for its abolition. We must remember that we have had ten years' experience of the operation of the system in the Commonwealth, and it is a recognised, accepted, and established system, not only in the Commonwealth, but in all of the States with the exception of Queensland.

Senator PEARCE.—We have not had ten years' experience of it.

Senator KEATING.—We have had practically ten years' experience of it. It

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was in 1902 that we passed our Electoral Act.

Senator PEARCE.—But not postal voting.

Senator KEATING.—We made provision for postal voting.

Senator PEARCE.—In that Act?

Senator KEATING.—Yes, in the Act of 1902. The only amendments we have since made have been in the direction of extending the opportunities, and increasing the facilities for voting by post, and, side by side with the increase of those facilities, of providing precautions against its abuse.

Senator O'KEEFE.—We claim that the increase of facilities for postal voting has led to an increase of corrupt practices.

Senator KEATING.—If so, we should increase the precautions to prevent them. I am not one of those who think that, in order to convince the Senate that abuses exist, it is absolutely necessary that we should have a detailed list of particular instances. If that were required it would be impossible for legislators to pass legislation for the repression, say, of illegitimate and excessive drinking, gambling, or other vices of that character. But I certainly do think that, before we are asked to abolish the system, we should have had something more specific furnished to us in connexion with the abuses of the postal facilities provided by the existing Act than have so far been tendered. The Electoral Branch of the Home Affairs Department is highly organized. It has every facility for ascertaining where abuses have crept in in connexion with the operation of the existing system, and at law, and otherwise, it has the power to enforce compliance with the law. I have had some acquaintance with the work of the Department in the capacity of a Minister. I had acquaintance with it immediately after the election of 1906.

Senator MILLEN.—Did not the honorable senator introduce an Electoral Bill?

Senator KEATING.—Yes, I did. I know that numbers of cases were brought before the Department, and through the Department before the Minister, of alleged abuses of the then existing law. What was done? If I remember correctly, I believe that, wherever there was any justification whatever shown for a prosecution in any of the States for an offence against the then existing law of the Commonwealth, it was ordered, irrespective of party or of person. It was found necessary because of defects in the law to introduce an amending Electoral Bill. Such a Bill was introduced to make further provision for securing the purity of elections. If in connexion with the last election, or the election preceding that, it has become evident to the Administration that abuses have crept in in connexion with the use of the postal voting system, clearly it was their duty to prosecute in every instance. If prosecutions were ordered, what objection can there be to giving the instances, by way of illustration, on the floor of this chamber. The prosecutions themselves would have made public the abuses that are alleged to have crept in, and there could be no question of right or wrong in making reference to those matters which had already become public by means of prosecutions. If, on the other hand, prosecutions did not take place, surely we are entitled to claim that the Government should submit to us the cases in which abuses crept in, and the reasons why prosecutions did not follow. The position of the Minister argues one of two things: Either that the alleged abuses are only imaginary, or, if not imaginary, the Administration did not take in connexion with the last election, and in connexion with the referenda, the only course which duty dictated in regard to those alleged abuses. Is it unwillingness on the part of the Ministry, or ineptitude on the part of the Department, or an indisposition on the part of officers connected with it, to be associated with prosecutions?

Senator GIVENS.—As the honorable senator must know, charges may be well founded, though it may be very hard to sheet them home.

Senator KEATING.—I was speaking just before the honorable senator returned to the chamber of my own experience as a Minister in charge of the Home Affairs Department immediately succeeding the election of 1906. I said that my experience was that sheaves of alleged violations of the then existing law were brought under my notice through the Electoral Office, and in every instance in which it was possible to present a case, irrespective of party or person, a prosecution was ordered in any of the States. I say that if these abuses in connexion with postal voting were so rife at the last Federal election and at the referenda, why have we not some evidence of them in prosecutions that took place consequent upon them? Either the alleged abuses were imaginary or they were not. If they were not imaginary, action should have been taken, and, no action having been taken, surely we are entitled to some explanation. It cannot be because the law was defective, and did not enable prosecution

to be successful in many of the cases, because this Bill does not ask for the remedy of defects of the law which enabled the abuses complained of to exist.

Senator W. RUSSELL.—Yes it does.

Senator KEATING.—Not at all. It proposes the absolute abolition of postal voting.

Senator GIVENS.—That means that no effective remedy for the abuses of the system is possible.

Senator KEATING.—I said before, that in connexion with the Electoral Act, and the complaints made after the 1906 election, they were not confined to postal voting, and wherever it had been found that there was a defect in the then existing law, we came to Parliament and asked for an amendment of the law to enable the Department always to insure the purity of elections. If there have been real abuses of the postal voting system, what we should be asked to do is, not to abolish it, but to prosecute where the law enables that to be done, or, if the law be defective in that respect, to so amend it as to enable the Department to maintain the system and preserve the purity of elections which we all desire. It seems to me that it is a grave reflection upon the Ministry. It argues either their indisposition or their ineptitude in the matter of prosecutions for offences against the existing Act. We are being asked now to revert to a system which, I believe, has never found a place in the legislation of the Commonwealth or of the States. That is the system known as the wholesale disfranchisement of constituencies. I think it has been the practice in times past in connexion with election petitions in the Old Country, where in the case of a single constituency corruption has been shown to be exceedingly rife, to disfranchise the whole constituency for a certain period. That is a penalty which I think no longer exists in the Old Country, and I doubt if it ever existed in any of the States of the Commonwealth, certainly not in modern times. Here, now, on the assertion that postal voting has been abused by a number of individuals, though the proportion is not stated or even estimated, we are asked to commit an act which means the wholesale disfranchisement of electors, who at the last election numbered nearly 30,000.

Senator MILLEN.—Equal to the quota for an electorate.

Senator KEATING.—Yes. This is a reversion to what might be called the barbarous system of wholesale disfranchisement, not the penalizing of particular individuals guilty of offences, but the total disfranchisement of a number of persons, including those who have been guilty of no offence whatever. I think that it requires something more than a mere assertion that abuse has crept in to justify such an act on our part. If at any election for a single constituency in the Commonwealth electoral offences were rife, and a petition was afterwards presented to the Court of Disputed Returns, and it was proved that even more than half the electors who went to the poll had been guilty of offences against the Act, would the Court have the power to disfranchise the whole of that electorate? Would this Parliament be justified in disfranchising that electorate for a single Parliament, let alone for ever? I venture to say it would not. Yet we are asked to do more than that in this Bill. It is not even suggested that one-half of the 29,000 odd postal votes recorded at the last election were obtained corruptly or by means of the perpetration of offences against the electoral law. It is not suggested what proportion of them was so obtained, and yet we are asked to disfranchise a certain constituency of the Commonwealth, the section voting by post throughout Australia, represented by the number of postal votes recorded at the last election. If we had specific instances of prosecution given to us we might be able to estimate what proportion of those 29,000 odd votes were wrongfully obtained, if so obtained. If we had specific instances brought before us of breaches of the law in spirit, though not technically, and therefore breaches which could not be successfully prosecuted in a Court, we should have some means of estimating the alleged corruption of these votes. But we have only a general statement that abuses have crept in. We should have specific instances where prosecutions lay, or specific instances of abuses where, through defects of the law, it was impossible to prosecute successfully. We have nothing whatever to guide us, and, even assuming that abuses did exist, we are asked to commit this wholesale disfranchisement. I say that it will take very much more than anything so far submitted here to justify in reason, fairness, and honesty to the electors of Australia such a proposition as we are now asked to agree to in this Bill. I do not wish to labour the matter, as I propose to confine my remarks in criticism of the Bill to a very brief compass, but I do hope, that, before in Committee we agree to a

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course of this character, we shall reflect upon what it means, and shall endeavour to realize what the effect will be throughout the Commonwealth. We shall have voting by post, which was introduced in the Commonwealth in 1902, wiped out, and it will be retained in all the States, with the exception of Queensland, for all State elections. So far as the question of compulsory enrolment is concerned, I see no objection whatever to the adoption of such a proposal. It will simplify to a large extent the work of the Electoral Office. I believe with the Honorary Minister that in time the electors will begin to recognise their duty, and will carry out their enrolment and their transfers as required under this Bill just as they carry out their duties under various other laws. But I cannot hold with the Government in halting at compulsory enrolment. Why should we not go in also for compulsory voting? The answer to that by the Minister is in effect that though we may take a horse to the water we cannot make him drink. We may compel an elector to go to the poll, but we cannot compel him to give a valid vote. But do not honorable senators see that if electors realize that at any rate they must go to the poll, and go through the form of voting, in time, no difficulties of that kind will arise. If they do exist they will gradually grow less and less. The advantage of voting validly, as against invalidly, would be so apparent and so overwhelming that time and practice would cure any such causes of objection if they existed.

Senator W. RUSSELL.—Let the honorable senator move an amendment in that direction, and I shall support him.

Senator KEATING.—I believe that time, use, and practice would overcome any difficulty of that character. The Government are taking a step in the right direction in proposing compulsory enrolment, but they should follow it up with a proposal for compulsory voting. I do not believe that after many elections we should find a very large proportion of the electors stultifying themselves in the discharge of their duty.

Senator MILLEN.—What about electors who are remote from a polling place?

Senator KEATING.—We should have to provide for cases supplying a just cause for refraining from voting.

Senator MILLEN.—Should we do as is done under the Defence Act—cut out one-third of the population from the compulsory provision?

Senator KEATING.—I am not prepared at the moment to say in detail what should be considered a just cause for refraining from voting under a compulsory voting provision. This Bill provides for the abolition of postal voting, but I have said that I should like to see that system retained.

Senator MILLEN.—The honorable senator's remarks are on the supposition that postal voting would be retained?

Senator KEATING.—Just so. Another matter which has been dealt with briefly though I think it is important, is the proposal to have all elections held on a Saturday. This may not suit some people. It should be remembered that for most people, Saturday, or a portion of it, at any rate, is a holiday. That portion which is not now availed of as a holiday is generally the portion of the day when work is conducted under pressure in order that persons may take advantage of the remaining part of the day which is given as a holiday.

Senator FINDLEY.—Election day is a special kind of holiday.

Senator KEATING.—That may be so, but I do not suppose that the Minister will go the length of proposing to make one of the other days of the week a public holiday throughout the Commonwealth. A large number of persons in all the States cease work at 12 or 1 o'clock on Saturday, and immediately hie themselves off to some distant place to take advantage of the Saturday and Sunday for a week-end rest. Up to the time of knocking off on Saturday they are generally working under pressure, because it is a short day. I fear that, to make Saturday polling day, would be disadvantageous to such people, and would not lead to an increased poll as some suppose.

Senator GIVENS.—Saturday has proved satisfactory as polling day in some States for a great number of years.

Senator KEATING.—Still it might not be so satisfactory as another day of the week would be.

Senator GIVENS.—Most satisfactory, as practical experience has shown.

Senator McDOUGALL.—In New South Wales there has been a movement to do away with Saturday work altogether.

Senator KEATING.—I know that a similar movement is proceeding in other States as well. In my own city, for instance, advertisements have been published calling for hands, and one of the inducements offered to them is five days' work per week, Saturdays and Sundays to be total

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holidays. If Saturday were invariably chosen as polling day I fear that many persons employed under such conditions would leave home on Friday and be away from home entirely on Saturdays.

Senator MILLEN.—Many Sydney people do that now.

Senator McDOUGALL.—Most people cannot afford to leave home for a week-end holiday.

Senator MILLEN.—The honorable senator does not care about the others.

Senator McDOUGALL.—It is only the privileged few who can afford week-end holidays.

Senator KEATING.—I am glad that my remarks are provoking discussion, which I hope will be followed by careful consideration of this proposal in Committee.

Senator O'KEEFE.—Is it not the main point that, in States where elections are conducted on Saturday, it has proved satisfactory, and that there is no desire to substitute any other day?

Senator KEATING.—Saturday may have proved satisfactory in some States, but they have had little opportunity of testing whether any other day would be equally satisfactory, or more so. For many years past there has been a growth of interest in political affairs in the whole of Australia. That interest would be manifested if any other day of the week were selected as polling day, just as much as if Saturday were the day selected. These are, however, considerations which must certainly occupy attention in Committee. Senator Walker has drawn attention to the fact that there are persons in the Commonwealth who, from religious reasons, would be compelled to refrain from voting on Saturday during ordinary hours. It might not be possible, even by extending the hour of the closing of the poll, to enable electors so situated to vote, especially where they live some distance from polling booths. If we decide upon Saturday, it appears to me that the Minister and those in charge of the Bill should insert some provision to meet cases of the kind, enabling such persons to avail themselves of the absent voting privileges. Otherwise there is a probability of their not voting at all.

Senator GIVENS.—Could they not get a special dispensation to enable them to vote on Saturdays?

Senator KEATING.—I am not sufficiently familiar with their practices or observances to know. Another matter—to which Senator Vardon has referred—and one to which attention will be directed in Committee by way of amendment——

Senator GIVENS.—If the honorable senator's amendment be carried the Bill will never get into Committee.

Senator KEATING.—I am providing for all contingencies, even for the worst. If the worst comes to the worst, the Bill will get into Committee, and I hope that when it reaches that stage the Minister will give serious and earnest consideration to the amendment in relation to proportional voting for Senate elections that has been indicated by Senator Vardon. I am not disposed at this juncture to enter fully into the matter, but I hope to address myself to it at some little length in Committee. In the meantime I would point out that the system outlined by Senator Vardon is intended, while maintaining the principle of equal representation of the Senate for all the States as provided by the Constitution, to secure that the representation returned for each State should effectually represent, not simply one dominant majority, or one preponderating party, but, as nearly as possible, the State as a whole.

Senator MILLEN.—Not to represent the State as a whole, but sections of a State.

Senator KEATING.—No, I am speaking of a proper representation of States, each having six representatives, and these regarding each six as a whole, being as nearly as possible representative of the whole State. They each should reflect the mind of the State. I trust that the Minister will give this subject his very favorable consideration, because he must be aware that two of his colleagues have already committed themselves to the principle that there should be proportional representation in connexion with Senate elections. The Vice-President of the Executive Council, early in the history of the Senate, placed a motion upon the notice-paper with this object in view. That was in July, 1901.

Senator FINDLEY.—Times change, and opinions change with time.

Senator KEATING.—For and until 30th August, 1901, if not later, the Vice-President of the Executive Council had the notice on the paper affirming the desirableness of the Hare-Spence system of voting being applied in all future elections for the Senate. The Minister tells me now that times have changed, and that opinions change with

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them. But the Vice-President of the Executive Council has not changed on this point. He has never since then, so far as I am aware, intimated a change of opinion in the Senate or elsewhere. We had a discussion on the proposal in connexion with the first Commonwealth Electoral Bill submitted to Parliament in 1902. The debate was of considerable interest, and most of the States were fully represented by speakers who took part in it. Arguments were adduced, *pro* and *con*, and the Minister of Defence strongly affirmed the principle that we should endeavour to make provision for proportional representation in our electoral law.

Senator FINDLEY.—Is it not a fact that the first Federal elections in Tasmania were conducted on a system of proportional representation, and that there is now no desire on the part of that State to return to the system?

Senator KEATING.—No, it is not wholly a fact. Does not the Minister know that a system of proportional representation is in force in Tasmania to-day?

Senator FINDLEY.—Not in connexion with the Federal elections.

Senator KEATING.—Because the State does not regulate Federal elections. Under the Constitution, however, each State had power to regulate the first Senate elections. That matter was left by the Constitution to each State.

Senator MILLEN.—The Minister's statement that there is no desire on the part of Tasmania to adopt the system is refuted by the fact that it is a Tasmanian representative who is asking for it now.

Senator KEATING.—Tasmania adopted a system of proportional voting for the Legislative Assembly some years since.

Senator LONG.—In a modified form. The expression of preference is limited to indicating a choice of one, two, or three candidates.

Senator KEATING.—That was the system which was proposed in the Senate in 1902.

Senator GIVENS.—Is the whole State treated as one electorate?

Senator KEATING.—No. There are five Federal electorates for the House of Representatives in Tasmania, and they have been adopted as five divisions for the State Legislative Assembly, each returning six representatives. That is the system which Senator Vardon intends to propose in Committee. In Tasmania, for the purpose of co-ordinating with the Federal authorities, as far as is possible and consistent, the Federal electorates were adopted for the State. Each division, as I have explained, returned six members, so that the Legislative Assembly consists of thirty members. The system adopted is a modification of the Hare system. The result is in one division, for instance, that three-fifths of the representation is secured by Labour representatives, and two-fifths by non-labourites. Each party is returned in proportion to its voting strength.

Senator WALKER.—Is there any one division in Tasmania that returns members, all of whom are of one political colour?

Senator KEATING.—No, not one. The highest proportion is in the Darwin electorate, which includes, on the one hand, Mount Lyell and Zeehan, which are mining centres; and, on the other hand, Burnie and Devonport, and the north-west coast, where there are chiefly farming communities. In that division there are two non-Labour representatives out of six.

Senator VARDON.—The Labour people are entitled to their four representatives in that electorate.

Senator GIVENS.—The honorable senator would depart from the principle of majority rule.

Senator KEATING.—No; this system does not depart from that principle at all, because the majority in the division to which I refer is four, as against two. Tasmania has gone back to this system deliberately, and I think we are well justified in saying that there is no inclination, either in Parliament or in the electorates, to depart from it. It must not be supposed that Tasmania formerly adopted the proportional voting system and afterwards abandoned it. She did nothing of the kind. When Tasmania adopted the system before it was tried only tentatively in the two cities of Launceston and Hobart. It was tried there because Hobart returned six members, and Launceston returned four in groups. It was realized that the geographical contiguity of the constituencies so grouped enabled the system to be given a fair trial there. In those two places the Hare-Clarke system was tried. When a more liberal electoral law was passed for the whole State it was determined to apply the system to the whole State. It was because the proportional voting system was not previously enforced throughout Tasmania that its limited use was tentatively abandoned. But now it has been adopted throughout the State, and I

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think I am correct in saying that there is no party which shows any disposition to depart from it.

Senator O'KEEFE.—Was not the Tasmanian Legislature largely influenced by the fact that by adopting the Federal divisions expense might be saved?

Senator KEATING.—I do not think that that consideration had any influence, because, if the desire had simply been to adopt the Federal electorates, it would have been quite easy to divide up the five Federal constituencies into subdivisions. The saving of expenditure in that particular was quite paltry.

Senator O'KEEFE.—It was admitted that it would be impossible to have one division returning six members, and, therefore, the block system would not work if the Federal electorates grouping was adopted.

Senator KEATING.—Of course it would be intolerable, under the circumstances, to have electorates each returning six members in a block. No one would have dreamt of that. The matter is one upon which we might have a profitable and fruitful discussion in Committee.

Senator LONG.—The existing system of Senate election is a perfect one. It must be so, because it returned the Labour party to power.

Senator KEATING.—My honorable friend's criterion is apparently different from mine.

Senator DE LARGIE.—The Government, for which the honorable senator was Whip in the Senate, was responsible for the present system of voting.

Senator KEATING.—The honorable senator should recollect that the Government of that day submitted to Parliament a system of proportional voting for the Senate. That system was supported by the present Minister of Defence and the Vice-President of the Executive Council. I supported it myself. But the Senate defeated us, not having then overcome its prejudices, or having insufficient information before it.

Senator O'KEEFE.—The large majority of those who knocked out the proposal were sitting on the Opposition benches.

Senator KEATING.—There was a mixture. I believe that Senator de Largie voted against it. It was the Barton Government, in 1902, that brought in the first Electoral Bill containing the provision for proportional representation in connexion with Senate elections. It was found, however, that we should be defeated upon it, and we were, and in anticipation of the defeat, which was clearly foreseen from the course of the discussion, the then Leader of the Senate, Senator O'Connor, submitted a block system which had not originally been introduced by the Government, but which was forced upon them by the necessities of the case. There are one or two other proposals in the Bill to which I wish to allude. One is proposed new section 139, which makes provision for absent voting. I do not wish to elaborate my criticism at this stage, because much has been said by Senator Millen, and others, as to the extreme undesirableness of omitting so much from this Bill that ought to be in it, and simply making provision for regulations to contain the principles applicable to this system. It is proposed to abolish postal voting. In its place, what—I may say it without offence—we are given is a ludicrous substitute—a system which amounts to the extension of absent voting. We are asked practically to affirm the principle that all the details of a system, which is, at least, as much open to abuse as postal voting is, shall be provided by regulation. Senator St. Ledger has drawn attention to this thing. It has been a repeated source of complaint in the Senate in connexion with other legislation. But I have never known in connexion with a Bill such a wholesale proposition for future legislation by regulation as is contained in this measure. It has been answered by the Honorary Minister that the law provides that any regulations made under it must be submitted to Parliament, and that it is open to either House, within fourteen days of their presentation, to take exception to them. But what about regulations which are passed out of session? Under the Act those have only to be submitted within fourteen days of the next assembling of Parliament. What of the multitude of regulations which may be found necessary on the eve of an election, when there is no Parliament sitting, or, indeed, in existence? That is the time when regulations are found necessary. Regulations in respect to electoral matters should, as far as possible, be reduced to a minimum. I do not care what Government may be in power, as election day approaches it will be found emphatically necessary to minimize the need for regulations required to provide for contingencies not foreseen.

Senator DE LARGIE.—How many regulations are ever altered by Parliament?

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Senator KEATING.—Why should we multiply the possibilities? Who is to blame for that?

Senator DE LARGIE.—I am not blaming anybody or saying that any one is to blame.

Senator KEATING.—If regulations were not so voluminous and frequent as they are, I venture to say that they would receive far more criticism than they do. If instead of regulation by the Governor-General in Council we had Bills submitted containing the principles, many of the principles would receive scant courtesy from honorable senators in their criticism. So far as electoral matters are concerned, I do not think that we can too strongly realize that very much will depend on regulations within a month or so of election day, and that Parliament will have no chance of considering them. No Government, whatever its political complexion may be, should have such an extensive power put into its hands on the eve of an election.

Senator FINDLEY.—There is no ground for the honorable senator imagining that the regulations will be framed on the eve of an election.

Senator KEATING.—The honorable senator must know that, as a matter of practice and experience, it is found that as the election day approaches there arise circumstances for which there is no guiding principle in the Act, and which the regulations, complete as they are, have not contemplated. So it becomes necessary at the last moment to frame regulations.

Senator FINDLEY.—Unimportant regulations; but not as to the matters you are speaking about.

Senator KEATING.—The regulations may or may not be very important indeed to the candidate, and to the community. At any rate, the framing of an undue number of regulations on the eve of an election, no matter how unimportant or formal, justified or fair, they may be, must necessarily in the minds of some persons create feelings which we do not care to see generated. The only other matter which I wish to refer to at this stage is the limitation of the time for prosecuting in respect of election offences. I think that we shall make a grave mistake if we extend the time to three years, not because a person should escape the consequence of his action by the lapse of time, but because in the interests of justice it is desirable that all the documents, all the correspondence it may be, and all the other data which would necessarily be tendered in evidence should, as far as possible, be available. Persons may have removed or died, or for some reason or other they may not be available. It is usual in the case of offences against a Statute to limit the time for a prosecution, and it is not unusual to limit the time to six or twelve months. We would be well justified in fixing the time at six months from the return day of the writ, if not six months from the date of the alleged commission of the offence. I do not know what justification, if any, has been given by any supporter of the Bill for the repeal of section 206D. I imagine that it did not originate with the Electoral Office, but rather with the Post and Telegraph Department. It reads—

> Telegrams relating to elections and containing only the names of divisions, names of candidates, and the numbers of votes polled for each candidate, and lodged for transmission on the day of or before noon on the day after the day of election may, subject to regulations, be transmitted on payment of the rates prescribed in the Second Part of the Second Schedule to the Post and Telegraph Rates Act 1902.

That provision was inserted in the principal Act by an amending Bill, which was introduced by me in 1905, and the object was to facilitate the transmission, as news, of the results of elections throughout the community. The telegrams were limited to such details as the names of the candidates, the names of the division, and the numbers of votes for each candidate, and they had to be lodged for transmission on certain days. I hope that in Committee the Minister will be able to show some reason why we should abolish such a concession as that.

Senator DE LARGIE.—The provision cannot do any harm there.

Senator KEATING.—It apparently does no harm, and I hope that some justification can be shown for its repeal.

Senator FINDLEY.—In place of the existing provision it is proposed to insert a provision enabling those who are interested in elections to send messages at press rates.

Senator VARDON.—There is no provision of that kind in the Bill.

Senator FINDLEY.—Yes, there is.

Senator KEATING.—I hope that the alternative provision will not have the effect of restricting or reducing a very legitimate concession. It is not available to everybody, as it is to persons in the metropolitan areas and large centres, to learn from morning newspapers the results of elections. I think that in a community where

everybody is closely interested in elections the Post and Telegraph Department, which is under the control of the people, should be availed of, as far as possible, to enable persons, without practically any expense to that Department, to learn as much as they can when they are cut off from ordinary facilities.

Senator FINDLEY.—If the honorable senator will refer to page 50 of the document containing the principal Act and the amending Bill he will find that it is proposed to strike out section 206D of the Act and to insert a provision in lieu thereof. The new provision is not printed in black type, as it ought to have been.

Senator KEATING.—That is what has misled me. I trust that the amendment of Senator St. Ledger will receive the consideration of honorable senators. I hope that before the question is put it will be realized that the step which we are asked to take—the main step apparently from the point of view of the Government, as disclosed by the debate—is a retrogressive step. It means, as I said before, penal disfranchisement for a large number of persons, not in a single State, but throughout the Commonwealth, who may be regarded as a constituency, which certainly, as far as numbers are concerned, is equal to any constituency in the Commonwealth. About 29,000 persons voting at the last election represent that Commonwealth constituency, and now, because of alleged abuses—abuses which were not followed by prosecutions, because the Government was either unwilling or indisposed to prosecute, and not because the law was defective and would not enable them to do so effectively, since we are not asked to amend the law to enable them to do so in future—we are asked to disfranchise the whole of that electorate. It has not been suggested for a moment what proportion, if any, of that extensive electorate is corrupt. It has not been suggested that the proportion is a half or a tenth or a hundredth, but we are asked to take this step. I venture to say that if we were asked to disfranchise an electorate for one election because one-half of its electors had proved to be corrupt, we would hesitate before we decided to punish the half who were innocent with the half who were guilty. Why should we for ever practically disfranchise more than one electorate of the Commonwealth for alleged abuses existing amongst a portion of that electorate to an extent not disclosed?

Senator GIVENS.—They will not be disfranchised in any way. They will have ample opportunities to record their votes.

Senator KEATING.—They will not.

Senator GIVENS.—They will have ample opportunities to vote, as I shall show directly.

Senator KEATING.—I hope that the honorable senator will do that, because, so far as I can see from the Bill, these persons will not have ample opportunities to record their votes.

Senator GIVENS.—There are none so blind as those who will not see.

Senator KEATING.—That does not apply in my case. I have been very anxious to find a provision of that kind. If the honorable senator has seen it, he has seen a thing which no supporter of the measure has attempted to disclose.

Senator DE LARGIE.—It has been stated over and over again that the proposed extension of absent voting will answer the whole purpose.

Senator KEATING.—That will not supply what the system of postal voting provides.

Senator MILLEN.—How can a person confined to his room through illness vote?

Senator GIVENS.—Were the whole of the 29,000 electors ill?

Senator MILLEN.—Let the honorable senator answer that one case.

Senator GIVENS.—Were half of those persons in Victoria?

Senator MILLEN.—Never mind; you said that they could vote.

Senator KEATING.—I am waiting to hear Senator Givens show how many persons who have used the postal voting facilities will be able to avail themselves of what I have referred to as a ludicrous substitute.

Senator O'KEEFE.—It is not denied that some of them will not be able to do so.

Senator KEATING.—Exactly. I did not say that the whole of the 29,000 persons would be disfranchised, but I believe that is not the full number, and the number of such persons is growing.

Senator WALKER.—If we do away with postal voting the number will be much larger.

Senator KEATING.—It will be much larger in years to come. I think that Senator St. Ledger is well minded in using in his amendment words which indicate that in passing this measure we shall be taking a step backwards. We shall be getting

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out of step, not only with ourselves, but with practically each State. While we shall have abolished an accepted system it will remain for State elections in practically every State but Queensland. Why we should step backward or get out of line it remains for the Government to show. It has not even sought to establish a reason for taking this course, and I hope that the amendment will be carried.

Senator GIVENS (Queensland) [12.32]. —I do not know why the amendment has been moved, or what is really the object of it, if it is not to prolong the discussion, by allowing honorable senators who have spoken to have another go at the Bill, because, in so far as it has any meaning at all, it is a direct negative. As a matter of fact, where the amendment says that the public interest demands an increase in voting facilities rather than a curtailment, it is in exact accordance with the Bill, because the latter does provide for increased voting facilities. The amendment is one of those senseless things which one would expect from Senator St. Ledger; but why an apparently intelligent individual like Senator Keating should so far fall in as to make the mistake of seconding it is more than I can understand. Almost every speaker on the other side has bombarded this measure to the fullest possible extent. Even the unattached senator on the other side, Senator Keating, has thought fit to heave off some heavy fireworks at the measure, because, after all is said and done, one cannot characterize the alleged arguments which have been used as anything else but fireworks, since they have absolutely no basis in reason.

Senator VARDON.—That is a bit strong.

Senator GIVENS.—In spite of the bombardment I propose to show, if I can, that the necessity for the Bill is apparent to every reasonable man in the community. The aim, the end, and the object of an electoral law should be to preserve the purity of elections, and to insure that the verdict of the people shall be faithfully and honestly recorded without fear or favour.

Senator VARDON.—This Bill does not accomplish that.

Senator GIVENS.—I propose to show that it makes a very laudable attempt in that direction. The chief objections offered to the Bill have been based on the fact that it abolishes postal voting. If it had not been proved conclusively to me by the experience of several elections that it is absolutely impossible to safeguard the provisions for postal voting, I should not be in favour of abolishing the system. My experience has taught me that no matter how many safeguards are provided, the system will be availed of to render elections corrupt and to unduly influence electors. In Queensland we had an experience of postal voting for a very considerable time, and the result was so grave a public and political scandal that all parties were practically unanimous in abolishing it. I shall be able to show that, not only were the parties engaged in the conduct of elections corrupt in their actions, but they went so far as to corrupt the public servants of the country. Let me quote a case that occurred at Townsville, which was represented for so long a time, and is still represented, by a gentleman who for many years was Premier of the State of Queensland, the Honorable Robert Philp. Would it astonish honorable senators if I told them that at one election for Townsville nearly one-third of the total votes cast were postal votes of men and women who would have had no difficulty or trouble whatever in going to the poll and recording their votes in the ordinary way? Why were they so cast? It was simply because the political organizers went round and persuaded electors, against their better judgment, to record their votes by post.

Senator O'KEEFE.—They must have been a week-kneed lot of electors.

Senator GIVENS.—If every man and woman were sufficiently independent to record their votes openly and in a straightforward way, without regard to consequences, we should abolish voting by ballot straight away. But no one would dare to advocate for a single moment the abolition of the ballot system. We all know that its adoption has been of the greatest possible advantage to the people of every country in which it is in force by relieving them from duress, outside pressure, and influence which would otherwise be brought to bear upon them.

Senator FINDLEY.—From losing their jobs in many cases.

Senator GIVENS.—That is the duress under which many were previously compelled to vote. We all know that the ideal system would be for men and women to vote openly and independently in the face of mankind and in the full light of day, but practical experience has shown that it is not possible in such a way to obtain an honest and unbiased verdict. I was led

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away by the interjection from the matter I had in hand, which was the conduct of a particular election at Townsville, in which one-third of the total votes polled were postal votes. On that occasion, I go so far as to say that somebody was responsible for corrupting a Commonwealth public Department, and inducing the officers of that Department to do something which they should not have done, and which was against the law of the land. These are facts for which I can vouch from personal knowledge and observation.

Senator VARDON.—The officers must have been rather a weak lot.

Senator GIVENS.—Possibly; but they were induced to lend themselves to a palpable lie. Under the Queensland Electoral Act it was provided that a postal vote should be posted on the day on which it was attested by the authorized witness, the same as under the Commonwealth Act, and it should bear the postal stamp of the date on which it was filled in and posted. What happened at the election to which I refer? The canvassers for the alleged Liberals—who ought to be honest enough to call themselves Conservatives and Tories of the deepest dye—went round every day and collected as many postal votes as they could. Of course, as they went round, they tried to influence people to vote for the candidate whom they favoured. After they had collected as many postal votes as they could during the day, they carried them into the organizing office of the alleged Liberal party. They were there retained until after 10 o'clock or later, when the meetings concluded, and after the letter-boxes had been cleared for the day by the postal officials. Then they were posted, and when, next morning, the postal officials cleared the letter-boxes, they put on one side the postal ballot-papers, which they could recognise because of the marking on the envelopes. They then date-stamped all the other letters in the ordinary way with the date on which they were collected from the boxes, but when they came to stamp the postal voting envelopes, they changed the date-stamp to that of the previous day. That is a fact which came under my own observation, and I reported it at the time to the Postmaster-General.

Senator MILLEN.—They put on the date of the day on which the votes were actually posted.

Senator GIVENS.—It was their duty to put on the date of the day on which they were collected from the boxes, as they did in the case of all the other letters collected at the same time. They had no knowledge of the date on which they were posted. They could not say that they had not been posted after midnight. As a matter of fact, they were on several occasions posted after midnight, because the meetings of this precious alleged Liberal party often extended until after midnight. No one knows, of course, what happened at those meetings, but there is a strong suspicion, and a well-grounded suspicion, in the minds of many people that those present at the meetings examined every one of the postal votes that had been collected, that they rejected those which were not cast in their favour, and posted only those that were in their favour.

Senator VARDON.—They must be a jolly bad lot in Queensland.

Senator GIVENS.—There are just as bad people elsewhere. Let me mention another case to show what happened under the postal voting system. I can say from personal knowledge that, while it was in force in Queensland, on certain mining fields, while the men were at work, the managers, who were justices of the peace, used to go round to the women folk—the wives, mothers, and sisters of the miners—and terrorize them into recording votes against their convictions. This led to a great deal of family disunion and heartburnings in many families on the mining fields in Queensland. A poor unfortunate wife, dependent upon her husband continuing in employment with the goodwill of a mining manager, would be absolutely forced by the duress of her circumstances to give her vote when asked for it in that way, though there was no reason why she should not have gone to the polling booth and recorded her vote in the ordinary way. These managers knew that the only way in which they could secure votes for alleged Liberal candidates whom they favoured was to induce such people to vote by post. Will any reasonable or fair-minded man say that a system which could lend itself to so much iniquity and corruption should be retained? What happened at the referenda in last April? I take the State of Victoria, and let honorable senators see what the figures disclose. There was a total of 28,000 odd postal votes recorded.

Sentaor MCCOLL.—Twenty-nine thousand.

Senator GIVENS.—Not quite. I have the exact figures; but I will not quarrel with the honorable senator over 1,000 votes. A curious thing is disclosed by the official

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figures. Of that 28,000 odd votes, no less than one-half, or 14,000, were recorded in Victoria, where there are greater facilities for voting in the ordinary way than in any of the other States.

Senator Vardon.—Half the population were going to London for the Coronation.

Senator Givens.—I have yet to learn that there was a greater exodus from Victoria to the Coronation than from any of the other States. One of the chief reasons, and the one which appealed more than any other to the sensibilities of people, for the adoption of the postal voting system, was that it would permit women in a delicate state of health to record their votes. Not to be too delicate in the matter, the object really was to provide for maternity cases. Let us assume for a moment that it was on account of maternity that a very large number of these postal votes were recorded at the referenda; and are we then to suppose that there were as many maternity cases in Victoria, which has the lowest birth rate of any State in the Commonwealth, as there were in all the other States put together, though they have a higher birth rate than has Victoria?

Senator Millen.—Now the honorable senator is actually going to take away the vote from such people.

Senator Givens.—I would not willingly take away a vote from anybody.

Senator Millen.—Is the honorable senator doing it under coercion, then?

Senator Givens.—I do not care a straw what may be the effect of a proposal upon any particular party. The question with which I am concerned is whether it is a right, wise, and expedient thing to do. Let me say, further, that if the vote is taken away from these people, it is the party opposite that is responsible, owing to the disgracefully corrupt way in which those associated with them used the postal voting system.

Senator Vardon.—Of course we all admit that.

Senator Givens.—I have quoted two concrete cases.

Senator Vardon.—We have not heard the other side of those cases yet.

Senator Givens.—The honorable senator can satisfy himself as to the facts with regard to the corruption of post-office officials at Townsville by inquiring at the Department, because I reported the matter straight away. I am sure that he will not doubt my word when I say that I vouch from personal knowledge for the statement that certain managers on mining fields in Queensland, and particularly at Charters Towers, went round terrorizing women, and inducing them to vote by post, when there was no earthly reason why they should not record their votes in the ordinary way. These are two of the reasons why I am in favour of that portion of the Bill which proposes the abolition of postal voting. I believe that the logic of experience has proved that it is absolutely necessary to do so. I have said that one-half of the total postal votes cast at the referenda were recorded in Victoria, which is the most densely populated State in the Union, which has better railway facilities than any other State, and in which the people are within easy distance of the various polling centres. There was less necessity for the exercise of the postal vote in Victoria than in any other State of the Commonwealth, and yet the official figures disclose the fact that fully one-half of the total postal votes recorded at the referenda were recorded in this State.

Senator de Largie.—Were those 14,000 postal votes all that were issued in Victoria?

Senator Givens.—Another peculiar feature in connexion with the voting by post in Victoria at the referenda is suggested by Senator de Largie's interjection. Of the total postal votes issued in this State, no less than 1,567 were never used. If honorable senators will turn to the existing Act, they will find that under sections 118A and 118B it is the duty, not of the person who makes the vote, but of the authorized witness to it, to post the vote, under a penalty of £100, or three months' imprisonment. Yet in Victoria, of all the postal votes issued, no less than 1,567 were never accounted for in the ordinary way by being sent through the post as postal ballot-papers.

Senator de Largie.—Or received?

Senator Givens.—I wish to be quite fair, and I say that I believe that about one-third of these postal ballot-papers were afterwards accounted for by being presented to the presiding officers at the polling booths, and exchanged for ordinary ballot-papers. But the damning fact remains that over 1,000 postal ballot-papers issued were never accounted for and never received. What became of them?

Senator Millen.—I can tell the honorable senator what became of one in my State. I obtained it and I did not use it.

Senator GIVENS.—As I would not accuse the honorable senator of making a false declaration that he would not be able to vote in the ordinary way, I must credit him with making a miscalculation, since he was under no necessity to use the postal ballot-paper issued to him. I have said that over 1,000 postal ballot-papers issued in Victoria were never accounted for. After taking the trouble to work out a little calculation, I find that in Victoria there are eleven constituencies returning members of the present Opposition party. There are ten constituencies returning Labour men, and one returning an Independent member. It is a curious fact that, of the 1,567 postal ballot-papers unaccounted for, 940 were issued in the eleven constituencies held by the alleged Liberal party, and only 640, or thereabouts, were issued in the other eleven constituencies. If the fact that those postal ballot-papers were not accounted for is due to corruption, then our friends opposite, on the figures, are 50 per cent. more corrupt that we are. In view of these facts, there cannot be a single man desirous of maintaining the purity of elections, and to see that the people are afforded an opportunity to exercise an honest vote, who will not applaud the action of the Government in proposing to abolish a system which it has been shown leads to all sorts of coercion, duress, and corruption. It has been proved over and over again that so-called influential citizens in the various electorates have gone round at election time, and, as justices of the peace and authorized witnesses of postal votes, have exercised their influence, by canvassing and otherwise, to induce people, against the law, to make use of the postal voting provisions, because they could not otherwise be sure that the votes of these people would be in favour of the candidates they supported. I say that the people at an election should be in the position of a jury. They are asked to bring in a verdict, and they should be allowed to give their decision absolutely uninfluenced and unbiased, and without fear or duress from any person whatever. If that be so, the postal vote should be abolished, because it enables the sort of thing to which I have referred to be done.

Senator VARDON.—So will the absent voters proposals of this Bill.

Senator GIVENS.—I hope not. If it be shown that the methods adopted lead to the exercise of undue influence or corruption, the duty will be cast upon us to devise ways and means to prevent them. I think I have said enough upon the postal vote question to show that the Government have more than ample justification for the action which they have taken in that regard. I propose now to discuss one or two other points of the Bill. Our honorable friends opposite have denounced it as drastic, and as going too far in certain directions. I do not think that it is possible to go too far in trying to prevent misrepresentation and abuse of the privileges that are accorded, by any elector or organization, in support of any party at election time. Why should people be allowed to circulate all kinds of lies and escape punishment? I am going to produce a case which is absolutely convincing upon the face of it. On the 6th September of the present year, a by-election was held at Brisbane. There were two candidates, Richard Sumner, who represented the Labour party, and Thomas Welsby, who represented the alleged Liberal party. I am going to show how honest these alleged Liberals are. I hold in my hand a copy of a card issued by the Thomas Welsby party. In Queensland, as most honorable senators are aware, the electors do not vote by placing a cross opposite the name of a candidate, but by striking out the name of the candidate for whom they do not wish to vote. I have here a dummy ballot-card, which I invite honorable senators to inspect. It reads as follows:—

HOW TO VOTE.

~~SUMNER, Richard~~
WELSBY, Thomas.

Mark your voting paper exactly as above, or you run the risk of making your vote informal.

It will be seen that there is a thick line drawn across the name Sumner, Richard. I characterize the statement made at the bottom of the card as a base and malicious lie.

Senator VARDON.—Hear, hear; quite right.

Senator GIVENS.—I say that the party responsible for issuing a lying statement of that sort, which might mislead many innocent voters into believing that their votes would be informal if they voted for the Labour candidate, is sufficient to warrant putting those responsible for issuing it in gaol for six months. I do not think that Thomas Welsby, who was elected, is, under such circumstances, capable of representing any body of honest men and women anywhere. Yet this man has never repudiated the card issued in his behalf.

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Senator VARDON.—That is not postal voting.

Senator GIVENS.—Honorable senators opposite have asked for instances of corrupt and lying statements. Here is a case produced under their very eyes. What do they think about it? Will a single one of them justify mendacious tactics of this kind? As a matter of fact, if a person voted exactly in the opposite way to that indicated on the card, his vote would have been absolutely good and formal. It does not matter one straw to me whom this Bill hits. If it hits our party, when they do wrong, I say well and good. If it hits honorable senators opposite, equally well and good. It is essential that we should keep our electoral machinery in such a condition that it shall afford opportunities for a faithful record of the desire and will of the people. With that end in view, false and lying statements should be rendered as dangerous as possible, and when they are discovered, the authors of them should be punished. In my opinion, the provisions of the Bill in that regard are not strong enough to deter and prevent this kind of thing.

Senator ST. LEDGER.—You can never suppress lying by Act of Parliament.

Senator GIVENS.—I would make lying so risky that I believe even the honorable senator would not like to try it. Perhaps it would be impossible to bind down lawyers, because they are so ingenious in discovering loopholes in any Act of Parliament, and can lie wholesale for the advantage of themselves and their clients.

Sitting suspended from 1 to 2.30 p.m.

Senator GIVENS.—I have reviewed at some length the reasons which induce me to support the provisions of the Bill relating to the abolition of postal voting. Before I leave that aspect of the question, there are one or two points which I should like to emphasize. Whilst the ballot system, as it now exists, is not an ideal system which a free people should like to maintain as their method of election—because it would be infinitely preferable that every man and woman should be able to vote openly as he or she pleased—yet we know from experience that it is essential, if we are to maintain the independence and integrity of the voters, to preserve the ballot. But if we are to preserve it, I say emphatically that the postal voting system cannot be maintained side by side with it. It is utterly and absolutely impossible to preserve the secrecy of the ballot along with the postal voting system. I will quote a case in point. When we had postal voting in Queensland, the ordinary votes recorded in the customary way, at a certain election at Charters Towers, placed two candidates far ahead of all the others. But before the result was officially declared, the opponents of those two men were so confident that the postal votes would count in their favour that they were able to forecast the ultimate result almost accurately, and did, in fact, wager large sums of money on it. The result showed that their forecasts were quite correct. Under those circumstances, it is absurd to contend that there was any secrecy whatever about the candidates for whom those postal votes were cast. The people who collected them evidently knew how nearly every person would use the postal vote. Therefore, I say again that if we are going to preserve the ballot system—and I maintain that it is essential until people achieve economic and political freedom—we cannot maintain side by side with it the postal voting system, which destroys the secrecy of the ballot. As long as we retain the postal system, so long shall we enable unscrupulous individuals to exercise undue influence on voters. I have pointed out how managers of mines can go round while men are at work on day or afternoon shifts, and terrorize their wives and relatives not to go to the poll, but to vote by post. Women are frightened in that way, because they realize that their own living, and their means of feeding their children, depend upon their husbands being maintained in employment. Coercion of various kinds is exercised in that way on almost every occasion when the postal vote is employed. We have known instances of influential persons making house to house canvasses trying to persuade and induce women to vote by means of postal ballot-papers, when there was no earthly or heavenly reason why they should not go to the poll. If a Royal Commission were appointed to investigate the matter, the proof obtained would be overwhelming. I venture to say that there is no one in this Senate who would be able to controvert the facts so elicited. The case in favour of the abolition of postal voting is indeed so overwhelming that I wonder at the audacity of any man who desires to see purity of elections, rising in his place in favour of the retention of the system. I am driven to believe that those who do so do not want purity of elections at all.

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Senator VARDON.—Rather a gratuitous assumption, I should think.

Senator GIVENS.—The facts are overwhelming in support of what I say. What is an unfortunate woman going to do in such a case as I have mentioned? Say that a miner has a wife and a family of young children. Say, that the mine manager comes along at election time, while the man is at work, bringing with him all the necessary papers, and suggesting to the woman that it will be better for her not to go to the poll, but to cast her vote by means of the postal ballot system. Suppose she demurs. She knows that if she does so she will run the risk of her husband losing his employment, which means the loss of livelihood for herself and her children.

Senator VARDON.—The mining manager could not be present when she marked her paper.

Senator GIVENS.—The honorable senator is very innocent. I have already instanced a case in which the friends of certain candidates were able to forecast the result of an election accurately because they knew how the postal voting would go.

Senator MILLEN.—Does the honorable senator, with his knowledge of what is going on around them, suggest that working people are in fear of their employers nowadays?

Senator GIVENS.—I know that on one occasion 800 men were victimized in Charters Towers on account of their action at an election.

Senator MILLEN.—Nowadays, it is the employer who is afraid of his men.

Senator GIVENS.—An employer may sometimes have a battle royal with the organized employés, but he always has the power of victimizing individuals. Times have not always been so good in Australia as they are now. Work has not always been so plentiful. I have known times when men would do almost anything rather than run the risk of losing their employment. Senator Millen suggests that the men and women of Australia are so independent that they would resist the coercive influence of any employers. If that be so, why does he not advocate the abolition of the ballot system? It only exists because, without it, people might be terrorized, and prevented from giving an honest verdict in accordance with their convictions, independently of any influence whatever. The abuses that have occurred under the postal voting system are so serious that this method of voting should be reprobated by every honest man and woman in every part of the Commonwealth. In Queensland, the corruption under the system was so rampant that there was scarcely a word of protest from any one when it was abolished.

Senator VARDON.—There must be a very bad lot of people in Queensland.

Senator GIVENS.—They are no worse than people in any other part of the Commonwealth. I am simply speaking of Queensland because it is the State of which I have the most personal knowledge. Others can speak of what has occurred in their own State. That is their business. It is my business to put the case from the point of view of the State which I represent. In this Bill it is not proposed to in any way limit opportunities for recording votes, and safeguards can be inserted to prevent hardships occurring. The main reason—indeed the most cogent reason—why postal voting was introduced at all was to allow women in maternity cases to record their votes.

Senator MILLEN.—Also those who lived too far from a polling place to vote at the ballot-box.

Senator GIVENS.—There is an easy way of dealing with them. The reason applicable to women in maternity cases appeals to everybody. Had not the abuses under the system been so glaring, I should not have advocated the abolition of postal voting now, because I desire to afford the utmost facilities to every one to exercise the franchise. I say, without any hesitation whatever, that if a woman is able to assert that on a certain day she is likely to be so ill that she will be unable to go and vote, this Bill can give facilities to remove any disadvantage that might attach to her.

Senator VARDON.—Does the Bill do it now?

Senator GIVENS.—It is a matter for amendment in Committee, and I shall not anticipate the Committee stage by suggesting an amendment at present.

Senator MILLEN.—Would the honorable senator advocate making such an amendment in Committee?

Senator GIVENS.—I would.

Senator MILLEN.—Then the honorable senator is not in touch with the Bill as it stands?

Senator GIVENS.—I am offering a suggestion. There are alternative means by which, in maternity cases, provision can be made. We have heard it said by honorable senators opposite that this party desires to punish womanhood by not allowing women under certain disabilities to vote.

Senator ST. LEDGER.—That is what the Bill does.

Senator GIVENS.—No; but honorable senators on the other side want to punish motherhood by subjecting mothers to all sorts of coercive influences, to compel them to vote against their consciences, as they have done frequently.

Senator WALKER.—That is a mere assertion.

Senator GIVENS.—It is an absolute fact. Honorable senators opposite get up with the most righteous and pious indignation to pose as the defenders of, to quote Senator Walker, "lovely woman." But what was their attitude about twenty years ago, when we began to agitate for the enfranchisement of woman?

Senator WALKER.—I have always been in favour of it.

Senator GIVENS.—I know that every member of that party was strenuously opposed to it. There has been enough malpractice in connexion with election contests to render any one almost speechless with indignation; or, if he can find his tongue at all, to make him so excited with animosity against the people who would be guilty of such barefaced acts as to voice his indignation.

Senator MILLEN.—Not even indignation could make you speechless.

Senator GIVENS.—I am struck almost dumb at the audacity of honorable senators on the opposite side. I do not think I need say anything more in justification of the proposal of the Government to abolish postal voting, which has lent itself to many abuses.

Senator MILLEN.—Do you not see that what you have said is not in support of the Government proposal, but in denunciation of it?

Senator GIVENS.—I have not denounced the Government at all, but suggested, in reply to criticisms which have proceeded from the Opposition, a way by which maternity cases can be provided for, altogether apart from postal voting.

Senator MILLEN.—I am glad to hear you say so, because it looks like a modification of the Government Bill.

Senator GIVENS.—The honorable senator knows me so well that he need not be told that I am not wedded to every detail of a Bill which is brought in by a Government that I support. If I believe that a principle is right, I advocate it, and try to get it enacted whether the Government are in favour of it or not. I think that the Government will offer every facility to honorable senators on both sides to provide such reasonable opportunities for voting, and at the same time do away with opportunities for corruption, as will make the measure an invaluable addition to our electoral law.

Senator ST. LEDGER.—That is exactly what my amendment says.

Senator GIVENS.—No; it is a mere asinine, roundabout way of calling a negative to the Bill. The honorable senator is opposed to the abolition of postal voting, but nine-tenths of the people are opposed to its retention. It must be borne in mind that opposition to the system is not confined to the members of the Labour party. Any number of the supporters of the Fusion party have been struck almost speechless with indignation at the way in which the system has been used. Look at the case I quoted where, instead of posting the postal ballot-papers, the parties took them into a committee-room to count them, and at 11 or 12 o'clock at night posted them, getting the Postal Department to change the date and so falsify the return to the post-office, in order to make them comply with the Act. Will the honorable senator defend that sort of thing?

Senator VARDON.—Nobody would.

Senator GIVENS.—Yet that is a thing which has happened.

Senator VARDON.—The honorable senator wants to punish a large number of persons, simply because a few persons did wrong.

Senator GIVENS.—I do not want to punish anybody, nor is it proposed in this Bill to do so. On the contrary, it provides machinery and facilities which, as far as it is humanly possible, will enable everybody to record their votes in such an honest and independent way as will preserve the secrecy of the ballot, and also secure the absolute purity of elections, which is the great desideratum.

Senator ST. LEDGER.—It may allow worse abuses than those which you allege against postal voting.

Senator GIVENS.—I am not going to say that. The ingenuity of our honorable friends opposite, and the legal talent which they are able to retain with the money-bags at their disposal, is such that they may be able to baffle almost any Parliament in its endeavours to provide effective means to make them act

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with common decency and honesty. If they are ingenious in that way, we shall have to endeavour to be equally ingenious in devising means to check them. I do not say that the Bill will prove to be perfect. The history of Parliamentary government is that it is almost impossible to make any measure perfect. Three-fourths of the work of the Parliament of a country which is constitutionally governed is represented, not by new legislation, but by amendments of Acts which experience has proved to be defective. Possibly that will be the case with this measure. At any rate, I am convinced that it is an honest attempt to make our electoral law a little better and purer, and to provide more effective checks and safeguards against those corrupt and wrong practices which have been anything but creditable to the Commonwealth. There is another provision which has excited a great deal of opposition from our honorable friends opposite, but which, I must confess, commends itself to me with a great deal of force, and that is that, at election time, there shall be as little misrepresentation as possible. It is sought to provide that every statement issued shall be issued by somebody who will take the responsibility for its publication; and if that statement, or that action, whatever it may be, is such as to be a contravention of the electoral law, we shall be able to place our hands on the contravener and punish him accordingly.

Senator VARDON.—Nobody has opposed that here.

Senator GIVENS.—The provision is opposed by honorable senators opposite.

Senator ST. LEDGER.—It does not touch that.

Senator GIVENS.—In his lengthy and denunciatory speech a little while ago, Senator St. Ledger tried to point out that, whilst the provision will affect the organizations, the newspapers, and the supporters of his party, it will not affect our organizations, our supporters and our press.

Senator VARDON.—You cannot object to that.

Senator GIVENS.—This will be like every other law. It will be a law passed irrespective of persons, corporations, or newspapers. It will be a law which, on the face of it, applies to every individual alike. I do not care a straw who is the offender—whether it is a Liberal, a Tory, a Labour, a Socialist, or any other newspaper. Anybody who offends against the law should be held up to public execration, and submitted to condign punishment immediately. The highest and most important function which we, as a free people, have to perform, is that of governing ourselves. The only opportunity which the people have of exercising that function is at election times; and any person, corporation, newspaper, organization, or society which does anything to subvert that law strikes at the root of self-government, and consequently is guilty of the gravest crime against the State. It is for that reason that I support the provisions which are designed to restrict action of that kind.

Senator ST. LEDGER.—There is nothing in this Bill to stop that: it does not touch it.

Senator GIVENS.—The Bill is now the property of the Senate, and not the property of Senator Findley, or the Government, or anybody else. If it does not contain the provisions which we want, and the Standing Orders will permit us to do so, we shall try our utmost to put them in. A little while ago Senator St. Ledger, in the highest and most indignant tones, asked for proof of any misrepresentation which had occurred during an election. Senator McDougall very kindly said that he would provide the honorable senator with a specific instance, and brought in an election poster, or dodger. It is, I venture to say, worthy of the most artful dodger the world has ever produced. Senator McDougall brought in this dodger, which had been used in New South Wales at the referenda. It was circulated broadcast by members of the organization of which honorable senators opposite are the representatives here.

Senator ST. LEDGER.—That is not the point. There is no evidence as to who did it.

Senator GIVENS.—When Mr. Gregory Wade, the famous New South Wales statesman, was going to address a meeting, his Committee, or his supporters, put a copy of the dodger on every seat. I hardly know the right word with which to describe the document. It is so infamous that it almost pollutes a man to refer to it, or touch it.

Senator ST. LEDGER.—What is wrong with the cartoon?

Senator GIVENS.—If the honorable senator's moral sense is so blunted that he

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cannot see anything wrong in it, I have nothing but the utmost compassion for him. In the first place, it is on the face of it an audacious lie. The cartoon, which is printed in red, black, and white, represents the two parties fighting strenuously at the referenda, while underneath is a picture showing a festive table laid out with all the dainties of the season, including the most expensive cigars, and the choicest wines. Mr. Fisher, the Prime Minister of the Commonwealth, and Mr. McGowen, the Premier of New South Wales, are shown to be drinking champagne in company with a lady—represented here as "Miss Coronation," but who, by the way she is depicted, would be a more fitting representative of the *demi-monde* of London or elsewhere.

Senator ST. LEDGER.—In the *Worker*, on the other side, I have seen dozens of cartoons exactly like that.

Senator GIVENS.—The honorable senator is sufficient of a lawyer to know that if I murder a person to-day, that is no justification for him to murder a person to-morrow.

Senator ST. LEDGER.—You admit that the *Worker* was a species of murderer?

Senator GIVENS.—I do not admit that; but, as usual, the honorable senator's reasoning is absolutely faulty. This dodger is an audacious lie, because there is no man, either in the Senate or in Australia, who will dare to say a word derogatory to the moral or private character of either Mr. Fisher or Mr. McGowen.

Senator ST. LEDGER.—No one did.

Senator GIVENS.—This infamous dodger, distributed broadcast by the Liberal party in New South Wales, did.

Senator ST. LEDGER.—It is your diseased imagination which leads you to say that.

Senator GIVENS.—Like all lawyers, the honorable senator seems to have his moral sense so blunted that he cannot see the outrageous and audacious indecency, and the lying vituperation, contained in this dodger.

Senator ST. LEDGER.—Some persons will cover up the legs of their pianos, so fine is their sense of morality.

Senator GIVENS.—That is why the honorable senator departed from the practice of his forefathers. He took to trousers instead of knee breeches, in order to hide his bad legs.

Senator ST. LEDGER.—I object now. You are becoming personal to my legs.

Senator GIVENS.—Surely I can have a joke as well as the honorable senator. I feel quite certain that there is no individual, perhaps with the exception of Senator St. Ledger, on the other side, who will dare to defend this audacious dodger. It is the most disgraceful document which I have ever seen. There is no man or woman in Australia, I venture to say, but will not readily admit that two men of a higher moral character, or of a purer or better private life, do not exist in this country than Mr. Fisher and Mr. McGowen.

Senator FINDLEY.—Both men are non-drinkers and non-smokers.

Senator GIVENS.—I was coming to that. This dodger depicts these two honorable gentlemen as drinking champagne, although they have been total abstainers all their lives. Could misrepresentation possibly go further than that? This dodger was not issued when a personal contest was proceeding. It was dragged in when the contest was absolutely impersonal, and it was done to discredit these two honorable gentlemen by making it appear that they were carousing and enjoying themselves in doubtful company in London.

Senator WALKER.—Not doubtful.

Senator GIVENS.—Undoubtedly.

Senator READY.—Do you know that under the present Act there is no means of checking these dodgers?

Senator GIVENS.—Of course I do, and that is why this Bill seeks to remedy that state of affairs.

Senator READY.—It does not touch it, so far.

Senator GIVENS.—I want to further point out that if Mr. Fisher and Mr. McGowen had not gone to the Imperial Conference and the Coronation they would have been charged with disloyalty and with wanting to disrupt the Empire. Our opponents would have been howling that Australia was being ruined and degraded because of the reprehensible conduct of those two gentlemen.

Senator ST. LEDGER.—I think that their personal honour is so high that they need no one to defend it.

Senator GIVENS.—I am not defending it, but pointing out the disgraceful misrepresentations contained in the degraded document I have before me.

Senator ST. LEDGER.—I could show you some dodgers issued on your side which were just as bad.

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Senator GIVENS.—I have pointed out before that the honorable senator is lawyer enough to know that that defence will not hold water anywhere.

Senator ST. LEDGER.—I admit that.

Senator GIVENS.—Senator Vardon has a perfect right, if he can find such dodgers, to bring them along. I produced a dummy ballot-paper which, I venture to say, no one on the other side will have the audacity to defend for a moment. It was a barefaced lying document.

Senator VARDON.—I am glad that you admit that.

Senator GIVENS.—I feel perfectly sure that, neither in a public nor in a private capacity, will the honorable senator defend a thing like that for a second.

Senator ST. LEDGER.—They are worse than bad; they are stupid.

Senator O'KEEFE.—Help us to penalize them.

Senator ST. LEDGER.—Your Bill does not touch these things.

Senator GIVENS.—I am now dealing with the broad features of the Bill, and not with its details; but if the details do not provide for these matters, there is a ready means by which we can do so. It should be our duty, and our pleasure, to take that course. Everybody knows that at the time of an election newspapers, which are mostly violent partisans—I do not blame them for that—indulge in misrepresentation of all kinds; and in doing so they speak with an air of authority under the pseudonym of the mighty eternal "we." I have no objection to a newspaper making any comments it likes, provided that they are brought within the bounds of fairness and decency. I consider that every newspaper has a perfect right to comment on every public affair which concerns the general interest, and every public man with regard to every one of his public actions. What I do object to is that newspapers misstate the facts, or quote alleged facts which have no existence, except in their own imaginations, and then proceed to comment on the alleged facts as if they existed. They put into the mouths of Labour men statements which were never uttered, and then proceed to condemn those persons as if they had uttered such things from the house-tops. I have no objection even to newspapers indulging in all sorts of misrepresentations, provided that each writer shall give his name and address, so that we may know where to find him, and saddle him with the responsibility. But when the general public are faced with this eternal editorial "we," we are up against a difficulty which it is impossible to combat. Most persons seem to think, in the innocence of their hearts, that a thing must be true because they saw it in print. I think that most politicians have got beyond that stage, and know that every comment in a newspaper is written by some man or other, and that very often it is not even the opinion of that man, but something which was written to order, and in which little or no trust or confidence can be placed. But the general public do not know that. When the newspapers speak to the general public every morning at breakfast, or every afternoon at tea, with an air of authority, through this mighty editorial "we," the readers are inclined to attach undue importance to what they read. I should not try to restrict newspapers as to what they published; but I should provide that if, in connexion with an election, comments are indulged in, the name and address of the writer of the article should be published, so that the general public may be in a position to place its true value upon it, and saddle the author with responsibility for it.

Senator VARDON.—The proprietors of newspapers are liable now; and they can reveal the identity of the writer of an article if they please.

Senator GIVENS.—Suppose, in connexion with the coming State elections in Victoria, the *Argus* were to publish an outrageously condemnatory leading article on some candidate standing for the constituency of Melbourne—because I do not believe its influence extends very far outside Melbourne—it would be read by almost every voter in the constituency, and the electors might be inclined to attach undue importance to it They would say, "This is the opinion of a great newspaper; an authoritative statement for which it is responsible." But, if attached to the article there were the name and address of the writer, those who read it would be able to estimate it at its true value. They would probably say, "This is only the opinion of so-and-so, the penny-a-liner."

Senator MCGREGOR.—Of Walpole.

Senator GIVENS.—Of Walpole of the Employers Federation. By the way, it is a notorious fact that the Employers Federation, and other political organizations of the kind, have furnished the press with

articles to order, and the press, in some instances, have published them. The public have a right to know where these alleged authoritative statements come from. They should know who are the authors of them, so that they may understand what reliance is to be placed upon them. Only a few days ago, I think, each of the leading newspapers in Melbourne was summoned before a Court and heavily fined for contempt in connexion with a certain trial. I do not think that any one believes that that was an unfair deal, because there were great issues at stake in the case, and it was essential that the jury should enter upon its consideration absolutely unbiased, and should consider nothing but the evidence of facts put before them at the trial. If the trial of a private individual, even though his life should be at stake, is important, I say that when the fate of a nation hangs in the balance, as it may do at the time of a general election, the results of which might be disastrous to the nation should a wrong decision be arrived at, it is equally important that the jury should be protected from misrepresentation and fraud. After all is said and done, the electors at the time of the general election occupy, to a certain extent, the position of a jury. It is theirs to weigh the facts and the evidence, and to bring in the verdict. If the evidence is tainted, and savours of misrepresentation or fraud, we cannot expect a clear and honest verdict, such as we might otherwise anticipate.

Senator MILLEN.—There is nothing in this Bill to prevent the publication of a lie.

Senator GIVENS.—I hope that before the Bill leaves the Senate there will be something in it which, though it may not prevent men from telling lies at the time of an election, will enable us to punish those who do so. There is nothing in our civil or criminal law to prevent a man committing murder, but there is a great deal in our law to deter men from doing so, and to punish them if they do commit murder. That is the kind of provision I desire to see made in this Bill, to cope with the lying misrepresentations, false statements, and travesties of alleged facts which are frequently published by interested organizations during a general election. I do not care to what party the newspapers belong that make use of these objectionable methods. I say, let us, by all means, have our elections as pure as possible.

Senator MILLEN.—Is the honorable senator suggesting something in the nature of a censorship of matter published at election times?

Senator GIVENS.—I told the honorable senator, only just now, that I have no objection to newspapers publishing anything within the bounds of decency; but I would devise ways and means to saddle the authors of newspaper comments and articles with the responsibility for them, so that if they transgress proper bounds, they can be brought to book.

Senator MILLEN.—They are saddled with it now under our libel law.

Senator GIVENS.—Nothing of the sort. There is such a thing as libelling something which is so indefinite that one could not find a plaintiff to bring the matter into Court. The honorable senator must know that as well as I do. There is such a thing as making a libel so general in its terms that no individual could bring an action because of it. Senator Millen has been connected with newspapers, and he should, as I do, possess a fair knowledge of what the libel law is. I venture to say, from my experience as a newspaper proprietor, that I could publish anything I pleased about any individual without laying myself open to the law of libel. While owning and running a newspaper myself, I used to write pretty strongly, just as I speak pretty strongly in the Senate sometimes, and I do not think that the newspaper I conducted had any need to be ashamed because of a lack of plain speaking, or fire in attack when the occasion demanded it. Yet I was hauled up for libel once only, and then unsuccessfully, because I won the case. But directly I left the office, and some one else was placed in charge, I found I was always in hot water and threatened with insolvency, because he was always up against the law. It is not so much the libel as the way in which it is stated, that is important.

Senator MILLEN.—The honorable senator is offering a premium to successful libellers.

Senator GIVENS.—I am advocating that where the issues are often entirely impersonal, as they were at the referendum, we should, under this Bill, provide that, as far as possible, the jury who will have to bring in the verdict shall be enabled to do so with a full knowledge of all the facts, and without any misrepresentation or lying statements being placed before them as alleged evidence. Senator Millen says that

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I wish to establish a censorship of the press. I do not wish to do anything of the sort. I believe that the newspapers should be absolutely free to publish anything they please, but the public should be placed in such a position as to be able to saddle the responsibility for a particular article on the individual who wrote it; and if he has been guilty of some contravention of the law, to bring him to book for it. I have spoken at considerable length upon the two main principles of the Bill. There are only one or two other aspects of the measure to which I should like to refer briefly. It provides for compulsory enrolment. I am happy to say that I believe that proposal meets with almost universal approval. I think that almost all our friends opposite have said that they are in favour of it. Compulsory enrolment would provide a remedy for many of the defects of our present haphazard system. I am in favour of compulsory enrolment; but our friends opposite wish to go a little further than I am prepared to go. They advocate a system of compulsory voting as well as compulsory enrolment.

Senator ST. LEDGER.—The honorable senator can leave me out. I was against that.

Senator GIVENS.—The moral sense of honorable senators must have become very much blunted if they can support a system of compulsory voting. I say that if any law came into existence which would compel me to vote for some person with whom I totally disagreed, and whose political principles I detested, I should regard it as of so immoral a nature that I should feel more than justified in repudiating and breaking it. Why should I be compelled to vote for some one whom I utterly detest as a politician? There could be only one justification for a system of compulsory voting, and that would be the adoption of a system under which every elector would be given the widest possible scope to vote for any qualified person in the Commonwealth as the candidate of his choice.

Senator ST. LEDGER.—Or the vote might be counted negatively against each candidate.

Senator GIVENS.—Compulsory voting of that kind would be a farce.

Senator ST. LEDGER.—It would get over the honorable senator's difficulty.

Senator GIVENS.—I could overcome that difficulty much more easily by making my vote informal. I say that any law which would compel me to vote for a man whose political principles I entirely repudiated, or whose administration, it might be, I detested, would be so base and immoral in its nature that I should be more than justified in absolutely repudiating it. I defy any Government to pass a law which would compel me to vote for a person in whom I did not believe.

Senator SAYERS.—I have seen ballot-papers on which all the names were crossed out.

Senator GIVENS.—The honorable senator has been supporting a system of compulsory voting.

Senator SAYERS.—No such thing. What I said was that, if compulsory enrolment is fair, compulsory voting is fair.

Senator GIVENS.—Nothing of the kind. If that is what the honorable senator said, he must accept the responsibility for it; but, thank goodness, I am not responsible for the expression of such an opinion.

Senator SAYERS.—No one asked the honorable senator to be responsible for it.

Senator GIVENS.—A good deal has been said about the preferential system of voting, and other voting theories and fads. I shall not be led away from the discussion of this Bill to the consideration of such matters. I hold very strong opinions about them; and whenever such proposals come within the range of practical politics, if I occupy a seat in the Senate, I shall be prepared to express my opinion upon them. But they are not included in this Bill; and, as I do not desire to see them included in it, I shall not discuss them now. I heartily approve of the Bill, so far as it goes; but I hope that, before it leaves the Senate, we shall be able so to improve it as to render our elections very much purer in the future than they have been in the past. I hope we shall be able to make it so hard as to be almost impossible for the electors, at any election or referendum, to be gulled and deluded as they were recently by certain parties and party organizations. I hope we shall be able to make the measure so perfect as to enable the electors, in the interests of the Commonwealth, and of the future of themselves and their children, to exercise an independent vote. I hope that under the measure, we shall be able to afford the men and women of Australia the utmost facilities, consistent with the secrecy of the ballot, to cast an independent vote at every referendum or election to be held in the

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future, with an absolute consciousness that they will be free to do their duty and their best as good citizens for the country in which they live. I thank honorable senators for the patience with which they have listened to me, and I hope that when the Bill reaches Committee, we shall be able to make it so good a measure that even our opponents, who have so strongly denounced it, will be amongst its friends when it is finally reported.

Senator McCOLL (Victoria) [3.20].—With all the honorable senator's aspirations for the purity of elections, and the perfection of our electoral law, I think that every honorable senator is in sympathy. But the more we consider this measure, the more strongly we are confirmed in the opinion that it has been introduced in the interests of one political party, and is directed against another. Senator Givens was, I think, the first honorable senator on the other side who endeavoured to give us concrete cases of what he considers wrongdoing under the operations of the postal voting provisions of the existing Act.

Senator GIVENS.—I am sure that the instances I cited have the honorable senator's condemnation as well as mine.

Senator McCOLL.—I should not be prepared to condone the action of any one who infringes the electoral law. I hold, as does Senator Givens, that it is the very foundation, not only of our politics, but of our liberty and good government. I should be strongly opposed to any one who would set aside the principles which ought to govern elections. I do not think that the honorable senator was as successful as he supposes he was in proving his case. He said that he did not know why the amendment was moved.

Senator GIVENS.—I was wrong, if I said that. I know that it was moved to enable Senator McColl, and other honorable senators opposite, to talk again.

Senator McCOLL.—I think that the honorable senator who moved the amendment was well-advised in doing so, because it gives us an opportunity to concentrate our attention upon the chief blot on the Bill. We do not say that the Bill as a whole is bad, but we do say that those clauses of it which would abolish voting by post are directed against classes in the community who ought to be protected rather than attacked, and that they will work great harm and injustice. Senator Givens argued that the Bill is intended to secure the purity of elections. Portions of it may be required for that purpose; but, most certainly, the whole of the Bill is not required for any such purpose. The honorable senator gave us instances from Queensland which he said were a public scandal. He mentioned the case of the Townsville election, at which he told us one-third of the votes recorded were postal votes. That may be a glaring case of abuse of the postal provisions; but I am not acquainted with the facts. But when the honorable senator further told us that mining managers have gone around striking fear into the hearts of the wives and female relatives of miners, I think he was belittling the miners of Queensland and their women folk. I do not think the miners would allow themselves to be so dominated; and I believe their women folk would resent very strongly any attempt to force them to vote in a way they did not desire. I think a good deal of that statement may be taken as mere gossip. Senator Givens was scarcely fair in speaking of these cases, inasmuch as he did not tell us what had taken place afterwards. I have learned, since the honorable senator spoke, that the cases to which he referred were the subject of a judicial inquiry.

Senator O'KEEFE.—I rise to a point of order. For the guidance of others who may desire to speak to the amendment, I should like your ruling, sir, as to whether it is competent for an honorable senator who has already spoken on the main question, to traverse the general provisions of the Bill in debating the amendment?

The PRESIDENT.—I have listened very carefully to Senator McColl, and he has, so far, confined himself to what I think is the subject-matter of the amendment. It is not competent for any honorable senator who has already spoken on the main question, in discussing the amendment, to go beyond the subject with which it deals.

Senator McCOLL.—The instance to which I was referring related to postal voting. The matter was brought up by Senator Givens, who said that the postal vote had been used in such a way as to strike terror into electors. Since the honorable senator made these remarks I have been informed that the case occurred at Charters Towers, and was afterwards the subject of a judicial inquiry. I have had the report of the proceedings placed in my hands. They are recorded in the Queensland Parliamentary Papers for 1908. It

appears that a petition was filed by John O'Flynn, accountant, Charters Towers, who stated—

1. Your petitioner is a person who voted and had a right to vote at the above election.

2. Your petitioner states that the election was holden on the eighteenth day of May, One thousand nine hundred and seven, when John Burrows, Joe Millican, Wm. James Paull, and Vernon Winstanley were candidates, and the returning officer has returned the said Joe Millican and Wm. James Paull as being duly elected.

3. And your petitioner says that at the said election the whole or, alternatively, great numbers of the postal votes recorded and counted in favour of the said Joe Millican and Wm. James Paull were informal and invalid, and should not have been so counted, as postal ballot certificates were not obtained or given, and the said votes were not recorded or given, in the manner provided by the Elections Act Amendment Act of 1905; and that, if the said votes so improperly counted in favour of the said Joe Millican and Wm. James Paull are eliminated from the said count, the said John Burrows and Vernon Winstanley had, and have a majority of votes at the said election, and should have been declared to have been duly returned for the said election.

Wherefore your petitioner prays that it may be determined that the said John Burrows and Vernon Winstanley were duly elected, and ought to have been returned; or, in the alternative, that the said election was void.

The case was heard before the Chief Justice of Queensland and six assessors. I shall show what the result was. At the conclusion of the evidence the Chief Justice addressed the assessors as follows—

Mr. Feez says that these votes are invalid because they were not stamped as required under sub-section (vii.) of section 780 of the Election Acts. Now sub-section (vii.) says—

> The postmaster or justice of the peace shall then place such envelope in the envelope addressed to the returning officer, and upon receipt from the voter of the proper postage stamps shall, in the presence of the voter, affix them to the envelope.

Now, I am of the opinion that it makes no difference at all whether the voter affixes the stamp or whether the canvasser or justice of the peace does it. The thing which the Act requires is that the envelope shall be stamped, and that it shall be posted and recorded. That is what the Act wants—that these votes shall be recorded. Then the sub-section goes on—

> If the justice of the peace has attested the vote, he shall forthwith deliver it to the voter, who shall post it on the same day.

Now, if the voter hands the document back to the justice of the peace or canvasser and requests him to post it, then, in my opinion, the voter has posted the document. That is my ruling as to the construction of that section. Now, here are some votes on which the assessors shall give their findings. Mr. Shand points out that there is no evidence that the voter did not provide the stamp, and that the justice of the peace did not affix the stamps in the case of any particular vote. That is a question for you to answer.

Mr. Plunkett.—There is nothing in it.

His Honour.—You find there is no evidence of that?

Mr. Plunkett.—There is no evidence of it.

His Honour.—That disposes of that. Nor is there any evidence of the number of votes to which the objection can apply to the voter at all.

Mr. Gunn.—There is no evidence of that.

His Honour.—It seems to me that there is no evidence.

Mr. Barnes.—We are quite agreed on that.

His Honour.—Then it seems to me that we have nothing more to do but to decide whether the respondents were duly elected and returned or not. I put that to you, too. On these findings of the law and fact, are you of opinion that the respondents were duly elected and returned?

Mr. Gunn.—Yes, I think so. There were a few votes disallowed, of course.

His Honour.—But they will make no difference to the result of the election.

Mr. Gunn.—No difference at all.

His Honour.—There were about eighteen hundred votes disallowed.

Mr. Feez.—Yes; they would make no difference.

His Honour.—This Tribunal is of opinion that they make no difference.

Mr. Shand.—I ask that the Tribunal make an order that the costs and expenses of the respondents be paid by petitioner, and that the £100 paid into Court be applied to that purpose.

After argument,

His Honour said: I am bound to say I can see no reason why the ordinary rule as to costs which prevails in all litigation should not be applied in a case of this kind. The ordinary rule is that the unsuccessful party pays the costs. That is a reasonable thing, and has been the rule for centuries.

Mr. Barnes.—That would strike one as a fair thing.

His Honour.—That is the practice, and I see no reason why the rule should not be followed in this case. Those who are complaining—according to the evidence of Mr. Boyce—did precisely the same thing themselves. They are complaining that the political organization was running the affair, and was asking the returning officer to send the applications papers to the office of the organization. The persons who are complaining were doing the same thing themselves. Knowing that, why did they come here and compel the respondents to spend all this money fighting this action? It seems to me to be most unreasonable.

Mr. Stodart.—I think the petitioner should pay the cost.

Mr. Plunkett.—I agree to that.

Mr. Barnes.—I agree to it, too.

Mr. Gunn.—The ordinary rule of the Court should be followed.

His Honour.—I entirely agree with that.

Mr. Feez.—You can only make an order for costs up to £200.

His Honour.—I make an order for costs up to £200, and that the £100 paid into Court be applied to the payment of respondents' costs.

Mr. Fees.—With reference to section 27 of the Elections Tribunal Act, it is the petitioners intention to appeal to the Full Court. Section 27 provides: "When notice has been given of an intended appeal, the Judge shall postpone the granting of the certificate hereinbefore mentioned until the determination of the appeal by the Full Court."

His Honour.—Very well. There is nothing more, gentlemen (addressing the assessors). I would not like you to depart from the Court without saying that you have given me a great deal of help during this inquiry, for which I am very much obliged to you.

Mr. Barnes.—We are exceedingly pleased to hear that, your Honour.

The Tribunal then rose.

That is the case of which Senator Givens made so much.

Senator GIVENS.—The verdict had nothing to do with the question of how the postal votes were obtained. That is what my argument illustrated.

Senator McCOLL.—That is the case which has now been reported in *Hansard* as a glaring instance of the misuse of postal voting, and of the reason why we should abolish that system. If the other cases mentioned by the honorable senator had no better foundation than that I am afraid that the rest of his speech was not worth taking much notice of. A great deal was made of mine managers having gone round to the houses of miners in their absence and intimidated their womenfolk. I do not, for a moment, think that such things have occurred. The honorable senator must have been misinformed. I do not believe that he would wilfully make a misstatement, because I recognise that he is a fair and honorable antagonist. But I have had as much experience of miners and mine managers as any one in the Senate. For over forty years I have known scores of them at Bendigo, and I have never met one mine manager who would so demean himself as to go to a man's house in his absence and try to induce his wife, and other relatives, to vote in a particular direction.

Senator GIVENS.—They are all quite angelic at Bendigo!

Senator McCOLL.—No, we have our faults up there, just as have other people.

Senator E. J. RUSSELL.—Has the honorable member ever known mine managers in Bendigo who would blacklist a man and prevent him from getting employment?

Senator McCOLL.—I do not know of any mine manager at Bendigo who has ever penalized a miner on account of his political opinions. I never heard of such a case.

Senator E. J. RUSSELL.—Has the honorable senator ever known of a case having to be bought out of Court?

Senator McCOLL.—I do not know of any one who has had to buy a case out of Court either. I shall be quite willing to enter into that matter with the honorable senator at any time he pleases. I know what he is referring to, and, as a matter of fact, it had nothing whatever to do with political matters. The serious charge made here was that postal voting was a source of corruption. Senator Givens instanced a case where stamps were deliberately altered and a wrong date placed on letters after they had been posted, and he also said that when complaint was made about the matter no notice was taken. I can only say that a Department that would take no notice of such a charge as that was very remiss in the performance of its duties. That Government officials should deliberately alter a stamp for the purpose of aiding any particular political candidate is so serious as to demand rigid investigation. Senator Givens dealt with the case of women who, because of their condition, are unable to vote at election times in the ordinary way. But the postal vote was intended for women in other situations than those which he described. There are many women who are unable to attend the poll because they are suffering from other troubles than those referred to, and it appears to me to be improper that we should take away from them the facilities for voting, which they have hitherto enjoyed. We were also told that in Victoria a thousand postal votes which were handed out were never returned. That is a serious matter, which should certainly be inquired into. The Electoral Department should cause an inquiry to be made and furnish us with particulars of the actual facts. It would not be amiss if a return were moved for, showing the number of postal votes issued in all the States, and the number not returned, together with the names of those who did not return them. It would be rather interesting information to have. I should be very glad, indeed, to see such an investigation made.

Senator E. J. RUSSELL.—Are the papers in existence?

Senator McCOLL.—I do not know.

Senator E. J. RUSSELL.—I should be glad to support such a return.

Senator McCOLL.—It is most extraordinary that a thousand postal votes should be issued and not used. These papers are

not scattered haphazard about the country. They are not like enrolment cards. They are papers which have to be properly applied for on an authorized form, signed by prescribed persons, and duly witnessed. I should like to have an assurance from the Government that they will institute an inquiry into the allegations made. If not, I shall be prepared to consider the desirableness of moving for a return. The fact that more postal votes were recorded in Victoria than in any other State seems extraordinary, and I can only explain it in one way. The postal voting system has been longer in operation in Victoria than in any other State, except South Australia. It was adopted in South Australia in 1896, but there the law did not give so many privileges as did the Victorian Act. The system came into use in Victoria in 1899 or 1900. Our people got accustomed to it, and, probably, that explains the use that was made of the system at the last election.

Senator SAYERS.—Is it true that the honorable senator did not vote for women's suffrage in Victoria?

Senator McCOLL.—The Minister made a statement to that effect, and since then I have obtained the means of refuting him with proof.

The PRESIDENT.—The honorable senator has already made a personal statement on that matter.

Senator McCOLL.—If I am out of order now I shall take another opportunity. A great deal has been made of a cartoon which has been exhibited in the chamber. It certainly was not very nice.

The PRESIDENT.—Order!

Senator MILLEN.—That carfoon was founded upon a leader in the Queensland *Worker*.

Senator McCOLL.—Senator Givens mentioned a case in Queensland, where, as he represented, mining managers had the power of life and death over workmen and their families, and where a great number of votes were prevented from being recorded in favour of a political party. He informed us that that occurred fifteen years ago. But there was no postal voting in Queensland fifteen years ago, so that his argument on that head falls to the ground.

Senator HENDERSON.—Senator Givens made no reference to postal voting in relation to that argument.

Senator McCOLL.—He was arguing about postal voting all along.

Senator GIVENS.—What has the honorable senator to say as to the Townsville case where the postal authorities were corrupted?

Senator McCOLL.—I have dealt with that case, and I say, again, that an inquiry ought to be made and the guilty persons brought to book. If the facts are as related there was a glaring misuse of authority. We have had postal voting in operation in one State for twelve years, and in another State for nine years. Has there been any public demand for its abolition? There has been none. Statements that have been made as to the working of the system are such as cannot be relied upon. Very little proof has been offered, and there is not the slightest evidence that the public have any desire that existing facilities should be lessened. Our object ought to be rather to increase facilities for voting. Only one definite case was mentioned, namely, that brought forward by Senator E. J. Russell yesterday—the case at Coleraine. It looked like a glaring case upon the face of it. I asked Senator Blakey if he knew the man, and was informed that he was over eighty years of age, and a very decent man at that. On inquiry the circumstances do not appear to be nearly so glaring. All that the man did, although he was fined on three charges, was to neglect to take the proper steps to ascertain whether the grounds on which a postal vote was claimed were legitimate or not.

Senator E. J. RUSSELL.—Did you read the lady's evidence?

Senator McCOLL.—Yes. The man did not ask the woman whether she really was ill. He signed the paper without making the necessary inquiries. But there was nothing before the Court to show that he had endeavoured to influence her vote in any direction.

Senator E. J. RUSSELL.—Was he brought to witness a signature, or did he go round canvassing persons to vote by post?

Senator McCOLL.—I do not know that he did that.

Senator E. J. RUSSELL.—He went to a healthy woman and asked her to vote by post.

Senator McCOLL.—He was asked to witness the signature of some woman. I do not desire to shelter the man, but merely to point out that the case was not so glaring as it appeared to be.

Senator E. J. RUSSELL.—I shall take the opportunity of reading the whole of the evidence in the case.

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Senator McCOLL.—I did not see all the evidence. I only saw the *Argus* report, and perhaps the honorable senator had a longer report.

Senator E. J. RUSSELL.—He justified himself, and asked a healthy woman to vote by post.

Senator McCOLL.—The system of postal voting was brought in more especially because women's suffrage was being introduced. It was felt when that great change was being made that greater facilities ought to be given to women to exercise the franchise than had been afforded previously. The reasons which influenced those who introduced the system of postal voting are just as strong to-day as they were at that time.

Senator McGREGOR.—What reasons were they?

Senator McCOLL.—The reasons were that women were peculiarly situated; that they had not the same facilities for going to the poll as had other electors, and that special provision ought to be made to enable them to vote with greater freedom than had been allowed previously. There was also the question of conveniencing not only women, but those who were infirm and feeble, and unable to go to the poll. Further, there was the question of meeting the case of those who were far removed from polling-places, and who, it was felt, should be placed on an equality with these other persons. With regard to voting, we should endeavour to give all classes equality of opportunity. It cannot be said that the privileges enjoyed by those who live in closely-settled parts are the same as those enjoyed by persons who live in the country; they are very much greater indeed. In the city a man has simply to go to the next street to record his vote, but in the country a man may have to go many miles; it may be at harvest time, when it is very difficult for him to leave his farm, as every hour is precious. The Bill does an injustice to country persons by depriving them of the privilege of voting by post.

Senator W. RUSSELL.—I know the position of the farmers, and I think differently.

Senator McCOLL. — The provisions which it is proposed to substitute for the system of postal voting are, I think, likely to be subject to very great abuse. We are virtually asked to buy a pig in a poke. We have placed before us only a sketch of a system which may be so manipulated by regulations as to play into the hands of one party or the other, and so perhaps open the door to an enormous amount of fraud and trickery. I think that in this matter far too much is left to be done by regulations. As Senator Keating has pointed out, we may have regulations regarding voting brought in immediately before an election.

The PRESIDENT.—I trust that the honorable senator will confine himself practically to the subject-matter of the amendment, which is an increase rather than a curtailment of voting facilities, and in particular, the system of voting by post.

Senator McCOLL.—We should endeavour to give greater facilities to persons to vote rather than curtail them. I have much more to say, but I am confined to the amendment. I should like, if I may have the leave of the Senate, to justify what I said when I denied the statement made by the Minister the other day that I had been against women's suffrage—that I would not give a woman a right to vote whether she was ill or well.

The PRESIDENT.—Order. The honorable senator had the leave of the Senate just after that charge was made, and he made an explanation.

Senator McCOLL.—I did not give an explanation, sir, but merely denied the fact. I desire to-day to give the proof, because otherwise a statement of that character regarding myself in *Hansard* would be very damaging. The statement is absolutely untrue, and therefore I should like permission to make an explanation.

The PRESIDENT.—Order! When an honorable senator is speaking to an amendment he cannot refer to any other subject, nor ask the leave of the Senate to make an explanation with regard to a statement made previously in debate.

Senator McCOLL.—I am sorry that I cannot prove what I said the other day. But I shall take another opportunity to do so.

Senator E. J. RUSSELL.—You ought to withdraw your statement, that the Labour party were opposed to women's suffrage, also.

Senator McCOLL.—I had some remarks to make in that regard, but I have been stopped. I shall make the statement again and justify myself. What I said was

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that in their early days the Labour party were not in favour of women's suffrage.

Senator FINDLEY.—You said that the Trades Hall party had always been opposed to women's suffrage.

The PRESIDENT.—Order! I wish that the Minister would not try to lead Senator McColl to repeat a statement which I have ruled out of order.

Senator McCOLL.—I shall not attempt to further deal with the matter to-day.

Senator VARDON (South Australia) [3.52].—There are one or two points which I notice particularly in regard to postal voting, and which I intended to emphasize in my speech the other day. In the Act we endeavoured to provide that the system of postal voting should be carried out properly, and especially that postal votes should be open to the inspection of the scrutineers who had to count the votes. Section 119 reads—

> At the scrutiny the returning officer shall produce all applications for postal vote certificates and postal ballot-papers, and shall produce unopened all envelopes containing postal votes received up to the close of the poll, and shall proceed as follows:—
>
> (*a*) he shall compare the signature of the elector on each postal vote certificate with the signature of the same elector on the application for the certificate, and shall allow the scrutineers to inspect both signatures;
>
> (*b*) if he is not satisfied that the signature on the certificate is that of the elector who signed the application for the certificate, and that the signature purports to be witnessed by an authorized witness, he shall disallow the ballot-paper without opening it or separating it from the certificate, but if he is so satisfied he shall accept the ballot-paper for further scrutiny;
>
> (*c*) he shall separate all postal ballot-papers accepted for further scrutiny from the postal vote certificates, and without unfolding the ballot-papers shall place them in a ballot-box by themselves.
>
> . . . . . .

The PRESIDENT.—Order! I think that the honorable senator is now going into the details of the measure.

Senator VARDON.—No, sir.

The PRESIDENT.—The honorable senator has already spoken to the main question. The amendment refers purely to postal voting, but the honorable senator appears to be going into details of the measure as regards the counting, and the submission of postal votes to scrutineers at the time of the count. I think he is out of order.

Senator VARDON.—I do not wish to transgress the rules in any way. What I want to say, and what I intended to say the other day was, that there is nothing in this measure which will give the same security as regards the identification of signatures as does the principal Act. When the Ministry propose to repeal postal voting they are called upon, I think, to show that they are substituting something which will efficiently take the place of the present system. To-day we have heard a great deal about the abuse of postal voting, and the statement was not backed up by actual proof. I want to know whether the Ministry do not think that any provisions which they may make in this measure ought to safeguard as fully and as surely the interest of the electors and the purity of elections, as do the provisions for postal voting which they desire to repeal. I think, sir, that I am within my rights if I make a point of that particular fact, because, although it is said that the system of postal voting is being replaced by a more comprehensive system of another kind, the Bill does not contain the same safeguards as exist in the Act. Probably the Minister will be willing to admit that.

Senator FINDLEY.—I think we shall be able to satisfy you that there will be greater safeguards.

Senator MILLEN.—Why have you not informed us of that? That is the whole point.

Senator McGREGOR.—We have not come to the time yet.

Senator FINDLEY.—It will be done by regulation all right.

Senator VARDON.—Here in the Act we have a provision for the signature on the application to be compared with the signature on the certificate.

Senator LONG.—But suppose that it was not the elector who made the application, where is the safeguard?

Senator VARDON.—The elector must make the application.

Senator LONG.—In hundreds of instances it is not made by the elector, but on his behalf, and you know that.

Senator VARDON.—The honorable senator does not touch my point

Question—That the Senate do now adjourn—put under sessional order, and resolved in the affirmative.

Senate adjourned at 4 p.m.

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House of Representatives.

Friday, 27 October, 1911.

Mr. SPEAKER took the chair at 10.30 a.m., and read prayers.

PERSONAL EXPLANATION.

Mr. BAMFORD.—When the Prime Minister was delivering his Budget speech last night, failing to notice, although I was following him closely, that he had ceased from speaking in regard to the Northern Territory and was dealing with matters affecting Papua, I interjected, "When are you going to send a live man up there?" meaning the Northern Territory, but, of course, as reported the interjection seems to refer to Papua. Any imputation I might make in regard to the administration of Papua would be as unjust as it would be ungenerous. I knew the Administrator for some time previous to his appointment, of which I cordially approved, and which his work has fully justified. I have not had the pleasure of meeting the Lieutenant-Governor, but his popularity, and the esteem in which he is held, give the most complete and emphatic contradiction to any reflection on his administration. I desire to unequivocally deny any intention of reflecting on the administration of Papua. Further, I thank the Prime Minister for the offer of the post, which he made so publicly, and which I as publicly decline, with thanks, although I feel highly honoured by the offer, inasmuch as this is the first occasion upon which a member of this party has had an offer of anything like a decent billet from the Labour Government.

EXPORT OF MEAT.

Mr. FENTON.—Has the Minister of External Affairs noticed the following statement in this morning's newspaper:—

DEAR FOOD IN GERMANY.

MINISTER ON FROZEN MEAT.

Berlin, 26th October.

The debate on the subject of dear food was continued in the Reichstag yesterday.

Herr Delbrueck, Minister for the Interior, said the importation of Argentine cattle into Germany would not be permitted owing to the danger of Texas fever being introduced into the country. Frozen meat, he remarked, had gained a certain footing in Great Britain, but the people endeavoured to avoid it. Great Britain during the Boer war suffered badly owing to the inferiority of tinned meats.

Seeing that our export trade in meat is likely to develop materially, and that we hope to do business largely with Germany, as well as with France, will the Minister cause a report to be forwarded to the German and French Governments regarding the manner in which meat exported from Australia is examined prior to export?

Mr. THOMAS.—I had not read the paragraph until the honorable member brought it under my notice. I shall see that the High Commissioner is notified, and that the steps necessary to do what the honorable member suggests are taken.

Mr. JOHN THOMSON.—Following on a question some time ago by the honorable member for Maribyrnong as to markets for our frozen meat and butter in Germany, I desire to ask the Minister of External Affairs whether he is aware that under the contract between the German Government and the Norddeutscher-Lloyd line of steamers, that company is prevented from carrying any such produce from Australia to Germany. And, if this be so, will the Minister endeavour to take steps to have the contract so modified that we may have the benefit of the German market?

Mr. THOMAS.—I cannot say whether or not there is such a clause in the contract under which the subsidy is granted by the German Government. I remember that, some years ago, when I took part in a Royal Commission on the mail service, I understood that there was such a condition, but, in any case, it is a matter for the German Government alone. If that Government chose to grant a subsidy under the terms indicated, I cannot see that we have any right, even by inference, to interfere.

SUGAR COMMISSION.

LAPSING OF MOTIONS.

Mr. McWILLIAMS.—May I ask, Mr. Speaker, why the notice of motion regarding the appointment of a Commission to inquire into the Sugar Commission, which I moved, is not now on the notice-paper?

Mr. SPEAKER.—The honorable member was good enough to inform me this morning that he would ask this question, and I am glad to have an opportunity to explain the position. Before I became Speaker, motions on which discussion was continued until the time allowed for it under the Sessional Orders had expired, dropped off the business-paper, but as

prior to my election I had held that to be an unfair way of treating them, because it is not right that perhaps one member should be able, by talking a motion out, to defeat a proposal of which the House is in favour, I took it on myself, on becoming Speaker, to alter the practice, and allowed motions whose discussion continued up to the time when, under the Sessional Order other business had to be called on, to go to the bottom of the notice-paper. Yesterday, however, at 26 minutes past 4, when the honorable member's motion was called on for discussion, the honorable member for Lang moved, in his absence, that its consideration be postponed until that day week. That motion was negatived, the House deciding by a majority that it should not be postponed until that day week. When the division had been taken, it was 32 or 33 minutes past 4, and past the time fixed by the Sessional Order for the calling on of other business. Therefore, no further discussion regarding the motion could take place, and I was in this awkward position, that there was nowhere to put it. I thought, therefore, that the safest course to follow was to allow it to drop off the business-paper.

Mr. McWILLIAMS.—Can it be restored?

Mr. SPEAKER.—The honorable member can give notice with the object of restoring it for any day he pleases.

Mr. McWILLIAMS.—Then I do so.

LITHGOW IRON INDUSTRY.

Mr. CANN.—I wish to know from the Minister representing the Minister of Trade and Customs if the report of the Royal Commission on the iron industry at Lithgow has been received, and, if so, whether a copy will be given to each honorable member?

Mr. FISHER. — I shall cause the question to be communicated to my honorable colleagues.

WIRELESS TELEGRAPHY.

Mr. HEDGES.—Has the attention of the Minister of External Affairs been called to a statement sent to each member this morning in which occurs a list of twenty-six private wireless telegraph stations in Australia, and is the honorable gentleman aware that these stations have all been erected and equipped since we voted money for two Commonwealth stations?

Mr. THOMAS.—I have not seen the statement, but there may be twenty-six, and even thirty-six, stations in various parts of Australia equipped under experimental licences. The honorable member, if he visits Pennant Hills, will see that there is no comparison between any of these experimental stations and the Commonwealth stations.

Mr. KELLY. — Hear, hear. The experimental stations are working, but the Commonwealth stations are not.

Mr. THOMAS.—The experimental stations allow communications to be transmitted over a distance of from 250 to 500 miles at the most, while the Pennant Hills station will have a range of 4,000 miles, it being one of the largest in the world. There is no comparison between an experimental station and those we are building for commercial purposes.

Mr. KELLY.—I wish to ask a question on the subject, to which, perhaps, the Postmaster-General will give an answer on Tuesday. In the specifications for tenders for the supply of wireless telegraph installations, installations capable of supplying a service over 1,250 miles radially "under all conditions" are asked for. Will the installations be tested "under all conditions," or under normal conditions? I suggest for the Minister's consideration that some tenderers may have been influenced by the use of the words "under all conditions" to make provision for a plant very much more effective and costly than would be required for a normal service over 1,250 miles radially.

Mr. ROBERTS.—The practice is to give notice of questions asking for information on some future date.

IMMIGRATION.

Mr. JOSEPH COOK.—I desire to ask the Prime Minister a question with reference to a statement which he made last night, and which, to my mind, was not quite clear. The right honorable gentleman spoke of inaugurating a new policy in regard to immigration only, as I understood him, after the erection of new premises for the housing of the High Commissioner in London. I should now like to know if he wishes to convey to the country that nothing in the direction of encouraging immigration will be done until the offices have been erected and are in working order?

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Mr. FISHER.—My statement was quite clear and direct. I said that, in my opinion, the first essential to making the work of the High Commissioner and of the States' representatives in London efficient is the erection of a suitable building for them. As regards immigration, the same policy will be pursued as in the past. We shall advertise the Commonwealth, and make the facts regarding it known in every country; and, by legislation and administration, make this continent worth coming to.

GOVERNMENT CONTRACTS: PENALTIES.

Mr. KELLY.—In which Government Department does the responsibility of seeing that penalties incurred in connexion with the failure of contractors to observe the terms of their contracts are enforced? There must be some Department charged with the responsibility, and I should like to know whether it lies with the Department of Home Affairs, or with the Department which happens to have credited to it the money on the Estimates?

Mr. FISHER.—This is a most unusual question, but the answer to all such is that, in the ultimate, the Attorney-General must determine when a breach of contract has taken place. It is for the Department which has entered into a contract to discover whether the terms have been adhered to, and for the Attorney-General to advise whether there is a legal breach.

TRUST FUNDS.

Sir JOHN FORREST.—Does the Treasurer propose to make any provision by appropriation in regard to the Trust Funds? The practice now is that money is placed to the Trust Funds, and, under some general appropriation, probably made by Parliament years ago, taken out as required. Does the Treasurer think that is a wise course? In every country, and certainly in every State, the custom has always been, when even loan money is required—and trust moneys are in the same position—to have an annual estimate of proposed expenditure and annual appropriation. I notice that that practice has not been followed here.

Mr. SPEAKER.—I must ask the honorable member to confine himself to the question.

Sir JOHN FORREST.—If the right honorable gentleman will look into the matter, he will see that, in view of the multitude of operations, it is necessary that we should have an annual appropriation of the Trust Funds as required. The Estimates are very confusing in this respect.

Mr. SPEAKER.—Order! The honorable gentleman must confine himself to a question.

Sir JOHN FORREST.—I only desire to explain exactly what I mean. Will the Prime Minister look into the matter, and see whether he thinks annual estimates and annual appropriations by Parliament in respect of all Loan and Trust Funds should be made obligatory?

Mr. FISHER.—I am not at all sure whether the present is the best practice, but probably I have fallen into the error of my predecessors. In any case, I shall be glad to have an examination of the position. I do not think that Parliament in any way loses control by the present practice, but the idea has occurred to me that it is very difficult to get a straightforward statement of the position. It is, however, a merely technical matter, and I shall be very glad to have inquiry made.

Sir JOHN FORREST.—I shall ask the question on Tuesday or Wednesday next, so that it may be seen exactly what I mean.

Mr. FISHER.—Wait until the discussion of the Estimates.

COMMONWEALTH BUILDINGS, PERTH.

Sir JOHN FORREST asked the Minister of Home Affairs, *upon notice*—

1. What are the dimensions and the area of the land fronting Murray and Wellington streets, in the city of Perth, Western Australia, which has been compulsorily resumed, and what public building is it proposed to erect upon the land?
2. Whether any sketch plan has been prepared showing the design for the General Post Office building proposed to be erected in Perth?
3. If so, will he place the sketch plan on the table of the House?
4. Whether he has in contemplation the erection of shops or business places, to be leased for business purposes, on any of the land resumed for the erection of the General Post Office and other public buildings?
5. If so, is it legal to compulsorily resume land for such purposes under the Constitution?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are as follow:—

1. The land has frontages of 335 feet 9 inches to Wellington-street and 335 feet 8 inches to Murray-street, by a depth of 403 feet, comprising an area of 3 acres 0 rood 16 8-10 perches. It is proposed to immediately erect on this land a building in which will be concentrated all the Commonwealth Departments in Perth, except the Departments of Defence and Trade and

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Customs. The land not required for this purpose is to provide for the future requirements of the Commonwealth.

2 and 3. No sketch plan has been prepared, but a design for the subdivision of the land will shortly be decided on.

4. No; but it is proposed to let, under building leases, the land which is not immediately utilized for Commonwealth purposes.

5. The land was acquired for public purposes.

REFERENDA: ADVERTISING.

Mr. GREENE asked the Minister of Home Affairs, *upon notice*—

1. In connexion with the recent Referenda, is it a fact that the whole of the advertising, or any portion of it, was done through a particular press agency in Sydney, instead of by the Department direct or through the various advertising bureaus connected with the Government Printing Offices in the several States?

2. Is he aware that the press agency referred to deducted 20 per cent. commission from the various newspapers for the service?

3. Is it a fact that the manager of the said press agency has on more than one occasion stood as a candidate for Parliament in the Labour interests?

4. What reason does the Minister assign for placing these advertisements through a private press agency?

5. Was any other press agency asked to tender for the service? If not, what was the reason?

6. What was the total amount paid to this particular press agency for advertising done in connexion with the Referenda?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are—

1. The official statement relating to each of the proposed laws was advertised in the country press through the New South Wales Country Press Co-operative Company, a duly constituted and registered organization, authorized to act on behalf of the newspapers concerned. The same course was followed through the Victorian Country Press Association.

2. This is a matter between the Associations and the country press.

3. I am not aware of it.

4 and 5. See answer to No. 1.

6. £350 9s. 2d.

TELEGRAPH INSTRUMENTS.

Sir JOHN QUICK asked the Postmaster-General, *upon notice*—

Whether he will cause inquiries to be made and official reports obtained respecting the practicability and advisability of introducing, in connexion with the Commonwealth Telegraph Department, the following instruments, said to embody the latest improvements in telegraphy:—

(1) The Creed receiver and attachment, used to translate electrical signals sent by Wheatstone methods into printed messages ready for delivery?

(2) The Hughes instrument, with keys corresponding to the letters of the alphabet worked like the keys of a piano, and capable of printing the messages as received?

(3) The Baudot instrument, having five keys, and capable of sending four messages each way at the same time along one and the same wire, and printing each message as received?

(4) The Telewriter, capable of sending and recording written messages?

Mr. ROBERTS.—Full inquiry has already been made on each of the several points referred to, and official reports obtained thereon. At the present time inquiries are current as to which of the various recent forms of automatic telegraph instruments are best suited to the Australian conditions. No unnecessary delay will take place in the introduction of the system when a decision has been arrived at.

CONCILIATION AND ARBITRATION BILL.

In Committee (Consideration resumed from 26th October, *vide* page 1823):

Clause 1 agreed to.

Clause 2—

Section four of the Principal Act is amended by omitting from the definition of "Industrial dispute," the words, "arising between an employer or an organization of employers on the one part and an organization of employés on the other part."

Mr. GLYNN (Angas) [10.57].—This clause, of course, raises rather a fundamental question of policy, for we are now, it seems, rendering organization optional on the part of employés, and striking at what we regarded as really essential to effect the presentation of disputes for the adjudication of the Court. Section 2, sub-section 6, of the original Act very properly lays down, as one of the chief objects, the facilitating and encouraging of the organization of representative bodies of employers and employés, and the submission of industrial disputes to the Court by organizations. Further, in section 19, which provides for the submission of disputes to the Court, it is provided that no dispute shall be submitted by employés except through their representative organization; and it is somewhat significant that there is no provision in the Bill for the submission of a dispute by an employer or employers to the Court, the apparent object being, as section 2, sub-section 6, indicates, to induce organization on the part of employers. The position seems to be that no dispute can be submitted by workmen unless through their organizations, and no dispute can be submitted by an employer to the Court, though if employers chose to organize, of course a dispute may be submitted. This is not expressly declared right through the Act, but

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there are several sections which seem to indicate this as the policy.

Mr. HUGHES.—How can workmen, as such, approach the Court, except by the aid of some machinery or organization?

Mr. GLYNN.—No doubt they cannot do it effectively, but we are now providing that they need not be organized for the purpose of presenting a dispute to the Court. I understand that the Australian Workers Union—I do not mention it with a desire to impugn its organization in any way—is partly political in its objects, and that it is only in a somewhat attenuated sense that one can call it an industrial organization. If I mistake not, when its case came before the Arbitration Court of New South Wales a few years ago, some question arose between it and another body, known as the Machine Shearers Union, as to whether the Australian Workers Union could be regarded as an industrial organization within the meaning of the law, and I think that Mr. Cruickshank, who was adjudicating in the matter, called attention to the fact that the Australian Workers Union had very large political objects. He thought that the policy of the Legislature authorized it to be an industrial union, but he seemed to doubt the wisdom of such a policy, owing to the extensive membership of the union implying coercion upon the judgment of its members.

Mr. HUGHES.—That could not apply here, because we have expressly taken out of the original Act all reference to those limitations imposed upon organizations with political objects.

Mr. GLYNN.—That really removes a safeguard against the evils of which I complain. I do not lay very much stress upon the fact that we may have political as well as industrial objects connected with one association, because the members, after all, are free to exercise their choice. But the point I wish to make is that it may be that an organization is essentially largely political rather than industrial, and that what one might call its effectiveness for industrial purposes will be weakened in proportion to the extent to which it is devoted to political purposes.

Mr. PAGE.—That is not the case with the Australian Workers Union.

Mr. GLYNN.—I said that I did not wish to impugn the basis of that organization. No doubt it has done a great deal of good in presenting the case for what is, to a great extent, disorganized and rather unskilled labour. I believe it relates particularly to bush hands, and a question might arise as to whether these are industrial hands in the sense of belonging to a clearly defined industry.

Mr. PAGE.—The members of that union are engaged principally in pastoral pursuits.

Mr. GLYNN.—They are engaged in an industry, but their labour is unskilled, and a pretty extensive organization is required, owing to the fact that the bulk of these workmen, for whose position we have the greatest solicitude, are unskilled.

Mr. BAMFORD.—There is no such thing as unskilled labour.

Mr. GROOM.—Mr. Justice Higgins recognises that there is a difference.

Mr. FENTON.—Does not the Federal Court recognise the Australian Workers Union as an industrial union?

Mr. GLYNN.—Undoubtedly; and it must present the case of the shearing hands. The point I am taking is that if we do not insist upon organization, a body of men may come together upon some political rather than industrial basis, and will be able under the amendment of the principal Act to present a case to the Court, although, perhaps, 99 per cent. of the objects of the association are purely political. I do not think we ought to destroy organization as a necessity; my view is that we ought to encourage it by every means. If we had the power, I should go the length of compelling organization on the part of the employers as well as of the employed. I freely acknowledge that our present arbitration laws are not as effective as we desire them to be. The reason for this is, I think, that we have misinterpreted the scope of the arbitration power; and that when we desired to have a common rule applied to the whole industry we were really exercising the legislative functions of the High Court. It is desirable, however, if we can accomplish it, to bind all employers and employés in a well-defined industry. For instance, if we could induce all the employers in the coal-mining industry to be bound together by an organization, as well as all the employés, I would also compel those who were non-unionists to come in. The non-unionists receive the incidental benefits of every award, in obtaining which there is often much sacrifice. It should really be our object to see that, where we are adopting arbitration as a method of settling industrial disputes, that method is made effective within the limits of our

power. I doubt if we could compel organization except by inducement.

Mr. HUGHES.—If the honorable member will move an amendment compelling the employers to organize, I will vote for it.

Mr. GLYNN.—I do not want to endanger the validity of the Attorney-General's amendment. If we introduced a provision requiring all employers to organize, and followed up that provision with what is really the essence of the object in view by requiring that all employers and employés in an industry should be bound by an award, I do not know whether such an amendment would be valid. I believe, however, that there are members of the Opposition who desire to secure what would be something approaching a common rule by such a re-arrangement of our legislation as would enable an award of the Court to bind the employers in a clearly-defined industry, such as mining.

Mr. FENTON.—Would the honorable member compel both sides to register under the Act?

Mr. GLYNN.—I do not think much is to be gained by compelling the employers to register. The register is simply an indication of what organization is to be regarded as representative of the industry affected. There might be two organizations connected with an industry. The register would merely show which of those bodies properly represented labour for the purposes of the presentation of a dispute to the Court. Registration of an organization of employers is unnecessary, because we can always identify a particular employer affected. If we went further and declared that on registration all members of the organization should be bound, whether they were parties to the dispute or not, and if we could get all concerned into such an organization, I think registration would be necessary

Mr. SCULLIN.—Could that be done under the Constitution?

Mr. GLYNN.—I doubt it. I am simply throwing out a few suggestions as to what would render arbitration possible, in the direction of something approaching a common rule, without taking over the whole industrial power. My point is that the Government are reducing the inducements on a voluntary basis for employers to organize, and also impairing the effectiveness of presenting a dispute by declaring that employés need not organize. In the case of a dispute affecting half those engaged in a wide industry, there would be nothing to prevent the non-unionists presenting a case to the Court although the members of the organization of labour relating to the industry might not wish to go on. They might have settled the dispute by some industrial agreement. Because they were organized, they would be subject to penalties if they broke through such an agreement or did anything in the nature of a strike. But we might have a body of men who have never taken upon their shoulders any of the responsibilities incidental to securing an industrial agreement. They might be discontented for some reason or other with the terms accepted by the organization, and they could present a dispute to the Court. We should have in the same industry parties who were bound and parties who were not.

Mr. FENTON.—But the latter would hardly be heard if there was a large organization.

Mr. GLYNN.—If there was an industrial dispute, the Court would be judicially bound to hear it. Assuming that half the labour in a particular industry were organized and half unorganized, then, under this amendment, we might have the organized labour taking one view, and the disorganized labour taking another. Another point is that the only means of enforcing an award as against labour at present is through organization. I could show that by reference to several sections of the principal Act. Right through the Act organization is regarded as an excellent method of putting the demands of labour in a particular industry before the Court, and my fear is that by taking away the inducements to organize we shall impair the efficiency of the law. The English Labour Commission, in 1894, presented a very extensive report on the conditions of labour, in which it recommended the organization of employers and employés for bringing about industrial peace. In paragraph 66 of their report we have the following statement:—

> We have considered it to be our main object, so far as relates to these associations, whether of employers or employed, and their larger development in the shape of federations of associations, to inquire to what extent their existence or absence, strength or weakness, in various trades and occupations have affected, for good or evil, the relations between employers and employed, and are a cause of, or obstacle to, conflicts between the classes. If, and in so far as in the result of this inquiry it should appear that the increase of strength and organization in these industrial bodies tends, on the whole (in spite of occasional conflicts of great magnitude), towards the establishment of a kind of industrial peace higher than that which has previously prevailed,

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this would be a reason, subject to the consideration of the effects of such increase of strength upon the general interests of the community, for favouring any legislation which should offer to those organizations a better legal basis than they already possess.

There we find the English Commission, appointed to inquire into the conditions of labour and what would conduce towards industrial peace, recommending organization, the only qualification being that, when the organization becomes too widespread by disregarding particular industries, there may be too great pressure brought to bear upon some members, or upon the community at large. In the subsequent amendments proposed by the Attorney-General we are widening the scope of these organizations in a way to which one may direct criticism subsequently. I do not want to propose an amendment, but must express regret that we are departing from what was declared in 1904 to be the very essence of the presentation of disputes to the Court. It is not necessary to the presentation of a dispute to the Court that there must be organization on the part of the employers, so long as it is not presented by the employés. The registrar may certify that there is an industrial dispute, or an industrial dispute may be referred by a State authority to the Court without there being an organization. That, I think, rather strengthens my argument. The Act is symmetrical at present, and by these amendments we are removing inducements to effective organization.

Sir JOHN QUICK (Bendigo) [11.17].—I agree, in the main, with the statement of the case by the honorable member for Angas, but, at the same time, should like to restate my objections to the proposed amendments of the Act in my own words and in my own way. In viewing these proposals of the Government, we ought to be guided by two groups of considerations. The first is, whether the proposed new scheme of registration and organization aimed at by this amending Bill would be expedient, wise, just, or prudent, and whether it would tend to effectuate the main object of the arbitration scheme embodied in the principal Act. The second consideration is whether, even if the Bill were passed by Parliament, it would be within the scope of the Federal power. I submit that the proposed amendments of organization and registration would not be wise, effective, or prudent. The main object of the scheme of arbitration embodied in the principal Act is the settlement of industrial disputes, and the maintenance and preservation of industrial peace, and not the manufacture or fomenting of disputes. The main object of this measure seems to be rather to extend and widen the possible area of disputes, to create fictitious and artificial disputes, rather than to settle real, substantial, tangible disputes as they arise in the ordinary course of industrial controversy and conflict. The scheme of arbitration as embodied in the principal Act prepared by the late Mr. C. C. Kingston was, in its way, a masterpiece of industrial legislation. Above all, it gave expression to the true spirit and principle of the interpretation of the Constitution. No doubt it was at the outset a serious and important problem to construe and give effect to the power conferred upon this Parliament, by paragraph xxxv. of section 51 of the Constitution, to settle industrial disputes by conciliation and arbitration. There were certain clear and distinct limitations to the Federal power in that paragraph. The Attorney-General quoted specimens of State legislation with reference to the settlement of industrial disputes by conciliation and arbitration. Let me remind him that those hardly help us in determining the true lines and principles of Federal legislation on the subject. The Federal power is distinctly limited, whereas the State power within State boundaries is practically unlimited. Therefore, samples of State legislation giving the State Courts power to deal with all kinds of employments, vocations, and crafts, have no application, and afford no real assistance or guide to us in keeping within the limits of the Federal power. What would be the use of any further legislation aimed at improving this machinery, if it facilitated and promoted industrial strife or controversies that could not be dealt with by the Federal tribunal which has been created? It may be that this amended scheme, when adopted, will, on the face of it, appear to be within the exercise of the Federal power. I do not say that it will not, because it merely proposes to eliminate words of construction and interpretation from the principal Act, but the real difficulty will come later on. This amended scheme of registration and organization, if adopted, will be an encouragement and inducement to a large number of Labour organizations either to maintain their present form of general registration or to induce others to endeavour to secure registration, and the difficulty will arise

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when they come before the Court to enforce the settlement and determination of difficulties. I agree with the honorable member for Angas that, in order to effectuate this Federal authority, we must have some form of registration and some form of organization. It would be almost impossible to conceive of labour controversies coming before the Court to which mere private individuals were parties. A private individual would hardly be able to conduct a great campaign in this Court. It would, therefore, appear that organization of some kind is necessary, but Mr. Kingston evidently found the keynote of that organization in the words—"industrial disputes"—of the Constitution itself. The first condition of any organization is that there must be an industrial dispute, and the second is that that industrial dispute must extend beyond the limits of one State in order to bring Federal jurisdiction into force and operation. An industrial dispute must connote, to use the term used by the Chief Justice in the engine-drivers' case, at least two propositions. The first proposition is that there must be two parties to a dispute, and the second is that the dispute must have reference to some question of industry. I apprehend that those are fundamental propositions.

Mr. HUGHES.—Are those the exact words of the Chief Justice?

Sir JOHN QUICK.—I think they are his very words. According to the *Argus Law Reports*, page 289, he said—

> I adhere to what I said in the Woodworkers Case, 15, A.L.R., 381, on this point—"The dispute must be single in the sense that there must be a substantial community of interest amongst the demandants and amongst those who refuse the demand."

That shows that there must be two parties to the dispute, a claimant or group of claimants on the one hand, and a combatant or contestant or group of combatants, contestants, or employers on the other.

Mr. PAGE.—How could there be a dispute unless there were two parties?

Sir JOHN QUICK.—That is what I am contending. But this amended scheme contemplates a form of registration or organization in which there is to be, as it were, an army of men engaged in a common craft, such as engine-driving, scattered all over Australia, asserting a claim, not against any particular employer, but against the world at large. That, I contend, would not be a dispute, to start with, within the meaning of the Act, because a dispute must be definite, concrete, and capable of being reduced to the shape or form of some issue which may be determined by the arbitration tribunal. To allow an army of men, organized or otherwise, representing forms of labour dissociated, separated, scattered all over the continent, to come into Court by a plaint, and say to the Judge, "We want an increased rate of pay," or "We want an alteration of conditions," would be to ask the Judge to do a thing which he is not authorized to do by the Act. It would be impossible to describe a mere general demand for increased pay or altered conditions as a dispute within the meaning of the Act, unless it were reduced to a controversy or dispute or conflict between a definite number of men, capable of ascertainment and determination, on the one side, and a definite number or group of employers, capable of ascertainment and determination, on the other, so that they may be brought before a Court. This scheme, however, contemplates the registration and organization of a number of men, not fighting to assert a community of interest or of rights, as against definite employers, but to assert a differentiation of rights. You may have one body of men claiming one rate of pay and one set of conditions, and others of the same class, in other parts of the Commonwealth, claiming different rates and conditions, their only common bond being the desire for an increase of pay, or some special improvement of conditions.

Mr. PAGE.—The honorable member is setting up a bogy.

Sir JOHN QUICK.—That is the definite object aimed at. Apart from the unwisdom, inexpediency, and injustice of allowing such cases to be brought before the Arbitration Court, there is the objection that such a course raises the constitutional question whether the dispute would be within the jurisdiction of that Court. I do not wish to anticipate a subsequent amendment regarding the abolition of prohibition, but, even should it be carried, and the Arbitration Court determine that there was a dispute when in truth and reality there was not a dispute within the meaning of the Constitution, its decision would be open to review by the High Court on a motion for prohibition. I, therefore, join in the words of warning so clearly uttered by honorable members on this side.

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Mr. Hedges.—And on the other side.

Sir JOHN QUICK.—The honorable member for Cook's objections to the proposal were not based on the same constitutional and economic grounds as ours. I would support any amendment which would improve the efficiency and usefulness of the Arbitration law, and tend towards industrial peace, but every amendment should be wise, just, and expedient, and within our constitutional powers. In the engine-drivers' case the Chief Justice said that it would be inconvenient if all persons who employed, say, carpenters, were regarded as carrying on a common enterprise or industry, and so liable to be involved in one great law suit—

> A good illustration is afforded by the present case, in which the award as proposed would extend to employés engaged in industries of all possible kinds, from drivers of locomotives or of winding engines on mines, to men in charge of small gas-engines used in industries in which the use of engine power is merely subsidiary, and to employés engaged in equally diverse industries.

The honorable member for Maranoa says that I am raising a bogy, but the engine-drivers' case was an attempt to combine in one huge law-suit all the engine-drivers of Australia.

Mr. West.—That is what we want.

Sir JOHN QUICK.—There is no community of interest between all the engine-drivers of Australia. One man may be driving a high-power steam-engine, and another merely attending to a donkey-engine on a farm.

Mr. Page.—There is no more difference than between the honorable member's profession and the medical profession.

Sir JOHN QUICK.—The remuneration of lawyers and doctors could not be decided in the settlement of one dispute. What is contemplated would be unworkable. No Court could arrive at a satisfactory determination on such a multitude of conflicting duties, rights, and interests. The Court is to be asked to fix rates of pay and conditions, not for men doing the same class of work, but for men doing different classes of work in different industries.

Mr. Page.—An award was given in the engine-drivers' case.

Mr. Scullin.—An award has also been given in regard to shearers and shed hands, who are employed all over Australia.

Sir JOHN QUICK.—Shearers and shed hands are all employed in the same industry, and remunerated by employers of the one class, whose profits all spring from the sale of wool. The pay of engine-drivers must be determined by the character of their work, the nature of their attainments and experience, and similar considerations. There is a great difference between an engine-driver in charge of mining machinery and a man in charge of a small engine in the country.

Mr. Scullin.—Does the honorable member say that the engine-drivers cannot be classified?

Sir JOHN QUICK.—They should be classified according to industries. The scheme of the Act is that organization must be based on industrial community. What is now proposed is the registration in one organization of men engaged in different kinds of work and in different industries. One group of engine-drivers might be working under conditions with which they were highly satisfied, being well paid and well treated. They would not desire to be brought before the Court, but, under the Bill, they could be dragged into litigation to fight some phantom employer. I discussed the engine-drivers' case before I left for England, and could not see how their disputes could be legally or conveniently brought before the Court.

Mr. Scullin.—The only difficulty was the legal one.

Sir JOHN QUICK.—The Chief Justice pointed out that there were legal and practical difficulties.

Mr. Scullin.—The President of the Arbitration Court did not refer to any but legal difficulties.

Sir JOHN QUICK.—He is a great and esteemed official, but not the sole judge of what is convenient and practical.

Mr. Riley.—His views are as much to us as are those of the Chief Justice.

Sir JOHN QUICK.—The Chief Justice said in that case—

> It seems to me impossible to deny that the employers and employés concerned in an industrial dispute must be engaged in the same industry as to affirm that every person who employs a carpenter or engine-driver is, in any relevant sense, engaged in the industry of carpentry or engine-driving.

My impression is that the engine-drivers' case was practically faked up for the purpose of extending the jurisdiction of the Court, if possible, by evading the constitutional limitation regarding the extension of a dispute beyond the limits of a State. The Commonwealth power of arbitration is based on the condition that there must be

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a dispute in an industry in one State extending to another—in other words, the development of a dispute beginning in one State and extending to another. It is not the extension of an industry or calling from one State to another that gives our Court jurisdiction. If the President had made an award in the engine-drivers' case——

Mr. PAGE.—He did do so.

Sir JOHN QUICK.—That award was capable of being reviewed by the High Court, and whatever legislation we pass by omitting words of interpretation, construction, or definition, and thus going beyond the scope of the Constitution, will ultimately be upset on the ground of unconstitutionality.

Mr. HUGHES (Attorney-General—West Sydney) [11.45].—I again rise to express a hope that we may get along a little faster. The honorable member for Bendigo has very strongly emphasized his objections to this clause; and as I listened to him, I realized for the first time the dangers that beset the road we are treading. Unfortunately there is absolutely nothing the honorable member said that has any relevance to the question before the Committee. The honorable member who approached this question with his mind fresh and vigorous from long fallowing and ploughing in pleasant lands, was apparently quite unaware, until the honorable member for Maranoa told him, that an award had been made. He dealt with the question as if it were the introduction of a new and dangerous principle, whereas it is merely making certain that which is clearly implied in the Act, and was always understood to be enforced therein, so as to leave no room for doubt. I call the honorable member's attention to section 4 of the Act of 1904, in which is the definition of "industrial dispute" as it left the hands of the late Mr. Kingston, upon whom a very eloquent eulogy was delivered by my honorable friend. In that section "industrial dispute" is defined as a dispute—

(*a*) arising between an employer or an organization of employers on the one part and an organization of employés on the other part, or

(*b*) certified by the Registrar as proper in the public interests to be dealt with by the Court.

That was struck out later, but, at the time the Bill was first placed on the table it contained that clause, and in that shape it was passed into law. That Bill was introduced by the Government of which the honorable member for Bendigo was a follower and a supporter; and it left in the hands of one man—and that man not the Judge but the Registrar—to decide what an "industrial dispute" was, with all those terrible potentialities for danger that my honorable friend pointed out. For seven years this principle has been acted upon, and not the least shadow of these disasters has appeared. We are proposing the amendment of the Act because we desire to give the Court power to deal with all conceivable industrial disturbances, subject to the constitutional limitations which, as we know, usually arise between organizations of employés and employers. This the present Act does not do, for several reasons. It may happen for some reason or other that men do not organize. For instance, when there was a dispute among the wharf labourers in Sydney, some fifty men formed themselves into what they described as a union, and called themselves free labourers for the purpose of doing the work on the wharfs. They were an organization merely for the purpose of defeating the unionists. Nothing is more likely than that the interference of such a body of men will create disturbance. Everybody knows that it is like a red rag to a bull when bodies of so-called free labourers claim the right of unionists. I am not saying whether that is sensible or expedient, but merely stating a fact. The proposed amendment of the Act is to make it perfectly clear that the Court has jurisdiction to deal with such associations as with any other body.

As to everything else the honorable member for Bendigo said, we can discuss it when we are dealing with the proposed amendment of the Act to which it is relevant. It may be pointed out, however, that the honorable member for Angas took quite an opposite view to that of the honorable member for Bendigo, and desired that everybody should come into organizations, indeed, he even went so far as to suggest that all employers should be organized. Nothing would give me greater pleasure than to hear the honorable member move an amendment to that effect—nothing would give me greater pleasure than to ask every member in the Committee to vote for it. However, had the Government made such a proposal no protection or walls would have been strong enough to prevent the shafts of criticism piercing our unfortunate hides I am between Scylla and Charybdis—between the suggestion that we go too far,

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and the suggestion that we do not go far enough. I hope the Committee will accept the clause as it stands.

Mr. GROOM (Darling Downs) [11.52].—The Attorney-General has left out the qualification made by the honorable member for Angas, who spoke of clearly defined industries, and urged that if we could get complete organization of employers and employés in an industry he would like to see it, so that an award might deal with all the parties concerned.

Mr. HUGHES.—We can discuss that point under another clause

Mr. GROOM.—The honorable member for Angas did not wish to discuss under this clause any question but that of organization; and he asked why it was proposed to strike out the words. According to the Act, "industrial dispute" means one extending beyond the limits of any one State, and arising between an employer or an organization of employers on the one part and an organization of employés on the other part. What the honorable member for Angas said was that, by striking out these words proposed to be omitted, there seems to be a desire to discourage organization, while the whole scheme of the Act was directed to encourage the registration of organizations. There is an advantage in having an organization on each side, because the views of each can be crystallized and responsibility thrown on clearly defined bodies, and a distinct claim formulated. The evidence and material on which the opinion is formed is accessible, and there is a record of the persons who can be bound by the award.

Mr. BRENNAN.—These are all good reasons for preference to unionists?

Mr. GROOM.—No, they are reasons for organization—there are quite other reasons when the object is political. The object of striking out the words seems to be to allow the vaguest kinds of association to have the benefit of the Act.

Mr. HUGHES.—The object is to make clear that what was in the original Act still stands

Mr. GROOM.—No, the object of the original Act was to encourage organization, but, according to the proposal before us, any association, whether registrable under the Act or not, may be proclaimed.

Mr. PAGE.—Surely the honorable member does not object to that?

Mr. GROOM.—I say that instead of encouraging organization as defined under the Act, the amendment will encourage men not to register, because ill-defined associations outside the Act will be able to get the same benefit as do registrable associations.

Mr. HUGHES.—Supposing men will not organize and register.

Mr. GROOM.—Then we should do all we can to encourage them to do so.

Mr. HUGHES.—So we do.

Mr. GROOM.—That is not being done by the proposal before us.

Mr. RILEY.—If employers organizations do not register, the employés cannot "get at" them.

Mr. GROOM.—An organization of employés can appeal to the Court, and even if the employers are not registered the men can "get at" them.

Mr. PAGE.—Only individually!

Mr. GROOM.—What does it matter so long as the men do "get at" them?

Mr. PAGE.—Look at the expense.

Mr. GROOM.—In the engineers' case there were 177 defendants, and the difficulty was that there was no common bond of interest to enable them to register as one employers association. For instance, the defendants included the City Council of Sydney, the Commissioner of Works of New South Wales, the Tasmanian Smelting Company, and so forth; and no organization was possible on a common basis. There is danger in striking out the words lest we defeat the purpose in view, namely, to get all registrable organizations registered under the Act.

Mr. FENTON (Maribyrnong) [11.58].—I cannot understand the arguments from the other side, which in the general debate were to the effect that the Bill was giving a premium to organizations. The Bill is before us because of the difficulty in the engine-drivers' case, caused by the High Court's interpretation of "industry." The award of the President of the Court was upset on a technical issue; and an attempt is now being made to clear the way so as to give craft unionists an opportunity of appearing before the Court.

Mr. FOWLER (Perth) [11.59].—I have not spoken up to the present, but have listened very attentively to the greater part of the debate, and the more I listen the more surprised I am that honorable members opposite should support a proposal of the kind. There can be no doubt, as the honorable member for Maribyrnong has said, that a decision was given by the President of the Commonwealth Conciliation and Arbitration Court in the engine-drivers' case; but assuming that the learned Justice recognised

that he was within the limits of the Constitution, he had no alternative but to give that decision. No one acquainted with that case would hesitate to admit that it was only a very partial presentment of a case which would undoubtedly, if this power were conceded, be developed under the amending Act. I cannot understand how it is that honorable members opposite do not realize the danger to their own movement that will come from the mad craze for unification and centralization which has overtaken them during the last year or two. We have been told by interjection to-day that the case of the engine-drivers is fairly well instanced by the analogy of the senior and junior members of the legal profession. To my mind there is not the slightest similarity. Let us put the case of a man controlling a gasolene motor in a sausage-making establishment in Melbourne alongside that of an engine-driver in charge of a huge complicated steam-engine on one of the Western Australian mines.

Mr. WATKINS.—Has the honorable member ever had any experience of the difficulties that often arise in driving an oil-motor?

Mr. FOWLER.—I am coming to that. I desire honorable members to consider at what period in his career, a man in charge of a gasolene motor, complicated and intricate though it may be, will be competent to take charge of a large steam-engine such as we find in use on the Western Australian mines? He may work the one for a lifetime, and never be able to control the other for the reason that the two engines are entirely dissimilar. The two industries are also entirely different; there is no connexion whatever between them. Therefore, these analogies as regards other industries are altogether pointless. The danger that I see to the principle of arbitration and to the Labour movement in this connexion is that what may be described as a wholesale judicial decision in a case such as that of the engine-drivers would apply to the whole Commonwealth, and must of necessity deal with a tremendous variation of employment and a variation in the nature of the machinery handled by the men. It is utterly impossible for any one decision to fit all these varying cases; there is sure to be friction and dissatisfaction here and there. Take a case that I have in mind as bearing on the possibility of any judicial authority being able to apply one uniform decision all over Australia. We have in Western Australia what is called a special concession to the postal employés employed on the gold-fields; but it has been all along a matter of irritation amongst our postal servants in that State that the decision does not recognise the full differentiation between the case of Commonwealth employés in Western Australia as compared with that of the Commonwealth servants in the eastern States. It is only a mere make-believe. Any one who looks at this matter broadly must realize that the tendency of all judicial decisions is as near as possible to a condition of uniformity. I know that honorable members opposite are aiming at uniformity in this matter, because they think it will centralize the control and authority of those who control labour organizations in a political sense. This Bill is, I believe, the handiwork of the Attorney-General, and members of his party are accepting it in entire ignorance of its true significance. There is no doubt that if it is found to be constitutional, and an attempt is made under this power to give decisions regarding industries of the nature of the engine-drivers, it will lead ultimately to the disintegration and demoralization of labour, both politically and industrially.

Mr. ARCHIBALD (Hindmarsh) [12.6].—The honorable member for Perth has misunderstood the scope and object of the clause before the Committee. Both he and the honorable member for Bendigo must admit that the object which both parties had in view in introducing legislation of this character was to settle industrial disputes and bring about industrial peace. Take the position in which we stand to-day. Will it be denied by the Opposition that a judicial decision of the High Court regarding an interpretation of the Court below has practically prevented the older craft industries from reaping the benefit of industrial legislations. Honorable members may raise as many issues as they like in reference to the matter, but that is the position, concisely stated, to-day. In my opinion, that was never the intention of this Parliament, and if we strip this question from all party considerations I do not think it can seriously be said to be the intention of the Committee to-day. We hear a great deal about the number of industrial upheavals and strikes that are now taking place; but we have not had serious disputes, calculated to endanger industrial peace, in connexion with the old craft industries of Australia. There

is a greater tendency in that direction on the part of the younger organizations which have not the experience and knowledge of the older ones. The Australian Workers Union, for instance, has been in existence for something like thirty years, and during that time has gained much experience. And so with the Amalgamated Engineers. The Waterside Workers in my own State have been organized for something like forty years, and in connexion with those organizations we have known what strikes really mean to the workpeople. We have learnt how serious are their effects on the workers, apart altogether from their effect on the general industry and progress of the country, and the evil they inflict upon innocent persons. We have profited by these experiences, and consequently there are more industrial troubles in connexion with the modern organizations than there is in connexion with the older ones. As these younger organizations grow older they will learn. We all profit by our experience, and some of us have paid pretty dearly for it. There is no exception even in the case of a trade organization. Even in the absence of industrial legislation the wonderful prosperity which Australia has enjoyed for some time must of necessity have resulted in wages being raised, and in the absence of the effective industrial machinery that we have to-day, we should have had more chaos and strife than at present prevails. If the employers on the one hand, and the employés on the other, were unchecked by industrial legislation the position would be much worse than it is. Do honorable members opposite mean seriously to say that they would shut off from our industrial legislation the whole of our ancient labour organizations—organizations having behind them in some cases the traditions of a hundred years or more? Are they going to say that we have a new patent-Court-created "industry" and new patent-lawyer-created "industrial disputes," and that these old craft industries of the English-speaking people are to be cut off?

Mr. GROOM.—They would not be excluded.

Mr. ARCHIBALD.—But as it is they are. It is remarkable that in appeals from the Conciliation and Arbitration Court to the High Court we generally have a majority decision of three to two. That means that in reality the decision of one Justice in the Arbitration Court can be reversed by another Justice in the High Court. We want to ascertain how far it is possible to secure industrial peace under the Constitution as it stands; and we must necessarily keep on amending our industrial legislation. It may suit the press to say that we are "patching" legislation, but, patching or no patching, we must in the interests of industrial peace make our industrial legislation as perfect as possible, and ascertain the limits to which we can go. I do not disguise my opinion that the dual control of legislation in this regard must be attended with failure. It is an axiom that if you want good government you must have undivided control, and since the power to legislate on industrial matters is divided between the Commonwealth and the States, we must have failures. The sooner the people of Australia give us the power to bring the whole of industrial legislation under the authority of the Federal Parliament, the sooner will we be able to establish industrial peace.

Mr. FOWLER.—The Federal control itself is a dual control.

Mr. ARCHIBALD.—I have already shown the honorable member where the dual control lies. The Government are anxious to get on with this Bill, and I am not anxious to retard them in any way.

Mr. JOSEPH COOK.—We have had quite enough of this abortive legislation. We ought not to skimp its consideration any more.

Mr. ARCHIBALD.—The honorable member will have to put up with more abortive legislation until we learn from the High Court how far we may go in accordance with the Constitution to secure industrial peace. When their Majesties of the High Court agree to indicate our exact limitations, we shall stop what the press calls patching, and what I call amending legislation. There is nothing novel in the introduction of amending legislation. What is the history of the past with regard to legislation and lawyers?

The CHAIRMAN.—The honorable member must not proceed on those lines.

Mr. ARCHIBALD.—The honorable member for Perth fears centralization.

Mr. JOSEPH COOK.—He fears a general strike.

Mr. ARCHIBALD.—With our conditions, there is no fear of a general strike in Australia; and, indeed, there is nothing to justify it here. I saw what a general strike meant in another land, and the conditions that brought it about. Our conditions, however much they may be susceptible of improvement, cannot be compared

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with those of our brothers in the Old Country. The only possible way to prevent centralization in this matter is by removing the existing dual control. If that is done, we shall be able to build up a law dealing with industrial matters, and establish industrial peace upon the lines of New Zealand.

Mr. SAMPSON.—Does the honorable member consider that an unqualified success?

Mr. ARCHIBALD.—I do not expect anything in this world to be an unqualified success.

Mr. SAMPSON.—Does the honorable member think that New Zealand is doing any better than Australia in that regard?

Mr. ARCHIBALD.—Undoubtedly.

Mr. JOSEPH COOK.—There is no analogy between the two countries.

Mr. ARCHIBALD.—There is no dual control and no constitutional difficulty in New Zealand. When the people of Australia give us power to remove the dual control, we shall be able to simplify our industrial legislation, and build up a system which will bring Australia industrial peace. But we are not sent here to dream. Honorable members on the other side are very strong on their State rights They are welcome to that attitude, as far as I am concerned.

Mr. GREENE.—The honorable member is a Unificationist.

Mr. ARCHIBALD.—I gave the honorable member for Richmond credit for a little more intelligence than that interjection indicates. The removal of industrial legislation from State control into the province of the Federal Parliament, under the Constitution, will not hasten unification in any respect. It should be possible to get that branch of legislation under our control—and it is urgently needed—not as a mere abstract idea, but as a matter of practical common-sense. Dual control in this legislation is an impossibility. If the honorable member thinks that that contention proves me to be a Unificationist, I am sorry for his intelligence.

Mr. GREENE.—I simply mentioned that, the honorable member being a Unificationist, that was the natural trend of his argument.

Mr. ARCHIBALD.—I ask honorable members on both sides of the Committee to support the measure, so that we may see what we actually have the power to do.

Mr. JOSEPH COOK.—Hear, hear; a try on.

Mr. ARCHIBALD.—The honorable member may call it a trial, for, after all, what has been the history of all legislation in the past? When Parliament passes a law, the army of lawyers get together and say, "What is up here? How are we going to get through this?" That applies, not only to the industrial, but to all other legislation. There always was, and always will be, a war, a friendly one if you like, between legislators and lawyers, because the legislators are anxious to pass effective legislation, and the lawyers are anxious to see how many holes they can drive through it. I am not saying this out of any disrespect for the gentleman of the long robe. It is simply an historical fact which no one can dispute, and which every legislator of common sense or experience realizes. We must first pass this Bill, so as to give the craft organizations and the craftsmen of the Commonwealth a chance of securing the advantage of industrial legislation, and, secondly, we must continue to improve the Act until we know exactly what power we possess, subject to the opinion of the High Court of Australia, to deal with industrial questions.

Mr. RYRIE (North Sydney) [12.24].—I have been content to listen to legal gentlemen on both sides of the House discussing this measure, which appears to me to bristle with technicalities. They are much better fitted to deal with its details than I am, and, therefore, I have not previously spoken upon it. But, having listened attentively to many of the speeches, I have come to the conclusion that many clauses in the Bill are unconstitutional. If we pass the definition of "industry" in clause 2, we shall have in store for us a big crop of litigation. There is no doubt that we shall greatly increase the power of the Federal Arbitration Court. By doing so we shall be defeating the will of the people as expressed in no uncertain manner at the recent referenda.

Mr. CANN.—Not in Western Australia.

Mr. RYRIE.—I do not think the people of that State count for very much when we are dealing with the Commonwealth as a whole. We are also striking a blow at our Wages Board system. The arbitration system was in vogue in New South Wales before the Wages Board system was introduced, but it proved unwieldy and cumbersome and altogether too slow in its operation. Men could not get their cases before the Court for twelve or eighteen

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months. The Wages Board system superseded that cumbersome method in New South Wales, and if in one State alone the Arbitration Court was found absolutely unable to deal with disputes brought before it, how can we expect one Arbitration Court to deal with all the matters that can be brought before it over the whole Commonwealth for decision?

The CHAIRMAN.—The honorable member is now making a second-reading speech. The question before the Chair is the definition of "industry" in clause 2.

Mr. RYRIE.—The Wages Board system in New South Wales was responsible up to a certain date for satisfactorily settling considerably over 150 cases, and many more may have been settled since. In the majority of cases it was the employés who received benefits under the Wages Board system.

Mr SAMPSON.—With very little expense or loss of time.

Mr. RYRIE.—That is so, and that represents the beauty of the Wages Board system.

The CHAIRMAN.—The honorable member must not discuss the Wages Board system, although he may make a casual reference to it.

Mr. RYRIE.—If the proposed definition of "industry" becomes law, the Commonwealth Arbitration Court will of necessity be congested with business with which it cannot possibly deal. At present, owing to the good seasons and flourishing times, there are not perhaps as many disputes as will most certainly occur when times are not so good. We cannot always have these bounteous seasons. The day of reckoning will come very soon, and then there will, no doubt, be a big crop of industrial disputes all over the Commonwealth. It will be impossible for the Federal Arbitration Court to deal satisfactorily with them all. I do not think that we should flout the people by passing this measure. The reason for this endeavour by the Government to have all industrial disputes submitted to the Commonwealth Arbitration Court is that the Court has proved itself peculiarly sympathetic towards the workers. The Attorney-General and Ministers generally believe that they will be able to bring about more easily a general strike under the administration of the Commonwealth Court. That is the whole purport of the Bill.

Mr. CANN (Nepean) [12.33].—I am surprised at the arguments of honorable members opposite. It was the New South Wales employers who forced the engine-drivers into the Commonwealth Arbitration Court. Mr. Justice Heydon roundly lectured the Northern colliery employers because they would not meet the men and discuss their grievances. The secretary to the Engine-Drivers and Firemen's Association repeatedly tried to meet the employers in New South Wales, but was told that better conditions could not be granted because of the Inter-State competition. Therefore the Association—rightly, in my opinion—set about organizing the engine-drivers and firemen in the other States, and finally brought a case before the Commonwealth Arbitration Court. That case was fought out, and an award given which, on technical grounds, was upset. Hence the Bill. The Labour party has nothing to do with this. Engine-driving and firing is an occupation which is much the same in every industry.

Mr. JOSEPH COOK.—No.

Mr. CANN.—It is not more complicated than mining.

Mr. JOSEPH COOK.—A general award is never given in regard to mining.

Mr. CANN.—That is so. But if the same set of conditions existed in mining, and the same obstacles were met, the remedy seized upon by the engine-drivers and firemen would be applied. The time is not far distant when the coal miners of the Commonwealth will be united, and, if need be, will apply to the Commonwealth Arbitration Court for the redress of their grievances.

Mr. SAMPSON.—Does the honorable member think that wages should be uniform all over Australia?

Mr. CANN.—No. There should be a minimum, though I do not think that a uniform rate for Australia is possible.

Mr. PALMER (Echuca) [12.37].—The clause is an important one, but, in my opinion, likely to have an effect contrary to that desired. It is essential to true arbitration that both sides should be properly represented. That is provided for in the existing law. But under the amendment now before us, men engaged in a particular craft throughout Australia will be able to organize and bring cases into the Commonwealth Arbitration Court to which no effective reply can be made, for want of organization on the other side.

Mr. RILEY.—There has been such organization. A case has been brought

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before the Court, and an award has been given.

Mr. PALMER.—Then what is the need for the Bill?

Mr. FENTON.—The Bill has been introduced because the award was upset on a technicality.

Mr. PALMER.—When it is proposed to grant large powers to one section of the community, and to embarrass another section, the possibility of reducing industrial turmoil and strife by our legislation is very much open to question. Nothing stronger can be said against the Bill than to instance what is happening every day. What is being done by the members of the Waterside Workers Union? Certain claims were made by that union, and concessions granted, an agreement being filed in the Arbitration Court.

The CHAIRMAN.—I ask the honorable member not to discuss that dispute.

Mr. PALMER.—Unless the parties to arbitration can be got to abide by the decisions of the Court, it will be useless to provide means for arriving at decisions.

The CHAIRMAN.—That may be an argument against the Bill, but is irrelevant now.

Mr. PALMER.—Surely I shall be in order in pointing out that, no matter what increased powers are given to the unions, they will, if it suits them, refuse to abide by any award. That being so, what is the use of the clause?

Mr. AUSTIN CHAPMAN.—Let us strike it out.

Mr. PALMER.—It would be a good thing to do so, and thus to destroy the Bill, which will be inoperative unless both sides are bound by the decisions of the Court. The actions of the unions have been outrageous and disgraceful, and we shall increase their powers only to the detriment of the Commonwealth unless we pass penal provisions for the breaking of awards. We must judge the probable effects of the clause by what we know to be the disposition of those who will be brought under its operation. One section refuses to be bound by the awards of the Court. Under the clause they will have the power to compel the Court to consider their claims, but there will be no effective response, because there cannot be. They will be given power to secure almost all they desire under the Act, and yet they will be just as free to resort to strikes and turmoil as they would be if the Act had no existence. I admit, Mr. Poynton, that your ruling undermines what I had intended to say.

Mr. SAMPSON.—Surely the honorable member may discuss industrial disputes?

Mr. PALMER.—I thought I could. This clause appears to me to be absolutely fatal to the true principle of arbitration, which is that, wherever a dispute arises, the parties should be cited to appear and give evidence, and that that evidence shall be duly weighed by a properly appointed authority, and a decision arrived at equally binding on both sides. The clause is dangerous in its character, for the reason that it undermines the fundamental principle that both sides should be fairly and properly heard.

Mr. HUGHES.—Why does it?

Mr. PALMER.—The Attorney-General is President of the Waterside Workers Union, the members of which, however, rebel not only against the law of the land, but against his authority; they have just as much contempt for their President as we have in this House for the Attorney-General as a lawyer. This clause, so far from being in favour of reasonable and proper conditions, gives undue advantage to a section of the community. It will impel the Judge to give an award on the evidence of one side only, and can have but one effect so far as the workers are concerned, and that is to decrease the sum total of the labour given. Enterprise will be scotched, and the investment of capital will be seriously interfered with; and, as a result, there will be a decrease of prosperity all around, particularly to the disadvantage of the workers of the community.

Mr. JOSEPH COOK (Parramatta) [12.49].—I am sorry the honorable member for Hindmarsh is not present, because, a little while ago, in that sententious style of his, he made some remarks to which I desire to refer. When I look at the honorable member I always think of the wisdom of Solomon, so impressive and weighty is he.

The CHAIRMAN.—I must ask the honorable member to deal with the clause.

Mr. JOSEPH COOK.—I am about to deal with some remarks of the honorable member for Hindmarsh, and I shall not be found very far away from the clause. The honorable member said that we all have to learn by experience in regard to legislation of this kind; and he gave us no hope that anything we are doing now in contriving this new measure would bring about industrial peace. He said, "Try on; we must

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keep on trying as long as we are in this world." I suppose that long after we leave the world we shall keep trying in some other sphere, and that others will be trying here in our place. I admit that in a Federal system there must needs be more or less experiment in regard to legislation. What I complain of is that we leave the straight, plain path of the State legislation, under which most of what is desired could be accomplished in a peaceful and satisfactory manner, and proceed to deal with measures of doubtful legality. Of course, if the people outside are prepared to keep on making experiments and beating their heads against the High Court, we shall have to put up with it; but, in my opinion, it is most unwise. The Attorney-General told us the other day, when winding up the debate on the second reading, that the provisions we are trying to pass are already contained in the statutes of New South Wales. Why cannot the parties concerned resort to State legislation in regard to which there is no difficulty with the High Court, and which can give them redress and satisfaction? So far as the craft unions are concerned, it does not matter to them whether they get satisfaction from a State Court or a Federal Arbitration Court.

Mr. HUGHES.—That is perfectly true; it makes no difference to them.

Mr. JOSEPH COOK.—As the Attorney-General says, craft unionism may obtain awards for particular crafts under the New South Wales law, and I cannot see why there is this anxiety to run against the Constitution. Experience at this time of day would suggest to anybody but the honorable member for Hindmarsh that there is a much easier way of obtaining industrial peace than by constantly butting our heads against the constitutional limitations. I now wish to refer to the remark of the honorable member for Nepean, who, in urging that crafts and handicrafts should be the basis of the new organization, brought in the coal-miners. The honorable member knows very well that we cannot organize the whole of the mining industry in New South Wales into one union. There are three districts, and three distinct organizations, which obtained separate and distinct awards from the Court every time, and which have nothing to do with each other.

Mr. HUGHES.—This amendment does not touch that at all.

Mr. JOSEPH COOK.—Then honorable members opposite have not been anywhere near the clause in the discussion. I am merely replying to some remarks that were made; and I submit that anything relating to industrial disputes may be discussed under this clause. The definition of "industrial dispute" is the very essence of the Bill.

Mr. HUGHES.—No plaint can be filed except by an organization, and, therefore, all that the honorable member is saying is not to the point, so far as that is concerned.

Mr. JOSEPH COOK.—Perhaps it will be better to leave this phase until we reach the next clause; but I should like to say something as to the analogy which has been drawn in this connexion between New Zealand and Australia. When the honorable member for Hindmarsh was speaking, I interjected that there was no analogy, and the honorable member replied, "No; they are successful there, and not here." Whether or not the honorable member knows anything about the industrial conditions of New Zealand, he must know that New Zealand is only a small community, on a very narrow strip of land, and the industries, being of a simple character, are easily grouped and organized for the purpose of settling disputes. But small as that country is, it is broken up into industrial districts, which are clearly defined and each segregated from the other. If that is found to be a wise step in a little place like New Zealand, how much more desirable is it on a continent like Australia?

Mr. ARCHIBALD.—The honorable member is only proving what I say—there is dual control.

Mr. JOSEPH COOK.—There is no dual control, but separate control and independent districts. Section 11 of the latest New Zealand Act provides that, in order to prevent needless multiplication of industrial unions connected with the same industry in the same locality or district, the Registrar may refuse to register a union in any case where he is of opinion that in the same locality or industrial district there is any other union to which the members might conveniently belong.

Mr. RILEY.—The same principle applies in New South Wales.

Mr. JOSEPH COOK.—New South Wales is not divided into industrial districts, whereas in the case of New Zealand there are not only industrial districts, but a severe prohibition on the multiplication of organizations. Here we seem to

be on the opposite tack, and desirous of multiplying these bodies indefinitely.

Sitting suspended from 1 to 2.15 p.m.

Mr. JOSEPH COOK.—The more I think over this proposal, the more it appears to me that nearly all that is desired can be obtained under our present organization. I never could understand, and cannot yet, why the engine-drivers in, say, the boot trade, should be ruled out from an award, so far as it relates to that industry, while, on the other hand, the shearers' award covers all the engineers included in the shearing industry.

Mr. RILEY.—There was no fight over the question of jurisdiction in the pastoralists industry, and the award of the Court has not been challenged.

Mr. JOSEPH COOK.—But surely the decision of the High Court would apply all round, and would nullify the award already given in the shearing industry?

Mr. ARCHIBALD.—It may do so yet, unless this Bill is passed.

Mr. JOSEPH COOK.—I do not know that this Bill will help them very much. My point is that whatever they cannot get under the Federal Act can be got under State legislation, and obtained in so substantial a degree as to leave them under no real disability.

Mr. LAIRD SMITH.—But some of the States have no such legislation.

Mr. JOSEPH COOK.—Tasmania is the only exception, but I believe there are Wages Boards in operation there. I do not appreciate the whole of the industrial machinery of the Commonwealth being moulded and shaped to fit one particular corner of the continent. When we begin to twist our legislation with that end in view, it seems to me that we are on the wrong track. I hope the honorable member will not misunderstand me. The industries of Tasmania are entitled to the same justice as are those of any other State, but I have yet to learn that we are to shape the whole of our industrial machinery in order to make it fit one particular corner or nook of the Commonwealth. Let us deal with that particular industrial difficulty by itself. We proposed to deal with it, and although honorable members opposite may try to laugh that proposal of ours out of court, they will come to it before many years have passed. In trying to compass every little industry in the Commonwealth they are twisting the machinery out of shape in some other direction. Legislation of this kind is like one of those little india-rubber balls which, when pressed up in one place, is depressed in another as soon as its rigidity is lost. I am afraid that our Federal machinery cannot be shaped altogether in that way. I am just as anxious that the industries of Tasmania should receive justice as is the honorable member for Denison, but there is a way out of the difficulty without remoulding the whole of our industrial machinery. Moreover, there are very large powers given to the Court under the Act as it exists. There is nothing to prevent the President of the Court making the engineers or any other body of men parties to a dispute. One section provides that he may direct parties to be joined, or strike out certain parties, so that, as I understand the position, the whole matter is within the control of the Justice.

Mr. LAIRD SMITH.—Then why did the Mount Lyell case break down?

Mr. JOSEPH COOK.—I am not closely acquainted with the details of that dispute, and therefore cannot answer the honorable member. Speaking generally, very extensive powers are given to the Court under the law as it exists. I come back to my point that, whenever our industrial machinery is breaking down on its Federal side, we may readily fall back upon the State machinery, which, in every State but one, is fairly complete. I believe that in Tasmania—the exception to which I refer—it is becoming more complete every day; and, in any event, the local Legislature has power to do what is required. Experience makes it abundantly clear that we can never get such a consolidation of interests in these large craft unions, embracing the whole ramifications of the continent, as will give us any prospect of solid peace, for the simple reason that conditions which fit one part may be totally inapplicable to another part.

Mr. WEST.—The Amalgamated Engineers are all over the world.

Mr. JOSEPH COOK.—Only the other night the secretary of the Amalgamated Engineers told us that only 50 per cent. of the engineers in Australia were embraced within his perfect craft guild. It is absurd to treat an engineer in a technical, highly-organized branch of engineering as being concerned in a dispute in the same way as is a man who tends a little pumping plant in some other part

of the continent. There is an almost infinite range and scale in all these crafts. The proposition was easy enough in the old days, when industries were more simple and where they were within geographical limitations such as obtain in the Old Country; but it is quite a different proposition when we try to compass a continent like this, which is nearly as large as all Europe. The Government and their supporters will not succeed in doing what they want; the attempt will land them in more difficulties, and troubles that they cannot cure. I have no doubt this Bill will be passed. We can hope only to give honorable members opposite reason; we cannot control their will. They will have their will in spite of us. All that we can do is to show what will, in our opinion, come to pass, and I am sure that this legislation will fail to accomplish that which honorable members opposite intend it shall.

Clause agreed to.

Clause 3 (Definition of "industry").

Mr. GLYNN (Angas) [2.25].—I do not intend to speak at length on this clause, because it has already been fairly well discussed. The difficulty in the engineers' case arose from the fact that, unlike the case of any other dispute, there was a great number of callings within the organization. In the bootmakers' case there was only one calling, and the position was the same in the harvesters' case. In the engineers' case, however, we had engineers engaged in various classes of mining as well as greasers, oilers, and fitters. There were some eighteen or nineteen different classes in all, and during the early part of the hearing some five or six were struck out by the President of the Court by consent. Fitters, for instance, were struck out as not being properly engineers, being claimed by another association, and therefore men who ought not to have been brought into that dispute. No matter how we look at this question, there are difficulties; but it may be, on the whole, better for the employés that they should be capable of uniting in craft unions for the purpose of dealing with disputes. There is a special difficulty in the case of the engineers, who, taken by themselves, are a comparatively small body. In these Inter-State disputes a large body of men is required. If the engineers' organization were confined purely to engineers and firemen, and perhaps to the oilers connected with engines, its total membership would be so small that it would be felt that they could not bring much momentum to bear in connexion with an industrial dispute. It was for this reason, no doubt, that they brought in a number of employés really not related to engineering, and that seems to have been the cause of their failure. One can understand that those who favour craft unionism do so, because, under it, a settlement can be obtained applying at once to all these different classes. From the employés point of view there is a good deal of reason in that. Hitherto these organizations have been unions dealing with State matters and regulated under the industrial determinations of State Boards. Questions were settled by the Boards independent of any dispute between particular employers and employés, and they set for the whole union some standard rate of wages. But under our arbitration law the same end cannot easily be obtained. Being a judicial matter, there must be some relation of employer and employed. In the circumstances, confining, as the High Court decision does, the term "industry" to a number of men engaged in some homogenous trade, and confining, as the Act does at present, the term "employment" to persons "engaged for hire" in some particular employment, it is very difficult to get a general ruling applicable to all engineers. From the engineers' point of view it seems to be expedient that they, as employés, should have the possibility of obtaining under the guise of arbitration a common standard for all employed, no matter what the dispute is. The High Court says that that is not arbitration, and I doubt if it is; but Mr. Justice Isaacs and Mr. Justice O'Connor have said in their judgments that there is no reason why under the Constitution craft unionism cannot be made the basis of organization. On the other hand, we have the difficulty of the employers. Under craft unionism we cannot easily get an organization of employers. What inducement will there be for employers of engineers in the milk trade, electric lighting, silver mining, coal mining, woodyards——

Mr. ARCHIBALD.—What about the Employers Federation?

Mr. GLYNN.—That is not an industrial organization, but a body of men organized apparently simply to look after the general interests of employers.

Mr. RILEY.—They could register.

Mr. GLYNN.—I do not think so. The Employers Federation is not an industrial

organization. On the engine-drivers decision, they certainly could not have organized, because the same objection, that they are not in some definite industry, would hold just as much against the employers' as against the employés' organization. When you come to what are true industrial organizations under the Act, and extend your craft unionism, you diminish on the other side the incentive to organize to meet that craft unionism, because it is beyond the bounds of possibility, for instance, to get an organization of all the employers who were made respondents in the engine-drivers' case. They covered all sorts of mining, smelting at Port Pirie, electric works, electric wire men, and others who had not the remotest connexion or interest as employers. The objection from the employers' point of view that I see to widening the definition of "industry," is that it will incidentally diminish the inducement to effective organization on their part under the Act. In the circumstances it is inexpedient to seek, under the guise of arbitration, to bring in craft unionism. I recognise the difficulties, and do not propose to move an amendment. On the whole, I believe it will be constitutional. Mr. Justice O'Connor thought that under the Act as it stands craft unionism would be included.

Mr. W. H. IRVINE.—Mr. Justice Isaacs thought it would be.

Mr. GLYNN.—I think he said so in the Jumbunna case.

Mr. W. H. IRVINE.—He said so in the engine-drivers' case.

Mr. GLYNN.—I have here the first reference to it by Mr. Justice Isaacs in the Jumbunna case. He then referred to an industry practically as covering everything that appears in this definition as it will be amended. He said the definition of "industry" appeared to mean a business, such as that of a merchant, a trade, a manufacturer, such as a flour-miller, an undertaking such as that of a gas company, a calling such as that of an engineer, a service such as that of a carrier, or an employment. He said that, in his opinion, a general term like "calling" would be an industry embracing some others than those mentioned, and intended to refer to general vocations. He added that, as the Act stood, the governing terms were those now to be struck out, and that the relation of employer and employé was connoted by them. If, then, we knock out, as the amendment does, the words "in which persons are employed for pay, hire, advantage, or reward," it seems to me, according to what the Judges have said, that the definition of "industry" in terms of an aggregation of employers or an aggregation of employés would be within the meaning of the Constitution.

Mr. W. H. IRVINE (Flinders) [2.34].—This clause is undoubtedly the key clause to the whole Bill, the last that was passed merely making a subsidiary alteration. I do not intend on this clause, although it is really the heart of the Bill, to repeat the arguments I used in the House. In fact, I fail to find from any quarter of the House any definite answer that has been put forward to those arguments. One suggestion was made by the Attorney-General, and also, I think, by one other honorable member on the other side of the House, to the effect that, if the view which we are urging from this side was right, how was it that in New South Wales there was registration of craft unions under the State Arbitration Act? In fact, that, to my mind, constituted the main part of the answer which the Attorney-General gave to our arguments. He cited the Act of New South Wales, and in fact cited me as having said that the present legislation was based upon that Act—which I did say in a totally different connexion. In the engine-drivers' case, the judgment of the majority of the Court proceeded upon this simple ground, that, apart altogether from the particular verbal expressions used, it was plain, from all the main sections of the Act, that the intention and scheme of the Legislature was based upon organization of industries, and not organization of crafts. The interpretation clause was referred to by most of the Judges as not necessarily creating anything inconsistent with that general scheme, but their conclusion was based upon provisions such as section 7, which now the Attorney-General has given notice of his intention to alter, and mainly upon section 55, dealing with the registration of organizations, and upon certain other sections, all of which showed that the word "industry" was really used to indicate an aggregation of employers and employés in relation to each other. The Attorney-General might, when he referred to the New South Wales Act, have told honorable members that not one of the expressions or the sections in our Act on which the Court relied for the conclusion to which it came, is present in the New South Wales Act at all. Neither

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the expression "any industry," in section 55, which was the main basis of the High Court's decision, nor the provision in section 7, nor, so far as I know, any of the provisions in which the words "any industry" were used in our Act, appear in the New South Wales Act. Had the High Court been called upon to decide this question upon the language of the New South Wales Act, it would have been deprived of the basis of the conclusion at which it arrived. Let me turn to the main section in that Act, corresponding to section 55 of our Act. Section 55 of our Act is the section providing that an organization of employers which may register is an organization of employers in connexion with an industry, and that an organization of employés which may register is an organization of employés over 100 in number, connected with any industry. The High Court's main reason for coming to the conclusion they did was that it could not be supposed that the Legislature meant those simple words "in connexion with any industry" to mean one thing at the beginning of the section and another at the end of it. That was the simple and very sensible common-sense basis of their conclusion, but it turned upon those words. What do we find in the similar provision in section 4 of the New South Wales Act of 1901. It is provided there that—

> Where the registrar, or in case of appeal the Court, is satisfied that the provisions of this Act have been complied with, the registrar shall in the prescribed manner and form register as an industrial union (*a*) any person or association of persons, or any incorporated company, or any association of incorporated companies, or of incorporated companies and persons, who or which has in the aggregate throughout the six months next preceding the date of the application for registration employed on an average taken per month not less than fifty employés.

That is with regard to employers. There is not a word of "employers connected with any industry." The word "industry" is not used. Look, then, at the next provision—

> (*b*) Any trade union or association of trade unions, or
> (*c*) any branch—

So that, under the New South Wales law, not only was there no indication that the organizations or unions that could be registered were organizations or unions on one side or the other in connexion with an industry, but the very widest terms were used which in our Act are used to govern the meaning of association, and not of organization at all. There is no provision in the New South Wales Act similar to our section 7, nor, from a hasty look at it, is there any provision similar to section 41, nor is there any provision, so far as I know, from which the Court could in that case come to the conclusion that under the New South Wales Act "industry" was limited to or was intended to mean an aggregation of employers in connexion with their employés. The scheme of our Act, as the Court found, to paraphrase their language for the present, is not like the scheme of the New South Wales Act, under which all associations and trade unions could be registered. The scheme of our Act is that we define associations in the widest terms and say that only a certain class of those associations shall be entitled to be registered—namely, that class of association which is an organization both on the side of the employers and on the side of the employés, in connexion with a particular industry. That is the language they adopted. For that reason the Court said that the scheme of the Act was organization of industries.

Mr. FENTON.—On both sides?

Mr. W. H. IRVINE.—Yes.

Mr. FENTON.—If there is no organization on one side, what happens?

Mr. W. H. IRVINE.—The honorable member may put all kinds of conundrums to me. I am simply endeavouring to show the basis of the decision with which Parliament is now asked to deal. I thought I had cited enough from the judgment when I spoke in the House to convey to honorable members what its real effect was. But if I may be permitted to go a little more in detail into it, because this clause is really the crux of the whole matter, I should like to place beyond all possibility of doubt what the meaning of the judgment of the majority of the Court was. What they said was this: It is not associations, it is not trade unions, as such, which are entitled to register, but it is organizations on one side and on the other in connexion with an industry, the organizations being in connexion with the same industry. Let me cite again the language of Mr. Justice Isaacs, as set out on page 303 of the report of the case—

> The true meaning, then, of section 55 is not, I think, difficult to grasp. First it dealt with employers' associations by allowing any association of employers in any industry to be registered, provided that during the preceding six months the employers associated employed on an average per month not less than one hundred employés in that industry.

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The next paragraph gives the corresponding right to the employés, by permitting that a hundred or more may register as an organization, and so protect the workers in the industry against the employers. In other words, where there is an industry in which you have employers, they may register, and where they may register, so may the employés. Mr. Justice Isaacs held that Parliament has enacted that if an industry is not of a sufficient size or importance, it shall not come within the machinery of our arbitration law, that only industries in which there are more than 100 employés can be formed for registration. He went on to say—

> If the employers had only ninety-nine employés they could not possibly register as an organization; and it would be strange if on the wording of that section, drawing no distinction between the industries referred to, those ninety-nine employés could, by combining with another employé outside that industry, and having nothing whatever to do with it, register themselves as an organization for the purpose of raising an industrial dispute in the employers' industry within the meaning of the Act, although the same employers in precisely the same circumstances could not.

Such unequal treatment is opposed to the reciprocal aspect of the whole Statute. Is not that pretty plain language? The scheme of the Act is organization by industries in the ordinary sense of the term, and does not permit the registration of organizations of trifling industries, because no organization of less than 100 employés can be registered. Mr. Justice Isaacs says that if the word industry were taken as meaning craft, and there were in some business only ninety-nine engine-drivers, they could defeat the Act by saying to an engine-driver in some other business, "Join with us in making an organization of 100 employés." The Government does not propose to amend section 55, and without its amendment it is absurd to conclude that Parliament, while imposing this restriction as to the size of organizations, desired that where there were fewer than 100 employés in a business they should get employés in other businesses to join with them for the purpose of bringing a dispute before the Court. It is not proposed to amend that provision of the Act which requires that an organization must have 100 members before it can be registered. It was not intended that if in an industry -- take the shipbuilding industry, for example—there were fewer than 100 carpenters employed, they could join with carpenters in some other industry to form an organization.

Mr. BAMFORD.—Would it not be an advantage that they should do so?

Mr. W. H. IRVINE.—I am not arguing that point. The main objection to the Bill raised by honorable members on this side is not as to its constitutionality, although that is doubtful, the Chief Justice himself having expressed a doubt as to the constitutionality of craft organization, though Mr. Justice Isaacs seems to think that the Constitution would permit it if Parliament approved of it.

Mr. FENTON. — It will be a thousand pities if it is unconstitutional.

Mr. W. H. IRVINE.—That is another question. The argument on this side against the Bill is not directed so much to its unconstitutionality as to the fact that it introduces a principle which will throw the existing machinery out of gear. It can be no pleasure to any one, whether a lawyer or not, to see great sums of money, contributed by all sorts of poor people, involving considerable sacrifices in many homes throughout Australia, being wasted. Our main objection to the Bill is that it attempts to graft on to the stock something which will not grow with it. Section 55 provides for the registration of organizations. Its restrictions and qualifications are obviously based on the idea, as Mr. Justice Isaacs pointed out, that the employers and employés who register in connexion with a dispute shall be related in an industry. Mr. Justice Isaacs has pointed out that it makes section 55 absurd to take any other view, because that introduces a new element. In the ship-building industry you have engineers, carpenters, and other artisans. The employers and employés have a common interest. There may be mutual antagonism, but they are bound together in a common undertaking. It is necessary for them to work together in peace and harmony. Organization on those lines is the basis of our legislation. It may be said that some other basis would be a better one, but that, as the High Court has pointed out, is the present basis. If you attempt to introduce legislation by crafts, you say to persons who cannot register as employés in an industry, being too few, "You can remedy your disability by getting others from some other industry to join you, persons not interested with you, and having nothing in common." That, Mr. Justice Isaacs has pointed out, reduces the whole

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thing to an absurdity. I ask the Attorney-General whether it is intended that when this Bill is passed, the engineers in the ship-building industry can be members of a registered organization of ship-building employés and also members of a registered organization of engineers? It seems to me that there must be one form of organization or another. A man cannot ride on two horses at the same time, unless he has been trained in a circus, and even then he cannot do it for long. We must provide, either that employés may register as craft organizations—though to do that further alterations of the law are necessary—or that the registration shall be of organizations of employés organized according to the industries in which they are engaged. Is it intended to register both kinds of organizations?

Mr. WEST.—I do not see that that is workable.

Mr. W. H. IRVINE.—That is my difficulty. An organization of employés in the ship-building industry could enter into a binding agreement with their employers, or again, all the engineers of Australia, including those engaged in the ship-building industry, could form a union and enter into an agreement with employers generally, but the latter arrangement would not, except in a limited way, settle a dispute in the ship-building industry. It will inevitably lead to confusion if both kinds of organization are permitted. The employés of soapmaking works may have a dispute with their employers, and an agreement between them may be come to and registered. That is what is now contemplated by the Act. But if the Bill is passed, you may have overlapping, and then what would become of such an agreement? The engineers throughout Australia, assuming craft organization to be constitutional, might make demands on the whole of their employers, or on some of them, or on one of them, and make an industrial agreement. But such an agreement might clash with the agreement between the soapmakers' employés and their employers, to which the engineers engaged in the soapmaking industry were a party. Thus we have two different sets of organizations which are inconsistent, and can never come together—we have all the difficulties that arise from instituting, as a basis for the very difficult process of settlement, two heterogeneous and inconsistent methods.

Mr. JOSEPH COOK.—Judge Heydon is complaining of the same thing every day.

Mr. W. H. IRVINE.—I believe Judge Heydon has his troubles, but we are now talking of serious, practical difficulties. The Attorney-General was good enough to make a good deal of sport out of some innocent words which I used. I expressed a wish that we could all put off our party clothes, and discuss a question of this sort face to face; and it took the honorable gentleman some days to discover that I felt myself hampered by my party claims. I myself was not aware of it at the time; and I can assure honorable members that, on a question of this sort, I am absolutely unhampered by any party claims. I am prepared, personally, to accede to any view in which I can see a hope of making something like a permanent foundation for the settlement of disputes. We are now introducing the basis of craft organization; and what the effect may be I know not. I am not prepared to say definitely, as a matter of legal construction, even after reading the judgment, that, if we make this and the other alterations, the Court will necessarily adhere to the same interpretation. Courts always endeavour, if the language of an Act will permit, to give effect to what they believe to be the intention of the majority in Parliament; but does the Act enable them to do it? This is a clause which deals with the interpretation of particular words, and that clause affects all the clauses in which those words are used. It is proposed to make a further alteration, and I shall not prophesy what view the Court may take ultimately. But, without the slightest fear or doubt, I prophesy that this machinery will be thrown into such complete confusion that, if there is any benefit whatever derived from the new thing which we are grafting on the old, it will be at the cost of unutterable expense and delay throughout the continent. There will be delay, dissatisfaction, and unrest amongst employers and employed; there will be difficulties introduced where there are already more than sufficient, constitutional and otherwise. It would be better to throw the whole thing into the melting pot and start afresh, and see if we could not arrive at some basis. If we think there ought to be organization by craft, let us so remodel the Act that the sections will dovetail.

Mr. FENTON.—Can we do that with our present constitutional limitations?

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Mr. W. H. IRVINE.—We can, to some extent. Mr. Justice Isaacs thinks we can, although other expert opinion seems to throw some doubt on the point. I do not think we can determine that matter until we know more definitely what kind of machinery will be raised on the craft basis.

Mr. WEST.—To remove the constitutional difficulties would be the best way!

Mr. W. H. IRVINE.—Personally, I do not think we possess enough power; but we have to deal with the Bill in the light of the powers we do possess.

Mr. FENTON.—We can only attempt to do the best we can; and, failing, we must have an amendment of the Constitution.

Mr. W. H. IRVINE.—I am afraid that interjection rather indicates that honorable members opposite are not so anxious or concerned about this particular Bill as they are about an extension of the powers. I should be sorry to think that that was so, because we are trying to debate this question on its merits.

Mr. ROBERTS.—The suggestion of the honorable member is scarcely in keeping with the balance of his argument.

Mr. W. H. IRVINE.—I should not have made the remark if the interjection had not directly warranted it.

Mr. ARCHIBALD.—Can we do anything effectually under dual control?

Mr. W. H. IRVINE.—We are not now, and should not be, allowed to discuss the question of constitutional amendment. We are dealing with a particular Bill; and all we can do is to make the best of it with our present constitutional power.

Mr. ARCHIBALD.—The honorable member is proving that we cannot do much.

Mr. W. H. IRVINE.—I am afraid that we cannot do much, and I have always said so; but still, we had better do the best we can.

Mr. BAMFORD.—In the face of what is happening in Sydney to-day, can we do anything?

Mr. W. H. IRVINE.—I know to what the honorable member refers. I think the task before is us extremely difficult; but that is no reason why we should take to pieces the somewhat ineffectual, very costly, and not altogether satisfactory machinery —which, however, is doing a little work at immense expense and try to introduce other parts, which will not work with the old parts. Let us do the best we can with the machinery we have without altering the basis of it.

Mr. WEST.—It is all a matter of education by experience!

Mr. W. H. IRVINE.—There is no experience which is so dear as that obtained in the law courts, though it is very salutary sometimes, and I do not object to being engaged to assist in imparting it. The matter has now been pretty well threshed out; but I do not think any real answer has been given to the arguments advanced by honorable members on this side as to the effect of the proposed amendment. If there be no answer, what are we doing? We are simply walking with our eyes open into a morass, where we shall have to plunge about a good deal before we are able to get out—that is the position, I submit, as it stands now. At a later stage we shall have an opportunity to deal with the important question of the control of this House over the High Court. Such control, if we can exercise it, might possibly enable us to pass any legislation we like. But I have now only to say that we are going with our eyes open into a condition of things which will lead to endless confusion, delay, irritation, and worry in the industrial ranks of both employers and employés; and the only outcome will be a still vaster expenditure—a still more wasteful and useless expenditure—of the people's money, which might be devoted to much better purposes.

Mr. HUGHES (West Sydney- Attorney-General) [3.10].—The honorable member for Flinders has not advanced any argument that takes us beyond where we were the other evening. He has devoted a good deal of time to removing an impression, which was very heavily imprinted on the minds of the Committee, that he had fallen into error in declaring that the Act was not based on the New South Wales and other Acts, and, to that extent, was governed by the definition of the various terms used in these. The honorable member spoke of the scheme of the Act, but I remind him that, underneath the scheme is the intention of the Legislature—the reason that inspired the Legislature to take action. That reason was a desire to prevent industrial disputes. The honorable member devoted much time, in a very interesting manner, to showing us the great dangers that await us, the confusion and disaster that must inevitably overtake us if we agree to this amendment. What does the amendment propose? The honorable member asked, "Are you going to have both systems of organization side

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by side?—you cannot have both." My answer is that we can have both, because we have had both for the past seven years. They have worked together, they will work together, and there will be no confusion. There will not be driven across any award relating to the wages and conditions in any industry—using the term in the sense of the interpretation of the High Court—the plaint of any craft association asking for wages and conditions for its members, some of whom are, let us say, embraced by the award regulating the industry. During the past seven years in the Commonwealth Court, and for the past ten years in some of the States, there have been these two methods of organization, and the scheme of the Act and the intention of the Legislature was devised in order that we might avail ourselves of the two systems. To show that there will be no confusion, and that men will fall either into a craft organization or an organization by industry as their circumstances demand, we have only to look at the facts to-day. The engineers and the carpenters, for instance, are both organized as crafts, simply because that is more convenient for them. In many such cases, there are skilled trades which have inherited traditions binding them together. In the marine engineers we have a craft inseparable from an industry by its very nature, because a marine engineer cannot be other than attached to the shipping industry. A land engineer, on the other hand, may be attached to any of a hundred industries, but he always does the same work. A shearer of sheep, on the other hand, at the same time that he allies himself with his fellow-craftsmen, must be a member of an association attached to the industry, because he has no other way of finding occupation except in shearing sheep. He not only does the same work, but does that work always in connexion with the same industry.

The honorable member says that there will be confusion if we adopt this amendment. My reply is that there will be no confusion if we adopt it, though there will be if we do not, for some 20,000 men will be unable to register unless the amendment is passed. The honorable member bids us beware of many dangers; but what does he or any other honorable member opposite advance as a method by which these 20,000 men may be brought under the Act? Perhaps they will tell us that these men must organize by industries. That is easy to say, but hard to do. Let us take, for instance, the profession which the honorable member for Flinders and myself follow. Supposing it were said to be better for the public good, that, instead of being banded together by the nature of our profession we should join with other professional men, such as doctors, architects, and so forth in the district in which we lived? Under such circumstances, instead of finding ourselves allied with our fellow craftsmen, we should find ourselves, as I have indicated, allied with doctors, engineers, architects, and other professional men, with whom we had nothing in common. My honorable friend would surely have objected to that. He would have said, "No; my interests lie with the members of my own profession, and therefore I wish to organize with them." What does an engineer know or care about the circumstances of a soap factory in which he is employed? What have they do do with him? What does it matter whether a man drives an engine in a soap factory or in a jam factory? A man who drives an engine is an engine-driver, and it requires the same sort of skill to drive the same sort of engine, whether that engine is hauling quartz from a mine or goods along a track.

Mr. KELLY.—Does the honorable member suggest that wages in respect of the same class of work should be equal all over Australia irrespective of the cost of living?

Mr. HUGHES.—I do not. The wages paid to a person must have relation to the cost of living, and the cost of living is determined by many conditions, including geographical position. I do not say that there should be one wage paid all over Australia in respect of the same sort of work. But other things being equal as to the cost of living, disadvantageousness of position, and so on, the same wage ought to be paid for the same kind of work. That is obvious, and has been recognised by the Court in the Boot Trade case. One wage is paid to men in Queensland, another to the men in Victoria, and still another to those working in another State. The scheme of the awards tends finally to reach a level, because the conditions in the southern portions of Queensland are not materially different from those prevailing in New South Wales and Victoria. But let us look at the circumstances of another industry. A wharf labourer here will receive 1s. 3d. or 1s. 6d. per hour, as the case may be, over the greater

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part of Australia, and in Normanton 2s. 6d. or 3s. 6d. per hour. Yet no one can say that the difference does more than fairly measure the disadvantageousness of the one position as against the other.

Engineers are allied as craftsmen. How could they possibly leave their interests to an industry of which they formed an insignificant proportion? Let us take the case of a factory where 400 men are engaged on the general work of making bodies of buggies and motor cars, where one or two engine-drivers and fitters are also employed. The 400 men can register; they have interests in common. It is suggested by the Opposition, however, that they should take with them the two engine-drivers and fitters, of whose skill or work they know absolutely nothing, and that the Court should hear a full and comprehensive statement of not only the carriage and motor building industry, but also of the trade or calling of engine-driving and engine fitting, although the interests of only four men are to be considered. On the face of it such a proposition is absolutely absurd. It is now laid down firmly as a principle in the Commonwealth that an unskilled labourer is to receive a fair and reasonable wage, and there is to be superimposed on that wage an additional payment for skill. No doubt an engineer is one of the most skilled tradesmen in the country, and before the wage that should be paid for the exercise of his skill can be measured, there must be a close inquiry into the whole of the circumstances under which a man has attained and practised that skill. The period of his apprenticeship, and so forth, must be considered, and, in short, there must be an inquiry into the whole industry.

Let us take the case of a soap factory employing one brassfounder and one coppersmith to look after its boilers or coppers. Are the wages of coppersmiths and brassfounders to be fixed by the circumstances of one employé in a soap factory, or are we going to take the craft, and to inquire into the measure of skill required, the degree of effort put forward, and the amount of money and time expended in learning the trade? All these things must be looked into by and large. The convenience and obviousness of the position have forced some men to register by way of "industries," and others to register by way of "crafts." A wharf labourer naturally registers by way of "industry." His business begins and ends in carrying in connexion with the shipping industry. The sailor is similarly circumstanced, and so are the marine engineers. They register by way of "industry," and also by way of "craft." If it were conceivable that a man employed as a sailor could go into the Court, as it were, at the tail of some other industry, would it be possible to determine, in such circumstances, the rate of pay and conditions to be observed in respect of such a man? Certainly not. Carters and drivers, for example, are employed in fifty industries. Are we to say that when those engaged in a biscuit factory or manufacturing confectioner, which industries seek and obtain an award, the wages of carters and drivers employed in that industry are also to be fixed in the same award? How could that be done? The Opposition point out the hopeless bog into which one man must get when he tries to regulate all the industries of a country, and yet they are calmly prepared to so increase and multiply the difficulties as to make the task utterly insuperable. If Mr. Justice Higgins is asked to fix the wages for engine-drivers, he is not to take into account each little industry all over Australia. He takes the engine-drivers themselves, listens to what they have to say, and has evidence put before him by the employer, whether he is a biscuit maker, a brickmaker, or a mine manager. The employer, no matter what his occupation is, gives evidence, and in what way is he to be inconvenienced because of the procedure we propose? In any case, he has to give evidence, and if it is to cover all his employés, the same evidence. If we take the industry, the engineer must still come before the Court, and his employer must appear and say what he thinks are the wages that ought properly to be paid to engineers. We would not lessen the work of the Court by compelling all men to register under the grouping of "industry"; we should rather confuse and multiply it almost interminably in that way. We desire that there shall be opened to the men of this country an opportunity to register either under "crafts" or under "industry," whichever is convenient to them. The honorable member for Flinders spoke about the scheme of the Act, and said that this alteration would be so incongruous to the Act, so out of harmony with it, that our last condition would be worse than the first, and that it would lead to confusion. It might be unconstitutional; in any case it would lead to delay.

Mr. W. H. IRVINE.—I did not say it would be unconstitutional.

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Mr. HUGHES.—No. It might be held to be unconstitutional; and, in any case, it would lead to delay. Upon what is that charge based? Upon the statement made by the Chief Justice, and reported at page 289 of the *Argus Law Reports*. Speaking of the definition of "industry," the Chief Justice, in the Engine-drivers' case said—

> In the second place, that is not the scheme of the Act. The unit of aggregation for the purpose of industrial agreements and proceedings in the Court is not the handicraft but the collective enterprise in which employers and employés are associated.

It was contended by the union that "industry" was capable of bearing the further definition of craft organization. The High Court decided that the scheme of the Act, apart from the wording itself, was opposed to that definition. It never said—it never could have said—that the word "industry" was in itself incapable of such a meaning.

Mr. W. H. IRVINE.—No one has suggested that.

Mr. HUGHES.—Very well; everything depends upon the definition. The definition of "industry" in the Act is—

> business, trade, manufacture, undertaking, calling, service, or employment.

The honorable member for Angas pointed out that the words that made the word "calling" ambiguous were those immediately following "in which persons are employed." The Chief Justice, dealing with the two meanings of the words—the one passive and the other active—pointed out that the whole question turned on the words "in which persons are employed or engaged," and not on the calling which the person followed. A man may be employed as a gardener, and his calling will depend upon the industry of his employer, which is quite a different thing. When we set down in this definition what we mean by "industry," we shall entirely remove the grounds upon which the Court decided that "industry" did not include and connote "craft organization." That is perfectly clear. We come now to the consideration of the other point raised by my honorable friend, namely, that the scheme of the Act is such that we cannot alter it without upsetting the Act itself. Take any section you please——

Mr. W. H. IRVINE.—Take section 55.

Mr. HUGHES.—Very well. Section 55 provides that—

> Any of the following associations may, on compliance with the prescribed conditions, be registered in the manner prescribed as an organization—
>
> (*a*) any association of employers in or in connexion with any industry, who have in the aggregate, throughout the six months next preceding the application for registration, employed on an average taken per month not less than one hundred employés in that industry; and
>
> (*b*) any association of not less than one hundred employés in or in connexion with any industry.

When the Bill passes "industry" will mean one of two things. It will mean the industry in which the employer is interested, and it will also mean the craft or calling which the employé follows. I fail utterly to see how it can be said that this definition will be repugnant to the meaning of section 55. I would ask the honorable member for Flinders to look at subclause *b* of the Bill, and apply it to subsection *b* of section 55 of the Act. The question is whether the definition as enlarged is repugnant to the scheme of the Bill to such an extent that it is impossible to apply it without rendering the whole thing meaningless, or inviting endless confusion and trouble. Sub-section *b* of section 55, read with the amendment, will be as follows:—

> Any association of not less than a hundred employés in or in connexion with any calling, service, employment, handicraft, or industrial occupation or avocation of employés on land or water—

Mr. W. H. IRVINE.—Oh, no. That is not what it says.

Mr. HUGHES.—That is what it will say.

Mr. W. H. IRVINE.—In one sense it will say that; but it leaves the word "industry" as meaning one thing in the first part of the section, and practically another in the second.

Mr. HUGHES.—Industry either means the industry of the employer or the calling of the employé. Surely the honorable member will not contend that this Legislature cannot legislate so as to enable persons to group together upon the basis of craft organization?

Mr. W. H. IRVINE.—I am afraid I cannot argue by interjection.

Mr. HUGHES.—Then, can the honorable member supply a word which will be inside the constitutional limitations and enable us to achieve our purpose better than the word "industry"? We have to face the fact that there are twenty thousand men who cannot register as things stand now. They are some of the best

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organized, most highly skilled, and most likely to cause industrial chaos if at any time they have a dispute. We must take our responsibility, and make such preparations as we can within our limits to enable them to register. The honorable member is not able to tell us how we can do that. No effort is made by the Opposition to tell us what we are to do with these people. This amendment will not make for confusion and delay. It will, on the other hand, make for peace and harmony, and the speedy settlement of troubles. Who are those that objected in the engine-drivers case yesterday, or the day before, to such an adjournment as would permit of this Bill becoming law? Were they persons who are keenly desirous to expedite the settlement of the men's claims? Not at all. When it was plainly shown that the men were cheated, or choused, of their award by reason of an interpretation put upon the word "industry" that the men outside and people inside this House never intended to put on it, and that this Parliament was going to set forth its meaning in plain terms, they opposed the adjournment of the case. All that was asked was that the Legislature should be given time to say what it meant, and that the 4,000 men engaged in engine-driving should get fair terms and conditions. Those people want the engine-drivers to group themselves into 130 industries.

Mr. RILEY.—One hundred and seventy.

Mr. GLYNN.—They are not all distinct. Some of them are grouped together. There are about twenty leading classes.

Mr. HUGHES.—At any rate, there are a great number. I have no doubt that the number of industries which employ engine-drivers is considerably over a hundred. Those people want the men to break their own ties, to disrupt their organization, and to band themselves into a hundred or more insignificant little new organizations all over the country, in which they and their claims would become of trifling importance to the industries to which they are attached. That is the method suggested by the gentlemen who speak about the delay and confusion that this amendment will cause. Confusion and delay have been caused already, and injustice has been done to an intelligent and orderly body of men who, in spite of the very greatest temptation, have stuck to their work, and are willing to stand by the award of the Court, which was by no means unduly favourable to them. Those gentlemen who prate about peace and the benefits of industrial harmony, tell us that we must not make any amendment in the Act, or do anything to help the men. The honorable member for Flinders said the scheme of the Act in section 55 contemplated so clearly organization upon the basis of industry that there was no escaping it. He said that the employer who can register must employ not less than 100 employés, and that the association of employés which may register must contain not less than 100 employés. From that he deduced that there is some causal or necessary relation between those two, so that the whole of the employés of the employer are, as it were, identical or coincident with the 100 employés who may form an association.

Mr. W. H. IRVINE.—It was not my deduction; it was that of Mr. Justice Isaacs.

Mr. HUGHES.—I say there is no relation other than a quite incidental one, and not in any way causal. We must have some limit. We cannot allow too great a multiplicity of organization. If we allowed an employer of, say, two employés to register, or every band of five employés to form an association, the business of the Court, which is already sufficiently difficult, would be multiplied indefinitely. We, therefore, fix a number. In the New South Wales Act it was fifty, but here we made it 100. I remember that it was because we were dealing with the whole of the States that we made the number 100 instead of fifty. We must never let go of the fact that at that particular time, and now, 100 employés could, and can, associate themselves together upon any basis. In New South Wales there exists the restriction that they must be members of a trade union. Trade unions have been formed in New South Wales, and exist there to-day on the basis of crafts. It is also well known that this Act, so far as it was possible for us to make it, followed the New South Wales Act. The honorable member for Flinders admitted that himself. We intended to enable these existing organizations, subject to the provisions of the Act, to come in and register. If we do not, we cannot get industrial peace. This is not an Act to benefit trade unionists. It is an Act to protect the community. The honorable member for Flinders said it would produce difficulty and confusion. The difficulty is this, that the public are ever menaced by

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breaks in the continuity of industrial operations. That is the one evil. Every honorable member must realize that that is a matter of such great importance, and growing greater every day, that we have to face it. We must have continuity of industrial operations, if we can secure it by any means at our disposal. Twenty thousand men are outside this Act, and do honorable members mean to say that if 20,000 people could not get civil justice, or redress under the criminal law, such a state of things would be allowed to exist for a moment? Why, then, should we allow it in this case? We have to provide for the registration of these men. We are now providing for it. The provision we make is not repugnant to the meaning of the Act, but is in consonance with it. It will not involve amendments in other sections to any greater extent than has already been given notice of. It is open to the Court, and the Court will be compelled, to look at the definition of industry, which will be now set forth in such clear terms that there can be no difficulty or doubt about it. The honorable member for Angas has made one suggestion worth considering. He pointed out that everything depended upon the words in section 4 of the principal Act as amended. The amendment will remedy a great wrong without doing injustice to any one, and, instead of making for delay or confusion, will straighten out much that is tangled, and lead to expedition.

Progress reported.

ADJOURNMENT.

PRESS CRITICISM OF LABOUR PARTY.

Motion (by Mr. HUGHES) proposed—

That the House do now adjourn.

Mr. HIGGS (Capricornia) [3.47].—I wish to bring under notice the manner in which the Labour party is treated by the daily press, as instanced by a recent article in the *Argus*, based on remarks made by Lord Dudley, a former Governor-General. Lord Dudley is reported to have said that there is, in Australia, a set of professional politicians who are the outcome of payment of members, and the *Argus* published a leader on the subject, in which these statements occur—

> There is no reason at all why a Governor-General who has closed his term of office should refrain from making a statement of his observations whilst amongst us on political matters. Lord Dudley has returned to England to take up once more his duties in the House of Lords, and since payment of members is now before the British people, it would be only natural if he were to discuss the subject in the light of his experience in Australia. It would be childish of us if we resented comments which did not take the form of fulsome praise. Mr. Murray and Mr. Fisher go to England with more or less prejudiced minds, and when they return they speak freely about British institutions and the condition of the people. They should not complain if Lord Dudley, or any one else who has been here, were equally frank in expressing their opinions of us and our laws.

If it is childish to object to anything that is not fulsome praise, why did not the editor of the *Argus* insert a letter, which I sent on Thursday last, with a respectful note requesting its insertion, and which was returned to me without any statement as to why it had not been accepted? I ask honorable members to listen to this letter, and to say whether it might not fairly have been published in a journal professing to represent the public interest, and to give both sides of public questions. It is as follows—

LORD DUDLEY.

To the Editor of the *Argus*.

Sir,—It is quite true, as Lord Dudley suggests, there is a body of politicians in Australia which depends for its bread and butter on the "allowance" received for "expenses," but it should be pointed out to the British public that body is not formed of politicians belonging to one political party. Most members—conservatives, liberals, and labour members—are glad to get the "pay"; and, man for man, they are as honest and upright as the conservatives, liberals, and labour members who can afford to live without their parliamentary salary. And I think it can be proved that Australia has made greater headway in all the States since she adopted payment of members than when she allowed members to pay themselves in those various indirect ways that an unpaid Parliament usually pays itself.

An unpaid Parliament would, no doubt, have put up with the vagaries of Lord Dudley as Governor-General of the Commonwealth, but not so a Parliament elected out of the wider choice that payment of members creates.

I do not suppose the most idle paid-member of an Australian Parliament would, as Governor-General, with a salary of £10,000 a year and expenses, have performed his duties as Lord Dudley did.

Amongst the items of his singular conduct was his opening of the Federal Parliament on the 3rd of July, 1910, and departure for Sydney on the same day.

As you, Sir, know, in our Commonwealth Parliament, the Governor-General's Speech is debated, and there is an Address-in-Reply. So far as I am aware, all the Australian Governors-General who preceded Lord Dudley stayed in Melbourne to receive the Address-in-Reply as soon as it passed both Houses. Not so Lord Dudley. He went to Sydney on the 3rd of July, and did not return to Melbourne until the 27th of October—three months afterwards. It is said that some one proposed to send the

address down to Government House, to avoid drawing attention to Lord Dudley's late arrival, but the Speaker of the House of Representatives declined to be a party to such an irregularity.

Another and much more important matter has reference to section 56 of the Commonwealth Constitution Act. This section provides that no vote, resolution, or proposed law shall be passed by the Parliament unless the purpose of the appropriation has in the same session been recommended by message of the Governor-General.

Lord Dudley was, apparently, not much concerned with the constitutional duties of his post, which see.

The following message was presented to Parliament on the same day it was supposed to have been signed by Lord Dudley :—

"Message No. 7 : In accordance with the requirements of section 56 of the Constitution, the Governor-General recommends to the House of Representatives that an appropriation of revenue and moneys be made for the purpose of a Bill for an Act to grant and apply out of the Consolidated Revenue Fund, a sum for Invalid and Old-age Pensions. (Signed) Dudley."

This message was for an appropriation of three and a half millions of money. It was dated as having been signed by Lord Dudley on the 26th of July, and it was presented to the Speaker on the same day. Lord Dudley was in Sydney, and could not have signed the message in question.

The only possible explanation is, that Lord Dudley did not sign the message at all, that some person forged his signature, or that Lord Dudley left his signature on a number of blank sheets of paper, so that others could fill in the messages as it suited them.

The same remarks apply to Message No. 9, Tuesday, August 9; Message No. 15, Friday, August 26; and Messages Nos. 18 and 19, Wednesday, September 7, 1910. (It would furnish an interesting point for constitutional lawyers as to whether the Bills passed after the receipt of such bogus messages are genuine laws.)

As to the foregoing facts, if any doubt arises in your mind, I beg to refer you to the Parliamentary Records for 1910.

I am sure you will agree with me that no paid member of Parliament could neglect his duties as Lord Dudley did without risk of defeat at the hands of the electors; and further, I respectfully ask you to agree with me that as we pay our Governor-General £10,000 a year and expenses totalling another £13,000, it would be a good plan for Australia to elect that high official by popular vote.

I am, &c.,
W. G. HIGGS.

Parliament House, 24th October, 1911.

I may have been very innocent in expecting the "childish" editor of the *Argus*, Mr. Cunningham, to accept that letter, but let me quote the motto of that journal—

I am in the place where I am demanded of conscience to speak the truth, and therefore the truth I speak, impugn it whoso list.

Mr. Higgs.

Mr. JOSEPH COOK.—Did the honorable member send a copy of his letter to the *Age*?

Mr. HIGGS.—No.

Mr. JOSEPH COOK.—Why not?

Mr. HIGGS.—Because it was in the *Argus* that the leading article to which I have referred appeared.

Mr. JOSEPH COOK.—I suppose the honorable member sent his letter to the *Argus* because he knew that that journal would not publish it.

Mr. HIGGS.—That interjection is of a class to which we have to submit from the honorable and bitter member for Parramatta. He is a disappointed man, who missed his chance when he left the party which otherwise he might have been leading to-day. Disappointment is written on the honorable member's brow; I know that the honorable member for Parramatta is very much annoyed because I have stuck to my Republican views, while he has forsaken his and become an extreme Loyalist, and possibly a sycophant.

This party is badly treated by the daily press, which is really a "suppress" of the worst type. Of course, I do not so class all newspapers; but it seems strange that the editors of many of the leading journals, such as the *Argus*, seem to have entered into a conspiracy to protect Lord Dudley, simply because he happens to be a titled personage.

Not long ago, we had cabled out from England the news that Pete Curran, a Labour man, had been fined for being drunk. It is known that the Australian Labour party is more sober than any other party; and it was cruel to try to blacken its reputation by this paltry little bit of news. Some newspapers, like the *Argus*, are absolutely unfair; and some of the pressmen in this House, wage-earners like ourselves, are not fair in their methods, as I shall show by a few instances——

Mr. RILEY.—Did Lord Dudley draw his salary while he was here?

Mr. HIGGS.—That question was very pertinently asked by the honorable member for Melbourne Ports; and the Prime Minister replied "Yes." The answer was a whole speech in itself as to the inconsistency of Lord Dudley in talking about professional politicians when he was receiving pay; and at the same time making his position as Governor-General a perfect farce.

The Labour party in this Parliament has raised the status of the gentlemen of the

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press. Only a few years ago, reporters and journalists generally had to stand on the mat while they waited for some ignorant, but wealthy, man who had been elected to a public position. The Labour party, however, has placed the pressmen in a position of social equality, where they ought to be. Yet, what is the treatment some of them give to the party? That question I can only answer from the way in which I have myself been treated. Last year, when the Constitution Alteration (Legislative Powers) Bill was before the House, on a Friday I made a speech, to which the Melbourne *Age* referred as follows :—

The last chapter of the second reading of the debate on the Industrial Powers Bill produced a couple of thoughtful speeches from two Queenslanders, Mr. L. E. Groom and Mr. W. Higgs.

I do not wish to boast; but, as a matter of fact, the speech I made received some praise from quite a number of honorable members. How was that speech dealt with? The *Brisbane Courier*, the representative of which is Mr. Sampson, gave a very fair report to the honorable member for Darling Downs, and one or two that followed him, but did not even mention the fact that I spoke. I could mention other similar cases.

Mr. Sampson, who misrepresents the Labour party in so many ways, is employed, not only on the *Brisbane Courier*, but in connexion with Pathé Frères. The late Minister of External Affairs, Mr. Batchelor, myself, and others, during our visit to Europe, went to the Roubaix Exhibition, and were most hospitably received by the Mayor and the municipality generally. Mr. Batchelor was there to open the Australian Court. I may say that Roubaix is one of our best customers for wool, and can boast one of the largest woollen mills in Europe. On the occasion Pathé Frères took cinematograph films, which have since been exhibited in Melbourne. Now, Mr. Sampson, whose duty it was to furnish some description of the film, actually headed it "Australia at the Roubaix Exhibition; President Fallières meets Sir George Reid." As a matter of fact, neither Sir George Reid nor the President was there; and I submit that that description of the film was given merely because a member of the Labour party happened to be Minister of External Affairs. If the Minister had happened to be the honorable member for Ballarat, or the honorable member for Parramatta, the name would have appeared, and not that of Sir George Reid. Then how did Mr. Whyte, the reporter of the *Sydney Morning Herald*, report my speech on the Industrial Powers Bill? He wrote as follows—

The debate was begun this morning by Mr. Groom, who skilfully showed where the Government were wrong in their proposals, and pointed out the dangers that would arise if the measure was carried in its present form. Mr. Higgs, of Queensland, followed, and bored the House with an hour's speech until he gave way to Sir John Forrest.

My own opinion is that Mr. Whyte is not instructed by the editor of his paper to misrepresent the Labour party in this fashion. I know the editor of the *Sydney Morning Herald* well enough to believe that he tells the representatives of his paper to give fair reports. If we search the columns of the *Sydney Morning Herald*, I am certain we shall not find similar remarks made about any honorable members opposite. It is urged, I know, by some, that the reporters act thus in accordance with instructions; but I cannot believe that Dr. Ward, the editor of the Sydney *Daily Telegraph*, gives his reporter, Mr. Peters, instructions to write the bitter vitriolic stuff which appears about this party in the columns of the *Daily Telegraph*.

Mr. FENTON.—The honorable member will be given some space to-morrow.

Mr. HIGGS.—It is possible that not a word of my remarks will appear. I am not troubled about any criticism there may be of me; but I do contend that the reports of my speeches ought to be fair, so that people may be able to judge whether or not I bore the House. These poor literary worms think that what they write pleases their editors or their party; but I ask them whether it is to their interests to so work into the hands of the capitalistic section. Which programme is more likely to suit them—the programme of the Labour party or the programme of the capitalist? A great change has come over the press of late years. At one time, the newspaper proprietor was a man with some milk of human kindness in his breast, but the modern press has become a commercial machine. When I was a compositor on the *Sydney Morning Herald*, some twenty-five years ago, it was a treat to see old compositors of sixty years or more allowed to come into the office and earn what they could at the case. Mr. John Fairfax paid them £1 a week each, in addition to what

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they could earn, so that these poor old fellows in their declining years were provided for. The position is different to-day, for now there is no old-age pensions system in connexion with the newspaper. When they are old, the compositors are turned adrift, and my friends of the press who are writing down the Labour party, which is trying to do its best to help them, and all other sections of the community, will probably be turned out also when they get old; and some of them, no doubt, will be glad enough to take the old-age pension, for which the Labour party has succeeded in making provision. I am not going to submit any longer to the treatment to which I have been subjected by these representatives of the press. If I find that I am unfairly treated in any degree, I shall probably avail myself of another opportunity to deal with the matter. Let me point out, for a moment, how unfairly this treatment operates. Some of the newspapers can afford to send to Melbourne a special representative. Mr. Sampson, for instance, is specially employed by the *Courier*. But a Queensland newspaper company which is not in a position to be directly represented here, takes its news from the *Sydney Morning Herald* or some other paper. Thus, if Mr. Whyte sends to the *Herald* a garbled report of our parliamentary proceedings, that report is transmitted to various newspapers in Queensland which take their news from that journal. Honorable members will thus see how very unfair is this attitude on the part of the press towards our party. These great newspapers avail themselves to the full of the postal and telegraph facilities, yet they are not prepared to deal fairly by the Labour party. The matter of which I complain is a positive outrage, and serves only to emphasize our conviction that we ought to have a daily Labour press.

Mr. RILEY.—It is coming.

Mr. HIGGS.—But coming too slowly. I appeal to these gentlemen of the press for fair play. We are paid members of Parliament; they are paid members of the press; and the one calling is as honorable as the other, so long as a man does his duty and behaves himself. I appeal to the representatives of the press to be fair, and ask them to say whether they think it just to treat a party as the Labour party has been treated for years in the columns of some of the daily newspapers.

Question resolved in the affirmative.

House adjourned at 4.8 p.m.

House of Representatives.

Tuesday, 31 October, 1911.

Mr. SPEAKER took the chair at 3 p.m. and read prayers.

PARLIAMENTARY REFRESHMENT ROOMS.

Mr. GREENE.— I wish to know, Mr. Speaker, if your attention has been drawn to certain statements in last night's *Herald* regarding the cost of refreshments served to honorable members? Is the information correct, and, if so, is it a fair average statement, and was it given with your consent?

Mr. SPEAKER.—My attention has been drawn to the newspaper article referred to. The matter is one coming, not under my control, but under the control of the President, as Chairman of the House Committee. On my mentioning the subject to him he was good enough to instruct the secretary of the Committee to supply me with a statement, from which I learn that the total expenditure during the month of November last year on wines, beers, spirits, &c., was £67 5s. 6d., and the daily expenditure for twenty-seven days, £2 9s. 10d. The expenditure per head, distributing it among those who, according to the newspaper article, have access to the refreshment rooms, namely, 112 members of Parliament, 10 *Hansard* officials, 10 officers, and 20 journalists, would be 3¾d., or, distributing it amongst members solely, 5¼d. It should be pointed out, however, that in addition to those named in the article as consuming liquor, there is the large number of visitors who frequent the House, and from time to time are entertained by honorable members. I am certain that the actual expenditure by honorable members on alcoholic liquors in the month specified, did not exceed, on the average, 1¼d. per man per day, and if the average were taken for a period of a year, it would not be more than a small fraction of a penny. The newspaper article would make it appear to the average reader that the refreshments consumed on the premises are not paid for by honorable members, but members and others pay for all that they get.

Mr. W. ELLIOT JOHNSON.—Have you any objection, sir, to having a report prepared, and laid on the table, showing the accounts for the past twelve months, and

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any other information likely to be serviceable in enabling honorable members to arrive at a proper conclusion regarding the use of the refreshment rooms?

Mr. SPEAKER.—I shall be pleased to procure any information desired by the House.

Mr. JOSEPH COOK.—Will you be good enough to say, Mr, Speaker, on whose authority the information published in the newspaper was given? Who was permitted to reveal the details of what goes on inside Parliament House?

Mr. SPEAKER,—A pressman brought under my notice an article on the House of Commons appearing in one of the London newspapers, and asked me if similar information could be obtained to enable a like article to be written about this Parliament. I referred him to the President, who said that there was no objection to his being supplied with the necessary information.

Mr. HEDGES.—Do the figures which you read, sir, include the cost of liquors used at dinners and such entertainments?

Mr. SPEAKER.—I understand so.

COMMONWEALTH COMMERCIAL AGENTS.

Mr. BAMFORD.—Is there any truth in a rumour which has been current for some time that the Government contemplates appointing Commercial Agents for South Africa, South America, Japan, and the East generally? If so, when will the appointments be made?

Mr. FISHER.—The Government does not recognise the utility of appointing Commercial Agents at a salary. They have never been proved worth what they got. The matter is one for the States.

Mr. GROOM.—Has the Prime Minister read the report of the High Commissioner, Sir George Reid, in which he recommends the appointment of Commercial Agents in England as well as on the Continent, and, if so, has that recommendation been taken into consideration.

Mr. FISHER.—I have not yet seen the report.

Mr. GROOM.—Then I shall address my question to the Minister of External Affairs.

Mr. THOMAS.—I have not yet had an opportunity to read the report, and consequently the matter has not yet been taken into consideration.

LITHGOW IRON WORKS.

Mr. CANN.—In view of the report submitted by a Royal Commission to the New South Wales Government as to the iron and steel supplied from the Lithgow works, will the Minister of Trade and Customs have inquiry made immediately to ascertain if the conditions of the Manufacturers Encouragement Act have been strictly complied with by Messrs. Hoskins Limited?

Mr. TUDOR.—I have seen only the newspaper report, but I shall look into the matter as soon as I have time to do so. I am favorable to the request of the honorable member.

Mr. JOHN THOMSON.—In view of a paragraph in yesterday's *Age* intimating that it is intended to appoint a Royal Commission of three to inquire into the Lithgow Iron Works, and stating that one of the gentlemen proposed to be appointed declines to act, I ask the Minister whether a Royal Commision is to be appointed, and, if so, what is its *personnel* to be?

Mr. TUDOR.—When the New South Wales Government brought an expert from Scotland, it was advised that he would be in a better position to obtain information if he were made an "authorized person" under the Bounties Act, and he and a Mr. Smith, of Sydney, were made authorized persons. He was not a Royal Commissioner. The two persons referred to are the only persons who have been appointed by this Government in this connexion, and the only persons likely to be appointed in the near future.

REGULATION OF PRICES.

Mr. GREENE.—Has the attention of the Prime Minister been directed to a speech addressed by Senator E. J. Russell to the Amalgamated Carpenters and Joiners Union, in which he stated that the price of bread is going up, but that if we had had the power to do so we would regulate prices? He went on to say that if they had had the power they would have done so long ago, and that that was why they wanted the referenda proposals passed. I desire to ask the Prime Minister whether one of the objects of the referenda was to obtain, on behalf of the Commonwealth, power to regulate prices, and whether, if the Government decide to re-submit the referenda proposals, they will ask for power to enable them to regulate prices?

Mr. FISHER.—The honorable member apparently has quoted from a brief report of a statement made by Senator E. J. Russell,

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but I am quite sure that that summarized report does not convey his full meaning. The Government sought, by their referenda proposals last April, such power as would enable the public of Australia to protect themselves against monopolies and combines as well as other necessary powers for the good government and welfare of the people of Australia.

Mr. GREENE.—I desire now to ask the Prime Minister whether the Government propose to seek power to regulate prices?

Mr. FISHER.—As referenda proposals, after being accepted by the people, cannot legally have any effect until a Bill to exercise any of the powers so conferred upon the Parliament is introduced and passed, it will be time enough to answer the honorable member's question when such a Bill is submitted.

QUARANTINE STATION: TASMANIA.

Mr. McWILLIAMS.—I wish to ask the Minister of Trade and Customs whether any steps have been taken to secure a quarantine station in Tasmania?

Mr. TUDOR.—My recollection is that we secured a site to which the people residing in a certain part of Hobart objected; but if the honorable member will give notice of his question I shall be glad to furnish him with an answer as regards the present position.

SYDNEY WHARF LABOURERS' STRIKE.

Mr. GREENE.—I desire to ask the Attorney-General whether he is aware that the strike of wharf labourers in Sydney is preventing a vast quantity of perishable products from being marketed, and that it is calculated to cause enormous loss to producers of dairy produce, market gardeners, and others. Further, whether the strike is in defiance of a duly-signed agreement between the wharf labourers and the shipowners, and, if it is, whether he will immediately institute proceedings against the officials of the Wharf Labourers Union?

Mr. HUGHES.—I am aware that there is a strike in Sydney, that it is causing loss to the producers of dairy produce, market gardeners, and others, and that it is in direct contravention of an agreement entered into by the Federation on behalf of the Sydney branch. I cannot, however, institute proceedings, either immediately or proximately, since, until the strike has become an Inter-State dispute, we have no jurisdiction.

Mr. KELLY.—If the Attorney-General decides to institute proceedings against these officials, commencing with the president of the union, will he appear for the Commonwealth of Australia against the president, or for the president against the Attorney-General of the Commonwealth?

Mr. HUGHES.—As the question comes within the realms not of politics, but of metaphysics, I must decline to answer it.

Mr. McWILLIAMS.—Will the Attorney-General state whether the Federal Government has no jurisdiction to secure the carrying out of an agreement which has been filed under the Commonwealth Conciliation and Arbitration Act?

Mr. HUGHES.—The agreement is not filed under that Act.

Mr. GREENE.—I should like to ask the Attorney-General if it is not a fact that the wharf labourers in Sydney are refusing to handle Inter-State cargo——

Mr. SPEAKER.—Order! I would point out that, if the honorable member knows that it is a fact, he has no right to ask a question with regard to it.

Mr. GREENE.—I asked, "*Was it a fact?*"

Mr. SPEAKER.—No; the honorable member said, "Is it not a fact?" thereby implying that it was.

Mr. GREENE.—Then I will put my question in another form by asking, "Is it a fact?"——

Mr. SPEAKER.—I point out to the honorable member that he has already admitted that he knows that such and such a thing is a fact, and that, therefore, he must not ask questions in regard to it.

Mr. GREENE.—I wish to ask the Attorney-General if the cargo which the wharf labourers are refusing to handle is Inter-State cargo, and whether, if it is Inter-State cargo, their refusal is not a breach of an agreement which comes within the scope of the Commonwealth power?

Mr. HUGHES.—It is a fact that they are refusing to handle, amongst other cargo, Inter-State cargo; but, to constitute an Inter-State dispute, something more is required than the refusal of persons to handle Inter-State cargo.

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Mr. JOSEPH COOK.—Has the Attorney-General seen the statement made by the State Ministry that they are not able to intervene with a view to the settlement of the trouble in Sydney? In view of the fact that he has now told the House that he cannot intervene, would he mind stating why neither Government can do anything, and how the matter stands exactly?

Mr. HUGHES.—The facts are as I have already stated in reply to the honorable member for Richmond. An industrial dispute now exists between persons employed in handling cargo in ships in New South Wales; and, until the same dispute extends to some other State, the Federal Arbitration Court is not clothed with sufficient authority to exercise its compulsory jurisdiction. It has exercised its power under section 16A, which was introduced into the Act last session, by calling the parties together; but it has no power to compel them to settle the dispute. Yesterday, under its powers—which are doubtful—it called persons from other States in order to prevent an industrial dispute. That action was also taken under section 16A. The dispute is purely a State one; and, so far as any statutory power over the dispute is concerned, New South Wales alone has it.

Mr. W. ELLIOT JOHNSON -Is the Attorney-General in a position to inform the House of the name of the President of the Wharf Labourers Union?

Mr. FISHER.—Do not abuse the privilege of questions.

Mr. HUGHES.—I do not think I ought to be asked to supply information which comes to me other than through official sources. Officially, I know nothing about the President's name. I am not ignoring the dispute; but I do not see how it concerns the House to know the President's name. I have already stated that there is a dispute, which is in direct breach of an agreement entered into. What more can I say?

Mr. McWILLIAMS.—If an agreement is filed at any time, has the Federal Government power to intervene in the case of that agreement being violated?

Mr. HUGHES.—The Commonwealth cannot under its statutory limitations take power to intervene except in an "industrial dispute." To the extent that a breach of an industrial agreement involves the creation of an "industrial dispute," it has jurisdiction; otherwise, not.

ELECTORAL DEPARTMENT.

Returning Officers and Poll Clerks—Redistribution of Seats.

Mr. THOMAS BROWN.—I desire to ask the Minister of Home Affairs whether he is aware that in previous elections returning officers and poll clerks related to each other have been appointed to the one polling booth? Does he consider that that is a desirable condition of affairs, and, if not, will he frame a regulation prohibiting it, and providing for such measures as will prevent its continuance.

Mr. KING O'MALLEY.—I confess that I was not aware of the existence of any such relationship, but we shall endeavour, if possible, to see that relatives are not appointed to act in respect of the same polling booths.

Sir JOHN FORREST.—I wish to ask the Minister of Home Affairs whether it is correct, as reported in the newspapers, that the Divisional Electoral Officer—the Surveyor-General—and the Registrar-General of Western Australia have been appointed as Commissioners to redistribute that State into Federal electorates, and, if so, what time is likely to elapse before they make their recommendation.

Mr. KING O'MALLEY.—The Commissioners have been selected, and their formal appointment now awaits Executive action. It has been found necessary, in order to meet the convenience of the State Government, to substitute the State Chief Electoral Officer for the Registrar-General. Mr. Oldham submitted the names, and they have been approved of.

Mr. PAGE.—Are the figures that were published in the newspapers this morning the official figures with regard to the final count of the census? If so, will the Minister of Home Affairs inform the House and the country whether Queensland is now entitled to a tenth member in the House of Representatives?

Mr. KING O'MALLEY.—The figures are absolutely official, and Queensland is entitled to a tenth member.

Mr. GROOM.—Have the statistical officers yet submitted to the Chief Electoral Officer the necessary data to enable him to give a certificate with respect to the representation of the States under the Representation Act? If that has not been done, can the Minister of Home Affairs inform the

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House when the certificate is likely to be given, so that the provisions of the Act may be complied with?

Mr. KING O'MALLEY.—I would ask my honorable friend to give notice of the question.

Mr. FISHER.—The certificate is here.

Mr. KING O'MALLEY.—I ordered it to be sent up to-day.

Mr. KELLY.—Can the Minister state whether the Electoral Office is inquiring what redistribution of electorates within States will be required in view of the movements of population within States during the last three years?

Mr. KING O'MALLEY.—The Commissioners who will be appointed to subdivide the States will attend to all that.

Mr. KELLY.—Then the Minister is going to appoint Commissioners?

Mr. KING O'MALLEY.—Yes.

POSTMASTER-GENERAL'S DEPARTMENT.

UNSOUND TELEGRAPH POLES.

Mr. W. ELLIOT JOHNSON.—In view of the fact that a lineman recently met his death in Hurstville, a portion of my constituency, through the falling of a rotten telegraph pole, will the Postmaster-General have the remaining poles in the neighbourhood tested?

Mr. FRAZER.—I am having a report prepared as to the condition of the poles in the various States. When that report is to hand, I shall give it consideration.

Mr. KELLY.—Have the comments of the Coroner on the death by misadventure of a lineman in the Postal Department, through the fall of a rotten telegraph pole in the neighbourhood of Melbourne, been brought to the attention of the Postmaster-General? If so, has he followed up the statement of the Coroner as to the impossibility of sheeting home responsibility within the Department for the state of affairs which led to that man's death? If he has not done so, will he take steps immediately to do it, and report to the House on the matter?

Mr. FRAZER.—I did notice a press report of the alleged remarks of the Coroner in connexion with the Melbourne case, and I have asked for a specific report concerning the case. That has been delayed up to the present, on account of the depositions of the Coroner's Court not yet being available. As soon as they are available, that question will be specifically considered.

PERSONAL EXPLANATION.

Mr. RILEY.—I am reported in the Sydney papers as having spoken on Friday on the Conciliation and Arbitration Bill, and as saying that its whole object was to bring about a general strike. As a matter of fact, I did not speak on Friday, and I think the words in question were used by the honorable member for North Sydney (Mr. Ryrie).

CURRENCY: NOTE ISSUE.

Mr. BRUCE SMITH asked the Prime Minister, *upon notice*:—

1. The difference between the amount of the notes issued (£9,718,084) and the gold coin reserve (£4,686,148) being £5,031,936, will he say on how much of the latter sum the Treasury is actually receiving interest?

2. Will he say to whom those moneys out of the latter sum have been lent, and at what rates of interest are the borrowers being charged on the several advances?

Mr. FISHER.—The answers to the honorable member's questions are:—

1. £4,959,048. This sum is arrived at in the following manner, viz.:—

	£	£
Notes in circulation		9,718,084
Gold in Treasury		4,686,148
		5,031,936
Notes issued for which payment had not been received at 25th October, 1911		83,000
		4,948,936
Interest received from investments	£38,055	
Less expenses of Note Issue	27,943	
		10,112
		4,959,048

2. Investments—

	£	£
New South Wales Funded Stock at 3½ per cent. per annum	1,000,000	
Victorian Government Debentures (face value £700,000), at 3½ per cent. per annum (equivalent to 3⅜ per cent.) ...	686,000	
Western Australian Stock at 3¾ per cent. per annum	650,000	
Tasmanian Government Inscribed Stock at 3¾ per cent. per annum ...	200,000	
Fixed deposits—		
State Government of New South Wales at 3 per cent. per annum ...	1,000,000	
Sundry Banks at 3 per cent. per annum ...	1,106,500	
Portion of investment of £619,000 as explained below	316,548	
		4,959,048

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The amount of £316,548 is portion of an amount of £619,000 which has been invested from the general Trust Funds in the following way, viz. :—

	£
Victorian Government Debentures (face value of £300,000), interest at the rate of 3½ per cent. per annum ...	294,000
Tasmanian Government Inscribed Stock, interest at rate of 3¾ per cent. per annum	300,000
Fixed deposits with banks, interest at rate of 3½ per cent. per annum ...	25,000
	£619,000

As funds were not available in the Notes Fund when the investments were made, the amount was invested temporarily out of the General Trust Funds. As funds accumulate in the Australian Notes Account, transfers are made to the Notes Account.

GENERAL POST OFFICE, PERTH.

Sir JOHN FORREST asked the Minister of Home Affairs, *upon notice*—

1. What is the annual rent being actually received by the Government for the land and premises compulsorily resumed by the Government in the City of Perth as a site for the General Post Office and other public buildings?
2. When was the land compulsorily resumed?
3. Has it been paid for?
4. If not, what has been the reason for so much delay in paying for it?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are as follow :—

1. Rental at the rate of £9,853 per annum is being collected from various tenants.
2. 28th August, 1911.
3. No.
4. It is necessary, under the Lands Acquisition Act, for persons having a right to compensation to send in claims in the manner prescribed in the Act, which claims have then to be reported upon by the Attorney-General and an agreement arrived at in regard to the amount of compensation which shall be paid. Very few claims have been received up to date.

Sir JOHN FORREST asked the Minister of Home Affairs, *upon notice*—

1. Has he seen the *Sunday Times*, of Perth, Western Australia, of 1st October, in which "a ground plan of the new Post Office and Federal Buildings in Perth" is shown in an illustration?
2. Has he noticed the following remarks in the letterpress in the same newspaper describing the building proposed—

> "As the Minister of Home Affairs remarked to our representative, 'we want to build not only for the present but for the future,'" and again, "Our representative was shown a sketch plan design."

3. As the Minister says "No sketch plan has been prepared," is the statement of the representative of the *Sunday Times* incorrect that "a sketch plan design" was shown him?
4. Would "the erection of building leases" to be leased to private individuals be for "public purposes," which alone justifies "compulsory acquisition" under section 51, sub-section xxxi., of the Constitution?
5. What provision is made on the present Estimates for erecting the Post Office?
6. When is it likely that the building for the Post Office will be begun?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are as follow :—

1. Yes.
2. Yes.
3. The illustration referred to as a sketch plan design is merely a diagram which was prepared to show the possibilities of the site.
4. It is requisite when acquiring land for public purposes to provide not only for present but with a view to future requirements of the Commonwealth.
5. None.
6. A design for the subdivision of the land is now under consideration, and, immediately a decision has been arrived at, the design for the building will be proceeded with.

SUGAR COMMISSION.

Mr. BRUCE SMITH asked the Minister of Trade and Customs, *upon notice*—

Having regard to the present composition of the Royal Commission on the Sugar Industry, and to the importance of preventing public opinion from regarding it as a partisan body; having regard, also, to the following facts :—

1. That all the separate branches—the growers, the workers, and the consumers—except the refining branch are directly represented upon it by declared nominees;
2. That the refining branch involves a larger investment of capital than any other single trading company in Australia;
3. That the Royal Commission has since refused to allow the refining interest to be represented by counsel—

Will he now consider how he can otherwise insure for that branch of the industry some means of vindicating its extensive rights and interests before the Commission in the forthcoming inquiry?

Mr. TUDOR.—As the Government has entire confidence in the integrity and impartiality of the Commission—which estimation it is believed is indorsed by the public generally—and as each branch of the Sugar industry may rely upon the fullest opportunity being afforded of vindicating its rights and interests, and of receiving just and equitable treatment, no further action in the direction indicated is considered necessary.

Mr. W. ELLIOT JOHNSON.—If ever there was a partial tribunal this is one.

Mr. SPEAKER.—I must ask the honorable member to withdraw that remark.

Mr. W. ELLIOT JOHNSON.—I withdraw it.

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Mr. SPEAKER.—I further point out to the House that something more is required than a mere withdrawal of statements of the kind just made by the honorable member. Such statements are reported in the press, and are published throughout the length and breadth of the Commonwealth. They are likely to occasion misunderstanding, as having been made in this House. If honorable members will persist in making such disorderly observations, I shall, one of these days, probably take a course which I consider to be necessary to vindicate the dignity of the House.

TRAWLER *ENDEAVOUR.*

Mr. McWILLIAMS asked the Minister of Trade and Customs, *upon notice*—

1. The cost per week of manning and working the trawler *Endeavour?*
2. The total cost of the *Endeavour* to date?

Mr. TUDOR.—The answers to the honorable member's questions are as follow:—

1. During 1910-11 the cost per week was £88 15s. 9d.
2. Cost of construction and repairs £18,214 12 11
Cost of working and manning* 13,079 0 0

Total to date £31,293 12 11

* NOTE.—The above does not include the salary of the Director of Fisheries and his clerk.

NAVAL UNIT.

Mr. BRUCE SMITH asked the Minister representing the Minister of Defence, *upon notice*—

Will he inform the House to what extent the completed ships of the Naval Unit have been and are being delayed in their equipment for regular service by reason of the difficulties of obtaining and retaining their prescribed complement of men and non-commissioned officers?

Mr. ROBERTS.—The only ships of the Naval Unit yet completed are the destroyers *Parramatta* and *Yarra*. These vessels are equipped for regular service, and have been performing such service for some considerable time.

SMALL ARMS FACTORY.

Mr. KELLY asked the Minister of Home Affairs, *upon notice*—

1. How long is the completion of the Lithgow Small Arms Factory contract overdue?
2. What penalties are in the contract with reference to delay in completion?
3. If the Commonwealth has observed the terms of the contract, what amount by way of penalties is now due for non-completion of contract?
4. Has the Commonwealth varied the contract?
5. If not, why has the Commonwealth not enforced the above penalties?

Mr. KING O'MALLEY.—It is understood that the honorable member refers to the contract for supply of machinery by Messrs. Pratt and Whitney, about which my honorable colleague, the Minister of Defence, is giving information in reply to another question.

Mr. KELLY asked the Minister representing the Minister of Defence, *upon notice*—

In connexion with the supply of machinery for the Small Arms Factory at Lithgow—

1. Within what time did Messrs. Pratt and Whitney contract to supply the said machinery at Lithgow?
2. How much overdue is the said firm in the supply of the said machinery at Lithgow?
3. What penalties did the contract impose upon the contractor for the non-fulfilment of his contract within the stipulated time?
4. What penalties have been incurred by the contractor by reason of his not having yet carried out his contract?
5. Has he or the Government asked for or suggested the payment of the said penalties?
6. If so, with what result?
7. Has his Department, or any other Commonwealth Department, invalidated its claim to penalties by varying the contract in any way?
8. Has he consulted the Attorney-General's Department as to the power of the Government to obtain from the contractors the amount of the penalties set out in the contract?
9. If so, on what grounds was it necessary to consult the Attorney-General, and what was the Attorney-General's advice?
10. Does he think he still has any right at law to recover the said penalties?
11. If so, will he take immediate steps to recover the sums due to the Commonwealth?

Mr. ROBERTS.—The answers to the honorable member's questions are—

1. Twelve calendar months.
2. Fifty-nine weeks (on the 31st October, 1911). One month's extension of time has been granted.
3. £400 per week.
4. £23,600.
5. The contractors have been informed, in reply to an application for extension of time, that the question of enforcing penalties will be decided on completion of the contract.
6. Answered in 5.
7. No.

8 and 9. Certain opinions have been obtained from the Crown Law Authorities, but it is not considered advisable in the public interest to make such opinions known at the present juncture.

10. Yes.

11. The contract states that the penalties are to be deducted from sums due or becoming due to the contractors. See also answer to question 5.

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NORTHERN TERRITORY.

REPRESENTATION—LEASES.

Mr. SINCLAIR (for Mr. PALMER) asked the Prime Minister, *upon notice*—

1. What, in view of the acquisition of the Northern Territory by the Federal Government, is the position of South Australia in the matter of representation—

(*a*) In this House?
(*b*) In the Senate?

2. Will the Northern Territory be entitled to representation as a separate territory?

3. Will the same conditions apply to the area in New South Wales excised for Federal Capital Site purposes?

4. Will provision to meet the altered conditions be embodied in the proposed amending Electoral Bill?

Mr. FISHER.—The answers to the honorable member's questions are—

1. The representation of South Australia in the Senate and House of Representatives is not affected except that the persons resident in the Northern Territory are not now entitled to enrolment on any Commonwealth roll.

2. The Parliament may, under the Constitution, allow the representation of a Territory in either House of the Parliament to the extent and on the terms which it thinks fit.

3. See answer to No. 2.

4. It is not proposed to deal with the matter in the Amending Electoral Bill.

Mr. W. ELLIOT JOHNSON (for Mr. RYRIE) asked the Minister of External Affairs, *upon notice*—

1. The number of lessees to whom leases were granted in the Northern Territory prior to the cession of the Territory, and acreage so held?

2. The number of leases (if any) and acreage resumed by the Federal Government?

3. The number of leases, and acreage, issued since the Federal Government assumed control?

4. The terms of such leases and names of lessees?

Mr. THOMAS.—The answers to the honorable member's questions are—

1. Two thousand two hundred and twenty-nine pastoral leases were granted prior to the cession of the Territory, of which 255 are now in force. The number of lessees of these 255 leases is 62, and the acreage included therein is 69,150,880 acres.

Annual Leases.—16 leases granted, 10 extant, 6 lessees. Area, 442,240 acres.
Miscellaneous Leases.—33 leases granted, 2 extant, 2 lessees. Area, 10 acres.
Agreements for Cultivation of Cotton.—4 leases granted, 4 extant, 4 lessees. Area, 20,000 acres.
Right of Purchase Leases.—4 leases granted, 4 extant, 4 lessees. Area, 667 acres.
Agricultural Leases.—55 leases, 23 extant, 12 lessees. Area, 5,490 acres.

2. *Nil.*
3. *Nil.*
4. *Nil.*

ESTIMATES: LOAN AND TRUST FUNDS.

Sir JOHN FORREST asked the Treasurer, *upon notice*—

1. Whether he thinks the present system of submitting the Estimates, which permits a credit balance of £1,829,524 at the end of the year 1910-11 being placed to Trust Fund, and £1,712,679 of this amount withdrawn from that fund and expended in the present financial year 1911-12 without being again voted by Parliament, is a satisfactory system?

2. Whether, viewing the magnitude of the number and amount of the sums standing to the credit of the Loan and Trust Fund, he does not think that the time has arrived when Estimates and Appropriations should be annually submitted for the approval of Parliament, providing in detail for the amounts to be drawn from these funds during the financial year?

3. Whether this is not the procedure adopted in the States for many years?

Mr. FISHER.—The answers to the honorable members questions are as follow:—

1. Yes. The amount of £1,829,524 was charged to Special Appropriations during 1910-11 and credited to Invalid and Old-age Pensions Fund and to Naval Defence Fund in equal proportions. The whole amounts have already been appropriated by Acts Nos. 4 and 18 of 1910, and there is no necessity to resubmit them to Parliament.

2. There is no Commonwealth Loan Fund. With regard to such Trust Accounts as the Invalid and Old-age Pensions Account and the Naval Construction Account there is no necessity for an annual appropriation, as Parliament has already voted the amounts. As regards the ordinary Trust Fund Trading Accounts, such as the Defence Clothing Material Fund, I do not see any advantage in submitting annual appropriations to Parliament.

3. With regard to Trust Funds, it is not the practice of the States to have annual appropriations. The only exception which I am aware of is in Western Australia, where money received from the sale of Government property is placed to a trust fund and annually appropriated.

WIRELESS TELEGRAPHY.

Mr. HEDGES asked the Postmaster-General, *upon notice*—

In view of the fact that the wireless station now being constructed at Pennant Hills, Sydney, is nearing completion, will he give instructions that the station be not accepted or paid for as completed until all tests are carried out as required by the conditions of contract as published when tenders were called, and all other conditions as specified are complied with, including the requirement that the system accepted shall be "non-interfering at will."

Mr. FRAZER.—The wireless station at Pennant Hills will not be accepted or paid for until the conditions of the contract are complied with.

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MR. KELLY asked the Postmaster-General, *upon notice*—

In connexion with the contract for the erection of wireless telegraph stations at Pennant Hills and Fremantle—

1. Does the contract provide for installations capable of transmitting messages radially over 1,250 sea miles under all conditions?

2. Does he propose to insist on these stations proving themselves capable of so transmitting messages under all conditions or only under normal conditions?

3. If the latter, does he think it fair to the unsuccessful tenderers to make a concession to the successful tenderer which the other tenderers could not have foreseen when making their tenders on the basis of having to supply the stipulated service under all conditions?

Mr. FRAZER.—The answers to the honorable member's questions are—

1. The guaranteed minimum range of Pennant Hills station will be 1,250 miles over sea with an arc of 90 degrees, the centre of which is at right angles to and eastward of a line connecting Sydney and Newcastle; in other directions the range of 1,250 miles will be reduced by a minimum of 250 miles, plus one mile for every mile over land. The guaranteed range of Fremantle station will be 1,250 miles.

2. Under the conditions as outlined in the contract, namely, all conditions.

3. See answer to 2.

HIGH COMMISSIONER'S OFFICES.

Mr. GROOM asked the Minister of External Affairs, *upon notice*—

Whether it is the intention of the Government to submit, this session, any resolution or measure for the purpose of obtaining the authority of Parliament to acquire a site for the High Commissioner's offices in London?

Mr. THOMAS.—Yes.

PETHERICK COLLECTION BILL.

Assent reported.

PAPERS.

MINISTERS laid upon the table the following papers:—

Representation Act—Determination of the Representation of the States in the House of Representatives.

Papua—Ordinances of 1911—

No. 17.—Animals Prohibition and Restriction.

No. 23.—Supply (No. 1) 1911-12.

Representation Act—Certificate of the Chief Electoral Officer as to the numbers of the people of the Commonwealth and of the several States.

COMMONWEALTH BANK BILL.

In Committee (Consideration of Governor General's message):

Motion (by Mr. FISHER) agreed to—

That it is expedient that an appropriation of revenue and moneys be made for the purposes of a Bill for an Act to provide for a Commonwealth Bank.

Resolution reported and adopted.

Ordered—

That Mr. Fisher and Mr. Hughes do prepare and bring in a Bill to carry out the foregoing resolution.

CONCILIATION AND ARBITRATION BILL.

In Committee (Consideration resumed from 27th October, *vide* page 1975):

Clause 3—

Section four of the Principal Act is amended by omitting therefrom the definition of "Industry," and inserting in its stead the following definition:—

"'Industry' includes—

(*a*) any business, trade, manufacture, undertaking, or calling of employers, on land or water;

(*b*) any calling, service, employment, handicraft, or industrial occupation or avocation of employés, on land or water; and

(*c*) a branch of an industry and a group of industries."

Mr. FISHER (Wide Bay—Treasurer) [3.42].—I feel sure that the Leader of the Opposition, and the Opposition generally, will not take exception if I suggest that as this measure is getting rather urgent, honorable members should confine themselves as strictly as possible to its main points.

Mr. DEAKIN (Ballarat) [3.43].—There has been, and will be, every effort on this side to bring the debate to a conclusion; but it must be confessed that the manner in which the proposals are framed, and the wholesale character that has been imparted to them, whether essential or not, are such as impose a very severe responsibility upon honorable members on this side, in order that they may dissociate themselves from their legal and policy results. Otherwise, I can assure the Prime Minister that there will not be, with our concurrence, a moment of unnecessary delay with regard to this very important measure. I had the misfortune, owing to a visit of the Governor-General to Ballarat, to be absent on Friday last when the discussion on this clause proceeded, but, so far as can be gathered from the newspaper, there was certainly no prolongation of the discussion on this side.

Mr. JOSEPH COOK.—In view of the way in which the Act has been rolled over by the High Court, we ought to take a little time over the Bill, and to do the work well.

Mr. DEAKIN.—It is sufficient for us to dissociate ourselves. We have not the numbers to enable us to enforce our views

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in connexion with this, or, in fact, any other measure; but it is encumbent upon us, in so serious a matter, to make it clear that not only do we criticise the principles of the Bill, but call attention to quite a number of very serious doubts as to the legitimacy of these proposals as they are now framed.

Mr. KELLY (Wentworth) [3.44].—I did not quite gather from the Prime Minister whether the urgency to which he referred is made all the more extreme in view of the industrial difficulty which is taking place with regard to Inter-State cargoes in Sydney—whether an amendment of the Act is necessary in that connexion.

Mr. RILEY.—Certainly it would help.

Mr. KELLY.—Why, since the Attorney-General says that this industrial difficulty has nothing to do with the Commonwealth?

Mr. RILEY.—It has.

Mr. KELLY.—Do I understand that a former member of the Arbitration Court in Sydney, who is naturally an authority, says that this measure if passed will have some bearing on that dispute?

Mr. RILEY.—I will say so.

Mr. KELLY—Then I fail utterly to gather the purport of the Attorney-General's replies to-day. I can assure the honorable member for East Sydney, who is laughing at the honorable member for South Sydney, that this is a matter with which the latter is qualified to deal, as he has sat on the Arbitration Court in New South Wales.

The CHAIRMAN.—I ask the honorable member to deal with the clause before the Committee.

Mr. KELLY.—The matter with which I am dealing, sir, is a special appeal by the Prime Minister to the Committee as a whole.

The CHAIRMAN.—The question of whether the honorable member for South Sydney has been in or out of an Arbitration Court has nothing to do with the clause.

Mr. KELLY.—I gathered, sir, that you were going to make a remark of that character, and I would point out that my only reason for saying what I did in regard to the honorable member for South Sydney was that, in my opinion, a very severe attack had been made upon him in the laugh of the honorable member for East Sydney. However, I shall pass that over. Nothing that the Prime Minister has said alters for one moment, it seems to me, our responsibility to carefully examine this measure. I have not been speaking upon it up to the present time, so that it cannot be charged against me that I have been endeavouring to obstruct its passage; but I do say, in the most unqualified way, that the Opposition will neglect its duty if, because the Prime Minister has made a general statement of that character, which might lead us to believe that it had some application to the solution of the trouble in Sydney, it does not examine the measure with proper care. Unless that insinuation was intended by the right honorable member, I fail to see why he should have risen to speak as he did. As far as I can see, the position as regards urgency for the Bill is exactly the same to-day as it was on Friday. I think it was very unfair, indeed, very disingenuous, on the part of the right honorable member to make the statement which he did, especially in view of the disclaimer of the Attorney-General as to the applicability of the measure to the industrial dispute proceeding in Sydney. I assume that the honorable and learned member, being president of the union in trouble in Sydney, probably knows a good deal about the matter. It may be possible, of course, that he, as president, is slightly biased in the direction of believing that as Attorney-General he had no responsibility for quelling the actions of the union.

Mr. RILEY.—He is not the president of the Sydney branch, but of the Federated branches.

Mr. KELLY.—Apparently, in this case, the whole does not comprise a part! I think that I shall not again accept my honorable friend as a person with a judicial mind, or qualifications, if he can hedge on a statement in the way which he has just attempted. I do not propose to further discuss the question at the present moment. I deeply regret the Prime Minister should have endeavoured to mislead the Opposition into believing that this measure had some applicability to the disturbance in the industry over which the Attorney-General presides.

Mr. HUGHES.—Nothing that the Prime Minister has said is inconsistent with the facts in any way.

Mr. KELLY.—If what the Prime Minister said is not inconsistent with the facts, certainly what the Attorney-General said at question time must be inconsistent with them. However, I do not wish to canvass

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the question. I have pointed out the inconsistency between what the Prime Minister has said and the statement of the Attorney-General. Honorable members on this side will earnestly criticise the measure without wasting time.

Mr. DEAKIN (Ballarat) [3.50].—So far as I am able to follow the argument of the Attorney-General he considers that it is possible for him to transform the present Act while remaining within the scope permitted by the Constitution. If that be so, I should like to be informed in what way he can enlarge the jurisdiction so as to justify the procedure proposed in regard to craft industries. The Attorney-General will admit that the governing words in the Constitution are "conciliation" and "arbitration," and he will recollect that arbitration has been defined by the High Court. He agrees that the principal Act can be put into operation only by judicial proceedings, yet to begin with he brushes aside the hitherto accepted definition of "industry."

Mr. HUGHES.—I do not admit that it is the accepted definition—I say to the contrary.

Mr. DEAKIN.—The honorable gentleman has said that there is some doubt as to its meaning, and he can quote judicial authority for that.

Mr. HUGHES.—I say there was no doubt until the High Court found it.

Mr. DEAKIN.—He has said there is doubt whether that definition in the Act goes to the full extent which is authorized by the Constitution—that was the honorable gentleman's point.

Mr. HUGHES.—It was not my point.

Mr. DEAKIN.—Well, it is a point.

Mr. HUGHES.—Yes, it is a point.

Mr. DEAKIN.—Does the honorable gentleman contend that we can ignore the definition of "industry"?

Mr. HUGHES.—No; I say that the keynote is "industrial dispute" extending beyond the boundaries of a State; we can only have control over such, no matter what we do.

Mr. DEAKIN.—Does the honorable member say that an industrial dispute can exist in which no "industry" is concerned, using the word in the stricter application?

Mr. HUGHES.—I say that an industrial dispute can take place in connexion with the relationship between employer and employé as such—that must be an industrial matter.

Mr. DEAKIN.—But does the honorable member say that it will be possible, under the proposal made for craft organization, for employers to be effectively and properly represented at the Court, and that there is machinery to that end?

Mr. HUGHES.—I should think so.

Mr. DEAKIN.—Will every dispute, brought by any craft, necessitate a separate subdivision, so to speak, of employers associated?

Mr. HUGHES.—Not to a greater extent than a rigid insistence on organization on the basis of "industries" does to the workmen.

Mr. DEAKIN.—But the honorable member admits that "industries" at present contain many crafts?

Mr. HUGHES.—I have not admitted anything of the sort, but, as a matter of fact, it is so.

Mr. DEAKIN.—The honorable gentleman admits the fact, but denies that he admitted the fact.

Mr. HUGHES.—The honorable member is saying that I said a lot of things. I admit I am here, but I never said I am here.

Mr. DEAKIN.—The honorable member is here for all practical purposes, though whether that is his or our misfortune is a delicate question not needing argument. The point is that we have "organizations" established under the guidance of judicial decisions on their basis as "industries," by which employers and employed have been enabled to settle their disputes. Now many of the decisions cover large industries which might hereafter be subdivided into quite a number of crafts. Does the honorable member contend that, within the limits of the Constitution, it will be possible to maintain that scheme of organization under judicial decisions, and yet introduce under neath, above, or side by side with it a different form of organization in which the employers and employed are differently grouped, and in which, in many cases, it may be very difficult, if not impossible, to arraign the different employers associated with the crafts?

Mr. HUGHES.—I admit nothing but that it is proposed to avail ourselves of the organizations which are existing, and which have existed from the beginning of trade unionism.

Mr. DEAKIN.—And any other organizations which may be formed on the same lines?

Mr. HUGHES.—That does not follow.

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Mr. DEAKIN.—Does the honorable member mean that even after the passage of this Bill there may be no new crafts?

Mr. HUGHES.—I do not say anything of the sort—within the limitation of this definition, any organization, of course.

Mr. DEAKIN.—Either in existence or to come into existence?

Mr. HUGHES.—Yes.

Mr. DEAKIN.—Does the honorable member contend that it will be possible to permit an industrial award applying to the whole of an industry, including employers and employés, to be undermined in parts by subsidiary disputes originating in particular crafts included in the industry, which launch themselves against particular employers?

Mr. HUGHES.—No, I do not admit that, for the reason that an industry will comprise the whole of the employers in it, excepting those who belong to crafts.

The CHAIRMAN.—Order! This conversation is very irregular.

Mr. DEAKIN.—Although it is slightly irregular, I think, sir, you will admit that there is no better way of saving time by coming to the point than by questions of this character in relation to a measure which, when read, either by itself or in connexion with the principal Act, creates far more problems than it attempts to settle. I have been trying, in a cursory way, to discover the operation of this Bill when superimposed on the existing Act.

Mr. HUGHES.—If the honorable member will state a concrete case, I shall try to answer it afterwards.

Mr. DEAKIN.—If I may no longer have the ready means of access to the waters of wisdom which was in my possession until the Chairman interposed, I must point out rather more dogmatically, that, in my opinion, this new craft organization is inconsistent, first of all in principle, with the industrial scheme, and next in practical operation, as tending, so to speak, to a network of disputes crossing each other, some concerning industries as a whole, and others concerning particular crafts in an industry in relation to particular sets of employers. That, if it be found to be constitutional, must increase the complexity of the industrial situation enormously. Then, again, the attempt to deal with crafts apart will, in some cases, prevent the operation of the arbitration principle. We shall have given the go-by to our existing industrial methods, and, in addition, be faced with new bodies, the fruit of many subdivisions, yet having, on the other side, employers in very different combinations. These employers are brought into connexion with a particular craft, perhaps, by the employment of only a very few amongst the many hands engaged in their industry, most of those employés having already been dealt with in relation to the industry, and all of them capable of being so dealt with. The legitimate mode of doing what the honorable member desires would have been to amend the Act only so far as was necessary to allow existing industrial awards to be altered or added to in relation to particular persons in any vocation or craft not already provided for. Thus the rights of a craft could be fully recognised without departing from the industrial framework of the Act, or its methods of dealing with industries.

By the way, I do not know if the word "avocation" is to be replaced by "vocation."

Mr. HUGHES.—I have looked into the matter.

Mr. DEAKIN.—I suggested the amendment, not for sentimental reasons, but to secure precision. There can be no doubt as to the meaning of "vocation." "Avocation" has been used in many senses, originally as a negative of vocation, but assimilated later by usage. Nothing can make it, for this purpose, as good a word as "vocation," the meaning of which is indisputable. My protest was in the interests of plain and clear English. The honorable member for Werriwa, if not the Attorney-General himself, said that the word "industry" has two meanings to be taken into account.

Mr. HUGHES.—I did not say that.

Mr. DEAKIN.—The proposal which the honorable member fathers implies at least two meanings. The hitherto accepted meaning must be enlarged by the addition of a subordinate or associate meaning. As a matter of clearness, therefore, the secondary meaning should be distinctly stated, but it would be better if some other word than "industry" were selected.

Mr. HUGHES.—Does the honorable member say that the word "industry" is not properly used in sub-clause *b* of clause 3?

Mr. DEAKIN.—There is something to be said as regards brevity for the wording of that provision, but it contains elements which cannot be brought under the word "industry," either legally or colloquially. I take it that the honorable member does

not think it necessary to define "calling," "service," "employment," "handicraft," "occupation," or "vocation."

Mr. HUGHES.—It is not usual to define the terms of a definition. If it were, we should have to proceed *ad infinitum*.

Mr. DEAKIN.—Where does "industrial subdivision" stop? Using the words "industrial occupation," the honorable member might have dispensed with all the others. These raise a whole series of technical problems. Is not every "occupation" an industrial occupation?

Mr. HUGHES.—Professional services would be excluded. It is a word of limitation.

Mr. DEAKIN.—Has it any other limitation? None. Here, then, we have an open door. It is impossible to determine what may go through it. The honorable member admits that the Bill is intended to cover what he terms "unorganized" employés. How are they to be dealt with?

Mr. HUGHES.—They cannot file a plaint and originate proceedings, but they can be made subject to the jurisdiction of the Court.

Mr. DEAKIN.—How?

Mr. HUGHES.—By a process of the Court.

Mr. DEAKIN.—But against whom? They would have no officers—no representatives.

Mr. HUGHES.—They must be dealt with individually. What is contemplated is an association of persons which has neglected to register.

Mr. DEAKIN.—Deliberately.

Mr. HUGHES.—Yes.

Mr. DEAKIN.—Separate persons whom the honorable member proposes to bring within the scope of the law *nolens volens*.

Mr. HUGHES.—Any person who deliberately defies the law should be dealt with.

Mr. DEAKIN.—They cannot be parties to an action except severally.

Mr. HUGHES.—They cannot originate an action, but they may be made parties to one.

Mr. DEAKIN.—How can it be ascertained whether a man does, or does not, belong to an "unorganized" body, if there is such a creation.

Mr. HUGHES.—Any person concerned in an industrial dispute can be made a party to the legal proceedings connected with it.

Mr. DEAKIN.—I understand the honorable member's position, but what he says shows how extra judicial, if not unjudicial, these proposals are, although relating to a measure whose judicial character is essential—which has no authority that is not judicial. In attempting to deal with "unorganized" employés, you are going far beyond the ordinary acceptation of any terms now in use. If time permitted, it would be possible to multiply points of objection, because the measure can be criticised from every direction. As amended, our Arbitration Court is open to the charge that its principle is not judicial, its procedure is not judicial, and its methods are not judicial. Yet all the procedure proposed comes under that most important section of the Constitution which, beyond all question, limits its jurisdiction to industrial operations, treated, handled, and controlled judicially. You try to deal with individuals in some artificial "association" while still "unorganized." As I stated during the second-reading debate, every one of the proposed amendments affords another means of access of a particular character—an open door, and no one can say how far beyond it one may or may not go. Clause 3 absolutely bristles with suggestions of difficulties and novel definitions, presenting an awe-inspiring prospect, except to members of the legal profession. Beyond that, there is the constitutional question, which has been sufficiently elaborated.

Mr. HUGHES (West Sydney—Attorney-General) [4.14].—The point taken by the honorable member was replied to by me on the last sitting day, when he was unfortunately detained elsewhere. There is nothing novel in the principle of a dual, alternate method of organization, because the legislation of the States, and the practice of industrial bodies, have all along followed the lines which I propose to follow. The shipping industry to-day naturally embraces all those who work for it; but there are distinct crafts in connexion with it, and any attempt on the part of the Court to give at the same time an award covering masters and officers, engineers, sailors, cooks and stewards, and wharf labourers would be futile. It would be beyond the power of any human being, at one and the same time, to deal with occupations so widely divergent. The circumstances of a master or officer of a ship in some respects are similar to those of an engineer, a sailor, or a steward, on a ship. They are all employed on a ship on the sea; but the circumstances of the industrial callings or vocation of these men are quite different, and, therefore, it has followed

that, in attempting to deal with this one industry, the Court has had to make awards dealing with different crafts. I am able to speak with knowledge in this matter since I have appeared for the masters and officers, for the engineers and for the wharf labourers, two cases being heard by the one Judge, and one in the local Court. In each case the award was made without reference to the circumstances of the other persons engaged in the industry. If you say that all these persons are to join on the basis of one industry and not by way of crafts, what are you going to do? Are you going to make water-tight compartments, so to speak, inside the industry? If you are, you will not gain anything at all, because it will lead to a multiplicity of organizations. The organization will have to come before the Court just as if it were on a craft basis. The only argument put forward by my honorable friend, in support of that course is that, by following it an award would be given to cover the industry, the employers and the employés having something in common. As a matter of fact, they must have something in common; otherwise this Statute would not apply. I want here to trace the whole matter very briefly from its genesis. An "industrial dispute" is the basis of our power; and whatever else an industrial dispute is, it must be something in regard to an industrial matter between persons who stand in the relationship of employer and employed. So far we are right. That being the case we have to consider, from a constitutional stand-point, not what "industry" means, but rather what "industrial dispute" means. It does not matter whether "industry" has a narrower or a wider meaning than "industrial dispute;" in neither case can we extend our power. "Industrial dispute" is the bedrock; and to that key we set our composition. If we go beyond that, it does not matter how we attempt to deceive ourselves, we are no "forrader." An "industrial dispute"—that is to say, a dispute about an industrial matter between an employer and employé—can obviously be created, whether the employé is grouped with his fellow-employés upon the basis of an industry, or the basis of a craft. We have seen quite lately—indeed, we may see every day—disputes threatening, or taking place upon the basis of a craft. The recent agricultural implement-makers' dispute related to an industry. All the crafts were bound together; blacksmiths, engineers, turners and finishers were all in one. There the industry was co-terminous, as it were, with the persons employed therein. But if the Amalgamated Engineers had a dispute a hundred industries would be immediately involved, since, in this age of machine-production, the industry which does not depend upon steam, is very rarely found, and is not very important. A dispute amongst them goes to the very root of the whole industrial system in our midst. One clearly sees, therefore, that an industrial dispute may arise in a matter which does not come within the definition of "industry" as it now stands in the Act. An industrial dispute between Jones and his employer does not concern the community, because Jones can go away, and Smith can come in his place. But when there are 5,000 or 6,000 Joneses, or other persons, involved, the community is affected. In this connexion we have to remember that the statute we are amending is not one to benefit an employer or employé, except as a means to preserving industrial peace. It is an Act to promote the public welfare. A dispute can arise between an organization or union of craftsmen and employers, and we must provide for that basis of organization. It is useless to say to the Amalgamated Engineers, "You go and organize on some other basis—on a basis different from that which you have followed for the last fifty or eighty years." They would not do so. There are the honorable traditions of their organization to consider; and neither they nor the engine-drivers, nor the trolley-drivers and draymen would consent to organize on another basis. We have, therefore, to take advantage of the existing organization. To what extent is an employer inconvenienced or treated unjustly? If he has a dispute with his employés, what does it matter to him whether it is settled upon a craft basis or on the basis of his industry? If there are many different crafts included in his industry, then there must be as many inquiries as there are crafts, and he is not called before the Court any more than he would be if the matter were on an industrial basis. I speak now from experience, and I take as an illustration the shipping industry, with which I am fairly familiar. The same men who are holding up their end to-day in the Court against the seamen have to meet the wharf labourers, the engineers, and the masters and officers. They settle the dispute so far as one class is concerned, and then they have to face another. That cannot be avoided. The employer has to deal

separately with each different kind of craftsmen, otherwise there cannot be a proper inquiry by the Court as to what is a fit and proper award for the employés' services. What we are trying to do, therefore, is simply to take advantage of existing organizations in order to facilitate the business of the Court, and to right a wrong that now exists. There is at present no remedy for 20,000 men in this country who desire to seek a peaceful method of redressing their grievances. I would refer the Leader of the Opposition, by the way, to a number of cases reported in the New South Wales industrial records, the awards in which do not comprise the whole of the persons employed in the industries.

Mr. DEAKIN.—I know that.

Mr. HUGHES.—There is the case of the *Electrical Trade Union* versus the *Railway Commissioners*, as well as others. I wish only to say that we intend, under this Bill, to enable organizations to do under the Commonwealth Act what they have always been able to do under the State Act, and what it was thought they had a right to do under our legislation. I come now to the question as to the use of the word "avocation," or "vocation." I do not pose as a philologist, and I want to be quite sure that the use of the word "avocation" does what we desire. "Vocation" is defined in Webster's *New International Dictionary* as—

> A calling; a summons; a call; *specif.*: a convocation. . . . A calling to a particular state, business, or profession.

On the other hand, "avocation" is defined as—

> A calling away; a diversion; . . . state of being called away; diversion of attention; . . . that which calls one away from one's regular employment . . . customary employment; vocation; usual pursuits. . . .

It is synonymous in one of its senses with "vocation." I think the word "avocation" is particularly suited to the purpose we have in view. "Vocation," as distinguished from "avocation," means that a man has, so to speak, a call from Heaven. We speak of a clergyman having a vocation—he has a call for the church—but "avocation" is a calling away from the spiritual and higher to the baser things of life, and it is because of that that "avocation" is particularly applicable to mundane pursuits. I prefer it; and as it is synonymous, in no case is there any harm done. I hope that this clause will be accepted by the Committee without a protracted discussion.

Mr. DEAKIN (Ballarat) [4.27].—My rejoinder to the Attorney-General must be put very briefly. Referring to certain highly-organized industries in which there are important subdivisions of employment, the honorable and learned member says very naturally that the same employers are brought before the Court to answer each of the applications of those whom they employ. That is true. I desire him, however, to realize that his argument cuts both ways. It is just as much in favour of our proposal to maintain the present industrial procedure as it is in favour of the new craft procedure. Then again, it seems to me that while the Attorney-General's argument is applicable to particular industries, such as shearing, shipping, and some others, it is not appropriate to a number in which we must deal directly with the industry as a whole, if justice is to be done, in regard to operations nominally the same, the occupation really differing in its methods, its responsibility, and its skill, and perhaps conducted in different portions of this great country. It is sufficient for my argument to remind the Attorney-General that, granting him all that he has contended, he has not shown that the same ends as he desires cannot be attained by the existing industrial means, and within existing conditions, as to any industry, within the words of the Constitution "industrial dispute." I venture to suggest, therefore, that, although by this addition he may be facilitating, and even in some cases cheapening, the process of obtaining partial or local awards, yet those additions will probably require, in many cases, to be dearly paid for. Even if the procedure be constitutional, and does not imply such a disorganization of the existing system as may put it out of work, yet on the other hand, as several different proceedings are brought within the shipping industry against the same persons, who must abide by the awards in regard, say, to the engineers, the officers and men, and the stewards, it is plain that the craft difficulty is already being met, and settled, in large industries of that kind. No reason has been shown for making this alteration in our Act, unless it be that there may be some, but not necessarily much, extra expense in a few cases, and some difficulty also. There will, however, be far less expense in the long run, far less confusion, and far less delay, by maintaining the system based upon industries, instead of introducing the system based upon crafts. It appears to

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me that, when the remarks of the Attorney-General are read, they are just as much in support of the view which I have again submitted as constitutional and practicable, as they support his own view. The Attorney-General again spoke of there being no remedy for 20,000 men. There is a remedy. It is not necessary for the engineers or engine-drivers to abandon their unions because they operate through different industrial organizations in connexion with different trades. There is nothing to prevent each of them putting forward their requests for precisely the same terms wherever the conditions and the work are of the same character, or for varying them if there is anything exceptional in a due degree.

Mr. HUGHES.—Does the honorable member say that two engine-drivers out of a hundred employés in an industry could adequately present their case before the Court?

Mr. DEAKIN.—Their case, and that of a number of other men of the same grade, could be put forward in connexion with awards already been made in the greater industries. In view of the kind of work they do, and the circumstances in which they are engaged, their claims must be practically the same as those of their fellows in other industries who have already obtained awards. Their claim is simplified immensely, and the "dispute" diminished at once.

Mr. RILEY.—A union cannot make a claim for any one who is not in its ranks.

Mr. DEAKIN.—It is not necessary, so long as they are in an organization. They may contend that the terms which have been obtained, either by another union or another organization in which there are engine-drivers already fix the rates for their similar class of work. Why should not the same conditions be required? The employers would be practically out of court at once if they opposed such a claim. The case would be practically settled before it went into Court. All that would be necessary would be to have the old award in this relation amended and put on record and registered. How could the employers resist? Take the case of men driving engines in the mines at Bendigo, in the mines of the West, or in the coalmines of Newcastle. Any substantial difference in the conditions, such as the extra cost of living in the West, would be taken into account. But here is your basis already prepared: When once you have engine-drivers paid a certain rate for working eight hours, you can derive your other amended wages and conditions deduced from it in the easiest possible way. When once you establish your bases of arbitration bringing these crafts and others into line with their branches in the great existing industries, so far as payment is concerned, the road by which they arrive need not affect their unions, or their organizations, for trade purposes. All that is necessary is to relate their new terms to those of industrial organizations already under the Act. Once fix certain work with certain hours for certain pay, and that, with minor additions meeting the difficulties of particular localities and circumstances could be applied all over Australia.

Mr. WEST.—Then an engine-driver would have to be under two or more awards.

Mr. DEAKIN.—There being a main award, other subordinate bodies would come in and get their awards, with whatever modifications were necessary. With this system once thoroughly established, amendments made necessary from time to time by changes of general or special circumstances will not be frequent. I doubt whether, even if its constitutionality be established, this short cut which the Attorney-General is advocating is, after all, shorter than the main road. The Government are raising, not merely legal, but administrative difficulties. It is certain that they are raising grave constitutional issues for no real gain. On the contrary, it is quite possible that results just as good, and probably better, could be obtained more speedily and more cheaply from the existing method without running any constitutional risks whatever.

Mr. JOSEPH COOK (Parramatta) [4.35].—My point all along has been that the proposal to bring all these crafts under the control of Federal law, whether it be constitutional or not, will practically break down of its own weight. I do not think it will at all achieve the results at which the Attorney-General is aiming. It means, to begin with, that if decisions are to be given upon the basis of handicraft, as well as upon the basis of industry—and the Attorney-General has told us that he aims at making both of them relate themselves to this Court, either as alternatives or both together, as the case may most conveniently be—these decisions must necessarily be complicated and inefficient, or, on the other hand, you must have the

whole of the crafts organized from end to end of Australia. Both of those seem to be rather big orders, and I do not see how they are to be accomplished.

Mr. WEST.—The crafts are already doing it.

Mr. JOSEPH COOK.—The honorable member has been told again and again that they are not. The most highly and efficiently-organized craft of them all is only 50 per cent. organized, according to the speech of its secretary in this Chamber.

Mr. WEST.—The other 50 per cent. are getting the benefit of the award.

Mr. JOSEPH COOK.—Exactly; that is what the honorable member said. He wanted this Bill to compel the other 50 per cent. to organize. I should not so much object to that if I could afterwards see a working award, but for the life of me I cannot. The Attorney-General himself admits that the principle of differentiation must be applied to these awards, and that that differentiation must be along geographical and climatic lines. It seems to me that in saying so much he admits the full force of the contention that the States would control these matters better than the Federation can ever do.

Mr. HUGHES.—Why do not they do it?

Mr. JOSEPH COOK.—It is so stupendous a task that they cannot do it even in a State. Did not the honorable member hear Judge Heydon's statement that his Court was breaking down—that the work was too much for him to do even in his own State, to say nothing of the whole of Australia? The statement made by the honorable member for Cook the other night disposes of the whole of the Attorney-General's contentions. The Attorney-General says he wants to do in the Federation exactly what is being done in the States. Here is the effect in the States, according to the Judge himself, in the Railways case—

> I must seek out some simpler road with regard to Boards that has been followed hitherto. I was in great hopes that the measure submitted by Mr. Beeby to the House would have resulted in relieving me of this, but the mass of Boards, the overlapping, the dovetailing, the variety of interests that are put before me when applications are made—the thing is becoming overwhelming altogether.

Altogether overwhelming in a State! Yet that is the system which the Attorney-General wants to make Federal. If it is overwhelming as applied to a State, must it not be more completely overwhelming, if that is possible, when applied over the whole of the Commonwealth?

Mr. HUGHES.—The honorable member's argument was that the States could do it better. Apparently they cannot do it at all.

Mr. JOSEPH COOK.—If the States cannot do it, is the Federation likely to do it better?

Mr. HUGHES.—The thing is extremely difficult.

Mr. JOSEPH COOK.—If Judge Heydon says his Court is overwhelmed, how is the honorable member going to compass the work Federally by means of Judge Higgins?

Mr. HUGHES.—What was the date of those remarks of Judge Heydon?

Mr. JOSEPH COOK.—They were made lately in connexion with a case in which one of the railway unions applied for a Wages Board. The matter was quoted by the honorable member for Cook in his very clever speech the other night, as follows:—

> The presiding Judge, in that case, heard Mr. Warton, for the Tramway Union, Mr. Black, secretary of the Electrical Trades Union, Mr. Sullivan, secretary of the Moulders Union, Mr. Irons, secretary of the Bricklayers Union, and Mr. Millard, secretary of the Labourers Union. They all appeared to object to the constitution of the Board to deal with certain groups of tramway men.

The Judge further said—

> This very thing is an example. I have two unions, first of all, to deal with, a thing which is really quite outside my proper duties, dealing with the claims of different unions in the same industry. Then a number of different industries appear, and there are a number of existing awards, some have expired, some have not; some Boards have expired and their awards are in existence; some Boards have expired and their awards have expired also. The thing is becoming a mass of confusion. I shall have to devise some scheme, which I shall inform the industrial world of, by which the thing shall be simplified; it is getting too troublesome and complicated.

That is precisely what the Attorney-General wants to engraft upon the Federal Arbitration Court.

Mr. RILEY.—Mr. Beeby, in the New South Wales Parliament, is trying to do what the Attorney-General is trying to do in this House—to simplify matters.

Mr. JOSEPH COOK.—How is he simplifying matters?

Mr. RILEY.—By his Bill.

Mr. JOSEPH COOK.—He is carrying further the principle of differentiation and grouping. But there is no provision for machinery under this Bill. There is not

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even an effort to begin to group industries. The industries of New South Wales are grouped statutorily. But, notwithstanding that grouping and simplification, Judge Heydon says that he is overwhelmed in confusion and absurdity.

Mr. RILEY.—The Wages Board system has broken down in New South Wales.

Mr. JOSEPH COOK.—The Government are providing for the multiplication of disputes under this Bill. Once you depart from the idea of a Federal dispute as a basis, you enter into a mass of confusion that is bound to occasion extreme difficulty. Confusion has already been caused in a State where the machinery is, I suppose, more perfected than is the case, perhaps, in any other State, and where the grouping principle has been taken as far as Labour representatives could take it. Men who are specialists in these matters, and who have applied their intellects to the solution of the problem for the last ten years, with all their efforts to simplify procedure, have simply produced a state of affairs that has led Judge Heydon to say that he is overwhelmed.

Mr. RILEY.—That is an argument against the Federal Arbitration Act altogether.

Mr. JOSEPH COOK.—Not by any means. It is an argument for decentralizing control—for linking up the Federal machinery with the State machinery. But it is not an argument for taking control away from the States and centralizing it under the jurisdiction of one Judge. It is humanly impossible for one man to do the work that he is being asked to take on. Mr. Justice Higgins has more than he can do now with eight or nine industries; and what, I should like to know, is he going to do with hundreds and hundreds of groups and organizations and industries? The whole aim, as it seems to me, is, to establish a statutory organizing agency, if I may so put it. The Government are going to compel the organization of more and more of these group industries. In other words, they are encouraging the making of disputes rather than the settlement of them. Only this week a case is reported in the *Worker* which brings out this point very clearly. One comrade, the secretary of the Rural Workers Union of New South Wales, writes to the secretary of the United Labourers Union of South Australia. I understand that there has been some little friction between them, because one organization has been trenching upon the other's domain. That is why Mr. McNamara, general secretary of the Rural Workers Union in New South Wales, approaches the secretary of the United Labourers Union of South Australia. This is his letter—

> Dear Comrade,—I am directed by the above union to bring under the notice of your union the fact that my organization proposes to cite a case before the Commonwealth Arbitration Court on behalf of workers in the agricultural, viticultural, fruit-growing, market gardening, and dairying industries, and as it is necessary to have a dispute in more than one State, it is imperative that the union should organize in South Australia in order to provide a two States dispute in the dried fruits industry.

Here is a deliberate proposal to create a dispute in two States in order to get a case before the Federal Arbitration Court.

Mr. W. ELLIOT JOHNSON.—Did not the honorable member for Darling say that a dispute could be worked up amongst the domestic servants in two States?

Mr. JOSEPH COOK.—Here is a case in which that very thing is being tried.

Mr. TUDOR.—Does the honorable member know that the Legislative Council of Victoria rejected a proposal to establish a Wages Board for rural workers?

Mr. JOSEPH COOK.—Then the honorable member's party should try to get one for them.

Mr. TUDOR.—We cannot. The Legislative Council blocks us, and the honorable member's crowd knuckles down to them.

Mr. JOSEPH COOK.—I am told that there is no Wages Board for rural workers even under the Labour Government in South Australia.

Mr. ROBERTS.—There is a Legislative Council there, too.

Mr. JOSEPH COOK.—Of course there is, but what disability does that impose now?

Mr. ROBERTS.—The disability of a point-blank refusal.

Mr. JOSEPH COOK.—But there is no great disability in connexion with the franchise in South Australia now.

Mr. ROBERTS.—Oh, is there not? It is shocking.

Mr. JOSEPH COOK.—What is?

Mr. ROBERTS.—There is a rental qualification.

Mr. JOSEPH COOK.—A very small one. Here, I say again, is a deliberate attempt to create an Inter-State dispute, in order to obtain the advantage of appealing to the Federal Arbitration Court. And, strange to say, this proposal is made in

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connexion with two States where there are Labour Governments in office. I am reminded of the statement made recently with regard to the present unfortunate dispute in Sydney. The Federal Attorney-General tells us that he has no jurisdiction. The State Government say that they have no jurisdiction. The Federal Attorney-General says that they have. Each authority is putting the responsibility upon the other. Is there anything in the machinery proposed to be established to obviate such a condition of things? It seems to me that, before it will be possible to compass Inter-State disputes in a proper way, our machinery must be improved. Instead of the Federal authority trying to take powers from the States, as has been the case for some years past, the whole business ought to be organized. A line ought to be struck, and rigidly adhered to. I should like to know who is responsible for interfering in the dispute that is going on in New South Wales now. It is a scandal to the country that we should have two Labour Governments in office each saying that it cannot act, and that the duty of interposing devolves upon the other authority.

The CHAIRMAN.—That has nothing to do with this question.

Mr. JOSEPH COOK.—Oh, yes.

The CHAIRMAN.—The question of what two Governments are doing or not doing has nothing to do with the question before the Committee.

Mr. JOSEPH COOK.—Except as illustrating the futility of this machinery. I tell honorable members opposite that this Bill is not going to work. That is my prediction. We shall have to wait only a few months to see this machinery breaking down of its own cumbersomeness, its own weight. The only object, it seems to me, is to create another argument in favour of the referenda proposals of the Government, which, we are told, will again be submitted to the electors at the next election. The Government will go before the people flaunting their helplessness instead of their foolishness as a reason for their proposal. I say again that there ought to be some clear line drawn in regard to all this legislation. If we can act in co-operation with the States and after consultation with their Governments, so much the better. We ought to endeavour to co-operate with them, and not to overlap their legislation in every possible way, afterwards making excuses as to why neither authority does anything. I want to see this machinery work satisfactorily, but that object can only be accomplished when all the factors making up the complex industrial conditions of this continent have been put in their proper place, and accounted for under the machinery which we set up. In a little country like New Zealand, a mere strip of land a little over 200 miles in length, they have three or four separate and distinct industrial districts in order that the authorities may take into account certain factors which must modify their decisions. Here, however, our efforts are in the direction of centralization. In my judgment the machinery will break down, as the machinery established in New South Wales has broken down.

Clause agreed to.

Clause 4—

The registration, as an organization under the Principal Act, of any association registered before the commencement of this Act shall be deemed to be as valid to all intents and purposes, and to have constituted the association an organization as effectually as if this Act had been in force at the date of the registration.

Amendment (by Mr. HUGHES) proposed—

That after the word "association," line 2, the words "purporting to be" be inserted.

Mr. DEAKIN (Ballarat) [4.59].—My difficulty as to the meaning of these words is to understand what their effect will be. "Purporting to be." Either asociations appear on the register or they do not.

Mr. ROBERTS.—There are some unions on the register, and it is doubtful whether they are properly registered, but they purport to be registered.

Mr. DEAKIN.—That may not follow.

Mr. ROBERTS.—The clause, as it stands, means those associations which are duly and legally registered.

Mr. DEAKIN.—Is that all that is intended? If the cases intended to be covered are associations registered in fact, but not in law, then I can understand the meaning of the amendment.

Mr. ROBERTS.—The Engine-drivers Association purports to be registered, but, in law, it is not registered.

Mr. DEAKIN.—Then I am not sure that "purporting to be" is the best phrase to use.

Mr. FISHER.—Perhaps, in the exercise of his rights as Leader of the Opposition, the honorable and learned member will suggest a phrase.

Mr. DEAKIN.—As the Attorney-General has returned to the chamber, I ask when does an association purport to be re-

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gistered, and how? We know when an industry is completely registered, and we know when it is not. Purporting to be registered, but not being registered, is something between the two. Perhaps the honorable and learned member will explain.

Mr. HUGHES (West Sydney—Attorney-General) [5.2].—The registration of certain unions, made prior to the passing of this Bill, are doubtfully valid.

Mr. DEAKIN.—Why not validate them in the ordinary way?

Mr. HUGHES.—Suppose that through some error or negligence of a union, or the registrar, or somebody else, some technical point has been overlooked, and the union is not registered. The clause validates, as far as it can validate, the registration, and its action is retrospective. How far it goes I should not care more precisely to say, but it does go as far as we intend to make it go, if we have the power, so that it will validate the registration of any union whose registration has become invalid simply by reason of the fact that it was a craft organization, and not an industrial one. We want to insert the words "purporting to be," because they seem to include a class of registrations which may have been omitted under the clause as it stands.

Mr. DEAKIN (Ballarat) [5.3].—As far as I am concerned it is purely a question of phrase. I think that it is an ambiguous and doubtful phrase, and that the Attorney-General might easily find one more express and explicit. However, that is for him to consider.

Mr. GLYNN (Angas) [5.4].—I think that, in principle, the clause is justified in the peculiar circumstances of the engine-drivers' case. I do not think that, in many cases, such a clause would be justifiable, because it is really retrospective legislation. To my knowledge there are only one or two cases of this class in Australian legislation, but I think that this particular provision is justifiable, because a large number of industrial agreements depend upon organizations, and it would be a great pity if they were invalidated simply because some employers denied the registration. As regards the actual drafting, I do not think that the insertion of the words "purporting to be" is necessary, because, in the first line, it is actually described as a registration, and, in the second line, it is stated that it is not a registration. At the present moment it is assumed to be a registration, although an invalid one.

Mr. HUGHES.—It might be held that a registration was not a registration, and, therefore, the association would not come under the provision.

Mr. GLYNN.—I see the object of the amendment, but the clause seems to me to be somewhat contradictory. I do not think, however, that it will make any practical difference if the words are inserted.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 5—

Section nine of the Principal Act is amended—

(*a*) by inserting, after the words "injure him in his employment," the words "or alter his position to his prejudice";

(*b*) by omitting the words "Twenty pounds" and inserting in their stead the words "Fifty pounds"; and

(*c*) by inserting, after the words "injured in his employment," wherever they occur, the words "or prejudiced."

Mr. BRENNAN (Batman) [5.7].—The proposed amendment of paragraph *a* of section 9 of the Act only goes to the extent of inserting the words "or alter his position to his prejudice." I put the view that the clause, as it stands, is quite ineffective for the purposes which we have in view, and that honorable members on both sides should stand together in the endeavour to see that no man is penalized or prejudiced in any way by reason of his accepting the invitation extended to him to become a member of an organization. I put the matter in that broad way because it may be thought that in strengthening section 9 there is an effort being made by a member of this House to unduly penalize employers. We cannot make the section too strong, so long as it is directed to discourage employers or others from penalizing persons desirous of joining an organization; in other words. from taking advantage of the general provisions of the Act. Section 9, as proposed to be amended, reads—

No employer shall dismiss any employé from his employment or injure him in his employment or alter his position to his prejudice.

We should go so far as to say that, for the reasons mentioned—

No employer shall dismiss any employé from his employment, and no person shall injure such employé or other person in his employment.

Because it may well be that a person who is not in the relationship of employer at all may injure another person by refusing to employ him or inducing others not to employ him.

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Mr. W. H. IRVINE.—Would the honorable member mind reading his suggestion again?

Mr. BRENNAN.—My suggestion is that section 9 should be amended to read—

No employer shall dismiss any employé from his employment and no person shall injure such employé or other person in his employment or prejudice his application for employment or alter his position or refrain from altering his position to his prejudice or injure him in any way whatsoever by reason of the fact that such employé or person is an officer of an organization or of an association that has applied to be registered as an organization or is seeking to become a member of such an organization or association or holds himself out to the public as such member or is entitled to the benefit of an industrial agreement or award, and no employer or other person shall exact a promise or undertaking from any employé or person as a condition of employment not to become a member of such association or organization.

Dr. CARTY SALMON.—The honorable member wants to do away with the employer.

Mr. BRENNAN.—There is no intention to do away with the employer at all, or to unduly penalize him, but there is a general intention, which I think ought to be upheld by honorable members on each side, to prevent a person from being penalized for desiring to join an association or organization. I think I have pointed out that a person may refuse to give a man employment for the reason that he is a member of an association or organization, or that he wishes to join one, or induce other persons not to give the man employment for the same reasons. We should say that these reasons are not to operate or to be allowed to operate, in the minds of men against persons who wish to join organizations. Section 9 as it stands says that no employer shall alter the position of such a man "to his prejudice." The injury may be done to the man by his employer, not by altering his position to his prejudice, but by refusing to alter his position, or by altering the position of others over his head. Again, the person who is injured may not be a member of an organization, but he may wish to become a member of an organization or association, and it may be held out to him before he is employed as a threat if he becomes or proposes to be a member of an organization or association, that he shall no longer be qualified for employment. We know, and honorable members who come from Queensland will be able to bear out my statement, that this is done openly in connexion with the Australian Tramways Association. So far as the Queensland branch is concerned, the company lays it down as a condition that no person shall hold himself out as, or do anything to indicate that he is, a member of an association, and no person shall get employment if he proposes to join an association. It is done also in connexion with the Melbourne Tramway Company. They exact undertakings from men before they are employed that they do not intend to join the Australian Tramways Association. It is a very unhappy state of affairs if this House is to go on passing legislation, and inducing persons to enter organizations for the purpose of settling industrial disputes, and dealing in a more efficient manner with industrial troubles, while private individuals and companies are to deliberately and publicly penalize men for going into the organizations. I should say that honorable members on both sides would be quite willing to strengthen this section.

Mr. FENTON.—It is a good job that one company referred to is soon going to die!

Mr. BRENNAN.—That may be, but that company should not be encouraged to flout the laws of this Parliament. I use the words "holds himself out" as a member of an association, because, in connexion with the Brisbane branch of the Tramways Association, the men are forbidden to wear any emblem or medal which will indicate that they are members of a peacefully disposed organization.

Mr. FAIRBAIRN.—"Peacefully" is not bad!

Mr. BRENNAN.—"Peacefully" is distinctly good if the scope of this law is as honorable members opposite declare it to be. The men to whom I refer had a medal struck and proposed to wear it, but they were forbidden to do so, and the medals were seized as contraband on the persons of the men while at work.

Mr. TUDOR.—Was that this century?

Mr. BRENNAN.—Yes, this year. I, therefore, suggest that, in view of this contemptuous treatment of our law, we should lay it down that any man may freely and openly hold himself out—and, indeed, is doing good work in holding himself out—as a member of an organization.

Mr. W. H. IRVINE.—There is no law to prevent it.

Mr. BRENNAN.—That is true, but there is a regulation of the company which forbids it. Just as men should not be prejudiced in their employment in any other way, they should not be prejudiced

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in this way, so long as they act in a peaceful and orderly manner as members of an organization. I, therefore, move—

That all the words after the word "inserting," line 2, be left out, with a view to insert in lieu thereof the following words:—

'at the beginning thereof the words—

"No employer shall dismiss any employé from his employment and no person shall injure such employé or other person in his employment or prejudice his application for employment or alter his position or refrain from altering his position to his prejudice or injure him in any way whatsoever by reason of the fact that such employé or person is an officer of an organization or of an association that has applied to be registered as an organization or is seeking to become a member of such an organization or association or holds himself out to the public as such member or is entitled to the benefit of an industrial agreement or award, and no employer or other person shall exact a promise or undertaking from any employé or person as a condition of employment not to become a member of such association or organization.

Penalty: £50.

(2) No proceeding for any contravention of this section shall be substituted without the leave of the President or the Registrar.

(3) In any proceeding for any contravention of this section the burden of proof shall be upon the defendant."'

I do not say that it is possible, but I have endeavoured to draw the amendment in such a way as to prevent persons, whether employers or not, from injuring persons, whether employés or not, by reason of the latter being members, or intending to become members, or advertising themselves as members, of an organization or association applying to be registered. It is for others to suggest objection, but any there may be will be found to the wording, and not to the spirit, of the amendment, which is eminently fair, in view of our desire to encourage men to join associations. I say this with the full knowledge of the fact, which is frequently overlooked by honorable members opposite, that it is not the employés, as a general rule, who have been in the habit of flouting Commonwealth industrial legislation, but that the persons who have shown themselves, not only hostile, but have received such legislation in a spirit of rebellion, are the employers.

Dr. Carty Salmon.—What award have the employers refused to carry out?

Mr. BRENNAN.—I am not suggesting that the employers have actually refused to carry out any award.

Dr. Carty Salmon.—Where, then, is the rebellion?

Mr. BRENNAN.—In answer to that I shall first say, in general terms, that it is well known that employers, as a rule, have been, and are, hostile to Commonwealth legislation in regard to industrial matters. The proof of that lies in the fact that the men, so far as I know, have hardly once come to the Court without being met by all manner of the most subtle technical objections.

Dr. Carty Salmon.—Is that rebellion?

Mr. Fairbairn.—Is this not a free country?

Mr. BRENNAN.—The Conciliation and Arbitration Act was held out to the workers as a speedy, simple, cheap, effective means of settling industrial troubles, free from legal technicalities; and honorable members opposite may well laugh at the result we have reached. They know what the result has been; and it is solely owing to the fact that money has been poured out like water in an endeavour to find technical disabilities, and thus to prevent the men obtaining the benefit of the Act.

Mr. W. H. Irvine.—The honorable member is at present engaged in sowing a very plentiful crop of further technicalities.

Mr. BRENNAN.—I am not discussing that point at present; but I do say that my argument applies to the particular case, the defect disclosed which we are trying to cure by this Bill. If it had not been for the subtle ingenuity of some legal mind—which, of course, I commend very highly—that award would have been given and worked under harmoniously, happily, and comfortably, nobody knowing anything about legal disability.

Mr. Bruce Smith.—The honorable member, by quoting one instance, is not supporting his charge of rebellion on the part of the employers.

Mr. BRENNAN.—I do not know but that the word "rebellion" is perhaps too strong; but I say that the law has been received in a rebellious spirit, and I stand by that. Every time that this "cheap" and "effective" measure has been used in Court there has been opposition on technical grounds, and not on the merits of the employés' claim.

Mr. Bruce Smith.—The honorable member said that the employers had "flouted" the decisions of the Court.

Mr. BRENNAN.—I can assure the honorable member that I never said anything of the kind. I said that they had received Commonwealth legislation in regard to industrial matters in a spirit of hostility, if not absolutely in a rebellious spirit; and

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by that I am prepared to stand, having regard to the records of the cases heard in the Court. However, that is a little outside the proposed amendment, which I commend to the sympathetic consideration of the Attorney-General and the Committee.

Mr. HUGHES (West Sydney—Attorney-General) [5.27]. — The amendment seeks to more effectively protect the employés than has been found to be the case under section 9 of the Act. It is perfectly true that certain employers do penalize their employés and prejudice them in their employment. One organization waited on me during the last six or eight months and furnished me with a copy of a notice which was displayed in a prominent place in certain depôts announcing in an unmistakable way some of the consequences which would follow any attempt to join any other than a certain organization, which was, and is still, I believe, under the management of the employers. In addition, representations were made to me by certain honorable members disclosing a similar state of affairs in another State. In my experience, only one conviction has been obtained under a similar section under the New South Wales Act, and that was in the case of an employer who admitted, in a moment of inexcusable aberration, that he had dismissed an employé because he was a unionist. Usually, of course, exacting such an admission from an employer is infinitely harder than getting 6 oz. to the ton from an exhausted reef. We have to consider human nature as it is; and the question is whether we can, by any means at our disposal, effectively compel an employer to make no difference in regard to the man who is a member of an association to which the employer, rightly or wrongly, has some objection. That is one point, and another is that the Constitution effectively delimits our powers.

Mr. GLYNN.—That is the principle of the honorable gentleman's amendment.

Mr. HUGHES.—The honorable and learned member for Batman, in moving this amendment, has sought rather to exhaust the possibilities of action on the part of the employer than to gather the potentialities of the position in a general clause. I incline to the opinion that the clause, as before the Committee, covers quite as much ground. The effect, whenever one enumerates particular cases, is to omit other particular cases, which did not at the time occur to one's mind. There is another point to which I would draw the honorable member's attention, and it is this. He proposes to provide that no employer shall exact a promise or undertaking from any employé as a condition of employment not to become a member of an association or organization or prejudice him in his application for employment. I admit that this is a bog or maze, and that we tread with difficulty and amazement in every winding avenue through it. But one thing has been made perfectly clear, and that is that, before the Court can have any jurisdiction at all, there has to be an industrial dispute which must extend beyond the boundaries of one State, and which must have relation to an industrial matter between an employer and an employé—not a person who may become an employé, but a person who is *de facto* an employé. I am not going to say that that is not subject to modification, but I do say that an application for employment is entirely outside the relationship of employer and employé. In connexion with a State Court, the position, of course, would be entirely different, but until a man becomes an employé, the Commonwealth Court of Conciliation and Arbitration has no jurisdiction. I will not mention any State in particular, but let me say that in a State other than this, there is, at the present time, an organization of employés that is not recognised by the employers, who are continuously pursuing tactics in regard to it, calculated to provoke a breach of industrial peace. Some honorable members know very well that that is a fact. This Court is perfectly powerless to do anything at all in relation to such a case unless there is an industrial dispute, or something has occurred to give the Court jurisdiction. Nothing that is in the Statute, or can be put into it, can give the Court jurisdiction in respect of a matter in connexion with which it would not have had jurisdiction, if there were an active outburst of industrial hostility. So I say that, in regard to this matter, we have to keep clearly within our constitutional powers, and we have to remember what human nature is. A man seeks employment, and the employer says, "Are you a member of the union?" The answer is, "Yes," and the employer then says, "All right; where did you work last; what did you do?" and so on. Is an employer going to be so destitute of imagination and all resource that, having one hundred reasons for sacking a man, he is going openly to sack him for the very reason for which he would have to pay £50, when he

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might sack him for any one of the other reasons, on account of which he would not have to pay anything? If the employer were such a resourceless person as that, all this trouble in society would never have existed. He would never give us any trouble at all. But we know that he is a very resourceful person. This legislation has been in force now for ten years, and the only conviction under the section has been that of one employer at St. Mary's, who admitted that he sacked a fellow because he belonged to the union. And he said, "I will sack all the rest." The Court and everybody in it were so astonished at this outburst of unnatural candour that the lowest possible fine was imposed, and the defendant was sent away almost rejoicing. I am inclined to think, however, that there is one phrase of the amendment which covers more than may be covered by the clause as it stands. The section, if amended, as proposed by clause 5, would provide that—

> No employer shall dismiss any employé from his employment or injure him in his employment or alter his position to his prejudice by reason merely of the fact that the employé is an officer or member of an organization, or of an association that has applied to be registered as an organization or is entitled to the benefit of an industrial agreement or award.

The Bill proposes to amend the existing section by inserting after the words "or injure him in his employment," the words "or alter his position to his prejudice." That is to say, to fail to promote him, or to disrate him, as the case may be. It is conceivable that that does not cover everything, and the honorable member proposes to provide for that by inserting the words "or injure him in any way whatever." I think that is a drag-net phrase which covers everything.

Mr. GLYNN.—It is such a big drag-net that it may destroy the whole clause.

Mr. HUGHES.—I do not think so. We can put that into the Bill, without invalidating the measure. I do not know that the clause would be inoperative in so far as it was constitutional. Clearly the Court would never say that the Legislature deliberately intended to go too far. The phrase might not, however, cover any more ground than is covered by the clause, as it stands. This is all that could happen to an employé. He might lose his job; he might lose promotion, or benefits; he might not progress as rapidly as he ought, and he might in short, work in the shadow instead of the sun of his employer's approbation. This is what might happen, putting it into words; and I wish honorable members to consider whether there is anything that is not covered by this phrase. The employé may not be dismissed; he may not be injured; he may not be prejudiced. If we add these words proposed by the honorable member for Batman, "injured in any way whatever," I think we have got it. I do not see anything further that could be done. In my opinion, the section as amended by the Bill does cover all those cases in which, taking human nature as it is, there is the remotest possibility of our being able to effectively protect the employé. For that reason, I ask the honorable member for Batman not to press his amendment. If, upon consideration, he thinks that the words to which I have specially referred will strengthen the clause, I, personally, shall offer no objection to their insertion.

Mr. W. H. IRVINE (Flinders) [5.40].—The Attorney-General has pointed out some of the difficulties in connexion with the amendment, and I wish to refer to one or two others. I have not had an opportunity to read it, and it is a rather complicated amendment. There are one or two things which struck me as possible results of its adoption which I should like to bring under the notice of the honorable member for Batman. One of the proposals made is that no employer shall not merely alter, but refrain from altering, the position of an employé by reason of the fact, not merely that he is a member of an organization or association, but that he seeks to become a member of an organization or association. I ask honorable members to imagine for a moment the kind of prosecution that would take place under such a provision. John Jones, an employé, brings a prosecution against his employer under this amendment, and sets out the following offence: That the employer refrained from altering his position, he being a person who was seeking to obtain admittance into an association. That is rather a strange thing to make the matter a criminal offence. Jones comes before the Court and is asked, "What do you complain of; are you not in the same position as before?" The answer is, "Yes, that is just what I complain of." The Court then says, "You are still employed, and still paid, and that is what you complain of—why? Is it because you are a member of an association?" The answer is, "No; because I am thinking of becoming a member of an association. My

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employer has refrained in consequence of that—though how he found out what I was thinking about, I cannot say—from altering my position." I am inclined to think that that would be a very difficult matter to prove. But the honorable member for Batman gets him out of that difficulty by throwing the whole of the onus of proof on the defendant. The defendant would, first of all, have to show that there was no opportunity of which he could have availed himself to better Jones' position; or, if there was, since he did not know that Jones was seeking to become a member of an association, he could not have refrained from altering Jones' position because he was seeking to become a member of an association. Could honorable members imagine anything more ridiculous to put seriously before a Court of Justice and particularly a Court of Criminal Justice, as a means of carrying this legislation into effect? I appeal to the honorable member for Batman to reconsider this proposal, because he appealed to honorable members on this side to join with him in doing what I suppose is the desire of every one, and that is to prevent the penalization of men because they belong to a union.

Mr. McWILLIAMS.—Or because they do not.

Mr. W. H. IRVINE.—I am prepared to assist the honorable member in any reasonable attempts with that object, in the full and cordial expectation that he will assist us in passing equally drastic provisions against boycotting on the part of employés. But our laws should be such as can be carried out. As the Attorney-General has shown, the present provisions have not been effectual, and, I think, cannot be made effectual. You cannot make a criminal offence depend on something in the mind of an employer or employé, no matter what language you employ. To attempt to give effect to such provisions would bring about prosecutions such as have never yet been heard of or dreamt of in any Court of Criminal Jurisdiction. It is easy to say that the onus of proof should be on the defendant. The onus of proof has been thrown on the defendant in connexion with certain cases, especially in regard to Customs offences. But when a man imports goods, he knows all about them, having the invoices and other papers, and it is reasonable that, the Crown having made out a *primâ facie* case on some points, the duty should be thrown on the defendant of making the whole position clear. I do not think that the honorable member has fully considered the effect of his amendment.

Mr. JOSEPH COOK (Parramatta) [5.48].—I should like to see the workmen effectively protected in this regard, but how it is to be done I do not know. I do not know any form of words which would prevent an employer from dismissing an employé. That could be done even if the honorable member's amendment were carried. I agree with the last speaker that if you put too much into the clause you are likely to defeat the object in view. I know a man who was promoted to a position carrying a higher salary who did not rest until he got back to his old job.

Mr. MATHEWS.—I have known men to be promoted to get rid of them.

Mr. JOSEPH COOK.—In the case to which I refer the promotion was a genuine one. Had the man remained in the higher position, he would have become unfit for work, because the nervous strain was too great. It could be said that that man was injured by his promotion, and if he had been in a union it could have been urged that his position had been altered to his prejudice. Elementary justice requires that both sides shall be treated alike, and protected as far as possible, but the clause as it stands is as effective as we are likely to make it.

Mr. FINLAYSON (Brisbane) [5.52].—I cannot pretend to be able to discuss the legal aspect of the amendment or of the clause, and I agree with the honorable member for Flinders that it is possible to push the proposal of the honorable member for Batman to a ridiculous length. Undoubtedly, however, employers attempt to interfere with and penalize employés who are members of organizations, and the clause as it stands does not prevent that. Men in the employment of the Brisbane Tramways Company are to-day being offered inducements, and threatened with loss of position and employment, to get them to leave the organization to which they belong.

Mr. MATHEWS.—They do more than threaten them here. They sack them every day in the week.

Mr. FINLAYSON.—Over 100 men have had to resign from the Tramway Employés Union in Brisbane because they were told in unmistakable language that unless they did so they would lose their employment. We must, of course, treat both sides alike, and I am ready to protect

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both employés and employers who are members of unions. Employers should recognise the men's right to organize. If we are going to say that men shall not cease work because their employer is a member of the Employers Federation, we should not allow employés who are members of organizations to be interfered with by their employers. One effect of this legislation will be to drive both employers and employés into federation, and I can conceive nothing better calculated to bring about industrial peace than the existence of strong organizations which can discuss with each other, or before an impartial tribunal, the terms and conditions under which work should be performed. If the employés require preference, the employers should be given preference, too. But there is nothing in the clause to place an employer under any disability because he has attempted to induce his men to leave their organization. Inducements are being offered to men to leave an organization and to join another which is under the wing of their employers. Nothing is more likely to lead to industrial trouble, and I hope that the result of such conduct will be industrial trouble. If men are robbed, threatened, or intimidated to induce them to sever their connexion with an organization, trouble will continually occur, and there can be no hope of industrial peace. Some provision should be inserted, penalizing the employers who endeavour to draw men away from their organizations, or to induce them to join organizations financed, supported and encouraged by the employers.

Mr. BRENNAN (Batman) [5.57].—I shall not press the amendment. The honorable member for Flinders has pointed to the legal labyrinths into which we may be led by the proposed amendment, but that does not get over the fact that there are many obvious cases, apart from the exceptional ones to which he referred, which would be met by the proposed amendment. The Attorney-General referred to the words "by reason merely," and put the view that a man is absolved who dismisses an employé for the reasons stated in the amendment together with others. If an employer has merely to show that, although membership of a union was one reason for the dismissal of an employé, there were others, or one other, to be free from liability to a penalty, the provision is waste paper, but I direct the attention of the honorable gentleman to the fact that I left out the word "merely" to make it clear that membership of a union must not be an operative reason at all, and that there would be liability to a penalty wherever it could be proved to be an operative reason. The Attorney-General has pointed out that the prosecutions under the Act have failed. I have been connected with some of them, and know that they have failed, and must fail, except in those exceptional cases where what he called "unnatural candour" is displayed by the person committing the offence. There was one such case in Victoria, but we did not test it, because the employer climbed down at once.

Amendment, by leave, withdrawn.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [6.0].—I hope that what I shall say will not give rise to a discussion on the ethics of this question, but I wish to make a few observations regarding the purpose of the original clause, and the proposals made by various honorable members who have dealt with it. It has always seemed to me that the best we can do in this regard is to declare as closely as possible what the majority of the members of this Parliament consider to be fair treatment as between employer and employed. We want to see some substantial justice done to any one who is injured, and I think it is the duty of the National Parliament to say what, in its opinion, would be the good conduct of a good citizen on either side. Having regard to our limited power, I do not think we can do any more.

Mr. BRENNAN.—Unfortunately that has proved to be insufficient.

Mr. FISHER.—Quite so; but I have particularly in mind the statement made by the honorable member for Brisbane that certain employers may desire to draw their employés away from the ordinary trade unions into unions or organizations formed by themselves. They might partially succeed in doing that, but I do not believe that any thinking man considers that such an effort could ultimately be successful. Organized society in these days is such that there are two conflicting interests, and those two conflicting interests will either come together in organized bodies, and deliberate with an impartial Judge between them, who will settle their differences——

Mr. W. H. IRVINE.—I think there are two competing rather than two conflicting interests.

Mr. FISHER.—There are two competing and conflicting interests. Their interests are conflicting, because the one gains at the expense of the other. That is to

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say, a person who is fighting for higher profits, if he can get his workmen to work for less than the better class of employer in the same industry gives, must enjoy a distinct advantage.

Mr. W. H. IRVINE.—I do not think that either side gains at the expense of the other.

Mr. FISHER.—Let me return to the main point. My opinion is that we should not state anything less than we really mean as a guide to the just employers and the best workmen. The Attorney-General's amendment seems to me to strengthen the provision in the principal act. It will help and guide the Court in any case that may arise. I am very glad that the honorable member for Batman has seen fit to withdraw his amendment, and my belief is that these efforts on our part to establish by legislation some media for the settlement of disputes, although at best but temporary, are on sound, safe, logical lines.

Mr. GLYNN (Angas) [6.3].—I think it right that there should be some qualification of what has been said as to the number of cases in which employers have absolutely prevented justice being done under the Act by taking advantage of legal technicalities. May I refer, by way of example, to the engineers' case, to which reference has frequently been made in connexion with this Bill? Not more than about twenty-one or twenty-two employers have challenged the organization or registration. I know, as a fact, that about 170 or 178 voluntarily entered into an agreement, and many of them—I can speak for ten out of the eleven Broken Hill mining companies—in this case, absolutely from the start waived all points of jurisdiction so as not to embarrass the men. I could, if necessary, cite other cases. In his judgment, in the Merchant Shipping case, which was decided on 5th December, 1910, Mr. Justice Higgins said he had to testify to the fairness of the employers in recognising jurisdiction, where he thought it did not exist, for the purpose of enabling an amicable agreement. I do not desire to cite other cases ——

The CHAIRMAN.—I have allowed a good deal of latitude, and I ask the honorable member not to proceed further along his present line of argument.

Mr. GLYNN.—With due respect, sir, I think I am entitled to refer to what has been said during this debate in regard to the use of the words "injured in his employment." The argument in favour of the amendment just withdrawn was that there had been a complete blocking of justice on the part of employers who raised technical objections. I do not know that the words "injured in his employment," which were inserted at the instance of a member of the Labour party in the Senate, have proved ineffective. No objection has been raised to these other words, but it must not be assumed that these additions to the stringency of the Act as it stands have been called for by a great many failures under the section before the amendment was made. If there have been many failures, I have not heard of them. When the matter first came before me some two years ago, there were very few cases where convictions could have been secured had the wording of the section been different from what it was.

Mr. JOSEPH COOK (Parramatta) [6.6].—I should not like either the ethics or the economics of this matter, as propounded by the Prime Minister, to go unquestioned. I disagree entirely from his view that the profits of the employer depend upon the amount that he can wring out of labour. To put it in plain language, that is what the right honorable gentleman said.

Mr. FISHER.—I did not say that.

Mr. JOSEPH COOK.—The right honorable gentleman said there ought to be no increase of profits by reason of the depressing of the wages of the labourers. The one does not follow from the other. In some of the most successful schemes of profit-sharing in the world to-day, the employer is increasing his profits at the same time that he is increasing very materially the earnings of his employés.

Mr. THOMAS BROWN.—A great many employers do not admit that principle.

Mr. JOSEPH COOK.—I admit that they do not; I wish they would. But I have yet to learn that my honorable friends opposite are preaching any such doctrine.

Mr. FENTON.—We have been preaching it for years.

Mr. JOSEPH COOK.—They are preaching the division, not the solidarity of labour.

Mr. FINLAYSON.—We advocate co-operation all the way.

Mr. JOSEPH COOK.—Co-operation with the capitalist out of it. I hope that the day will come when copartnership of some kind or other, and co-operation will

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take the place of the fierce antagonisms that now go on. But I hope, also, that the time will never come when we shall be able to blot out and do away with the mind which is directing the whole. I rose only to correct the mistake made, in my judgment, by the Prime Minister, in alleging that the amount of profit which an employer can make depends upon the amount he can wring from his employés.

Mr. HIGGS.—The Prime Minister did not say that.

Mr. JOSEPH COOK.—There is no necessary antagonism between the two forces. Rightly considered, they are the two halves of the same sphere, and it is possible to increase the profits of the employer at the same time that the return to the labourer is also very materially increased. I hope the time is not far distant when these fierce personal antagonisms between employers and employés will cease, and when we shall have more amicability than we seem to have to-day.

Mr. BRUCE SMITH (Parkes) [6.10].—The reference by the Prime Minister to ethical considerations started in my mind a whole crop of new thoughts with regard to the question of arbitration. He was in one of his occasional moral spasms, and there was in his little speech an assumption that all the members of this House were putting their heads together to produce what they, as a body, thought most beneficial to the working classes of Australia. I want to say that I am giving very little thought to such possibilities; and I venture to say that my attitude is shared by most honorable members on this side of the House, who feel that whatever we may attempt with regard to this measure is absolutely futile. I have lost all hope of being able to contribute to the debates upon questions of this sort, because we know that, by caucus process, the whole Bill is settled in black and white, as well as in details, before it comes here. We know very well that if we attempt an amendment it is simply laughed at in the consciousness of a solid and definitely-committed majority; and that any idea, such as has been suggested by the honorable member for Parramatta, of converting arbitration into a beneficent system of co-operation, would be flouted.

Mr. CANN.—I rise to a point of order. I wish to know, Mr. Chairman, what this discussion has to do with the clause before the Committee.

The CHAIRMAN. — I was waiting patiently for the honorable member for Parkes to connect his remarks with the clause.

Mr. BRUCE SMITH.—I was just coming to the clause. I am replying to the Prime Minister, who in a moment of ethical aspiration, talked of the Committee sending to the country a Bill that would be the result of the best thought of both sides of Parliament upon the relationship of capital and labour. This is an entirely lop-sided measure. Every honorable member on this side, if he were asked to give his honest opinion as to the possibility of putting this or any other clause into shape, would say that he regarded it as futile, and I wish therefore to repudiate the idea that this Bill is going forth as the outcome of the best thought of both sides of the Parliament.

Clause agreed to.

Clause 6 agreed to.

Clause 7—

Section sixteen A of the Principal Act is amended by inserting after sub-section (1.) the following sub-section:—

"(1A.) 'Any person' in the last preceding sub-section includes not only persons engaged in or connected with an industrial dispute, but also any person engaged in or connected with any dispute relating to industrial matters (whether extending beyond the limits of a State or not), and related in any way to an industrial dispute; and also includes any person, whether connected with an industrial dispute or not, whose presence at the conference the President thinks is likely to conduce to the prevention or settlement of an industrial dispute."

Mr. DEAKIN (Ballarat) [6.12].—I call the attention of the Attorney-General once more to the fact that nearly the whole of the proposed new sub-section is superfluous. If it were amended to read—

"Any person" in the last preceding sub-section includes . . . . any person, whether connected with an industrial dispute or not, whose presence at the conference the President thinks is likely to conduce to the prevention or settlement of an industrial dispute—

everything in the provision as it stands would be covered.

Mr. FISHER.—The honorable member thinks the intervening words are redundant?

Mr. DEAKIN.—Absolutely redundant.

Mr. HUGHES (West Sydney—Attorney-General) [6.14].—In drafting a measure of this sort, one has naturally to inquire how the machine has worked, and where the sand has got into the bearings. I do not think we do wrong when we inquire from those charged with the administration of the purely machinery part of the

Act in what way this or that section has failed to be effective. We thus find out its weaknesses just as we ascertain the shortcomings of an engine from the man who drives it. That is what we have done in this particular case. Section 16 (A), as honorable members are aware, was inserted in the principal Act last year, and it has proved, without exception, the most valuable in the whole scheme of the Act. But the question is: "How far does it go?" During the recent sugar dispute, the question arose whether the Court could, under section 16A, summon before it those persons who were having a dispute. There was at the time no dispute within the meaning of the Federal Act. It was a State dispute. It could not be said that there was a probability of it extending, but there was a likelihood of the consequences of the dispute being taken up by other industries. In that case the dispute, whatever it became, would extend, and, as a fact, it did extend. Thus, the wharf labourers declined to handle the sugar. When it was handled by persons other than members of the Wharf Labourers Union, it came down to southern ports, and then the trouble became an Inter-State dispute. Under section 16A whom could the Judge summon, and at what stage?

Mr. GROOM.—Any person, according to section 16A.

Mr. HUGHES.—The honorable member knows that his answer would convey to the lay mind something entirely foreign to the real meaning of the section. Could the Judge, for instance, summon the honorable member for Flinders?

Mr. W. H. IRVINE.—Yes.

Mr. HUGHES.—I wish him luck if he did. I contend that he could do nothing of the sort. As a sensible man, I am sure he would not do it if he could. Does "any person" mean any person in the country?

Mr. W. H. IRVINE.—I should have thought so.

Mr. HUGHES. — I should very much like to hear the honorable member argue against that interpretation. Every word has to be interpreted according to the subject. "Any person" cannot mean any person irrespective of his position, calling, or vocation. It must mean any person who has some relation to the industrial dispute. The Court is not to be made a Court for the settlement of all cases, nor is every citizen to be dragged by it from one end of Australia to the other.

Mr. W. H. IRVINE.—In the original section, the power is to be exercised for preventing as well as settling an industrial dispute

Mr. HUGHES.—The final jurisdiction of the Court is tied up in the settlement of industrial disputes. We cannot say, "Notwithstanding that we cannot deal with the question, we will haul you in." meaning, by "you," "any person." In my opinion, "any person" in the section means any person whose connexion with the dispute is not so remote as to put him in the position of the ordinary public. The amendment is to enable us to bring in persons whose interests are such as it indicates. The most dangerous feature of industrial trouble is what is known as the sympathetic strike. The ordinary strike to settle a grievance can be dealt with; but one cannot deal with a sympathetic strike, because the people in it have no dispute with their employers in the ordinary sense of the word. The question is, "Can they be hauled before the Court?" We want to make it perfectly clear that they can be. I hope the honorable member will not think the wording of the clause redundant. Evidence has shown pretty clearly lately that, owing to the President's interpretation of the section, he was, in a manner, handicapped. Since this is, as it were, a voluntary jurisdiction, and since there can be no better or more expeditious way of settling anything than by bringing the parties face to face, without lawyers or outsiders of any sort, and letting them argue it out, we ought to give them every encouragement to come together, and should clothe this jurisdiction with every power which the Constitution allows.

Mr. DEAKIN (Ballarat) [6.21].—The Attorney-General has not gathered the point I submitted. I suggested the omission of the following words—

> not only persons engaged in or connected with an industrial dispute, but also any person engaged in or connected with any dispute relating to industrial matters (whether extending beyond the limits of a State or not), and related in any way to an industrial dispute; and also includes—

What is left includes all that the Attorney-General is aiming at.

Mr. W. H. IRVINE (Flinders) [6.22].—I take the words in section 16A of the original Act to mean what they say. The only condition precedent to the summons is that the President of the Court should think the attendance of any person may be necessary for the purpose of preventing or settling an industrial dispute. The At-

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torney-General, however, takes the view that "any person" in that section means some person who is either a party to the dispute or connected with the dispute. If there is any ambiguity about the original section, the amendment, of course, removes it, so that really the difference between ourselves and the Attorney-General is only a matter of language, and does not amount to much as a matter of substance. I think the original section meant just as much as the amendment does. The Attorney-General thinks not. If he is right then, of course, this provision, or something like it, is necessary.

Mr. FISHER.—I think the Attorney-General's new proposal makes it more certain that any person may be called.

Mr. W. H. IRVINE.—If the Attorney-General's view of the original section is right the amendment certainly removes all difficulty.

Mr. GLYNN.—I think the amendment is a limitation.

Mr. W. H. IRVINE.—I should have thought there was no limitation about the words used.

Clause agreed to.

Clause 8—

After section seventeen of the Principal Act the following section is inserted:—

"17A. The Court or President may order any party to any application to pay to any other party such costs and expenses, including expenses of witnesses, as it or he thinks fit."

Mr. GLYNN (Angas) [6.28].—By section 38 (*i*) of the principal Act, the President may award costs and expenses, but not as between solicitor and client. I am not sure whether that is qualified by this amendment. Are the costs to include counsel's costs for the future? I merely draw attention to this as a matter of drafting, because it may be modified by the section to which I refer. The Attorney-General might consider whether there should not be some limitation upon the costs. This might be prescribed by regulation, for instance. In some applications of a minor character the costs ought to be fairly small. What is generally done at present in civil proceedings is to have a scale fixed by regulation, and as such, of course, it is subject to review by Parliament. With a view to having some limitation upon the amount that may be recovered, I suggest to the Attorney-General that the words "as may be prescribed" should be inserted after the word "costs."

Sitting suspended from 6.30 to 7.45 p.m.

Mr. GROOM (Darling Downs) [7.45].—If the Attorney-General will look at section 38, paragraph *i*, of the Act he will see that the Court, as regards every industrial dispute of which it has cognisance, has power to order any party to the dispute to pay to any other party such costs and expenses, including expenses of witnesses as are specified in the order. But it is also provided that no costs shall be allowed for any counsel, solicitor or agent. The honorable member for Angas contended that it was essential for the sake of consistency to insert certain words in proposed new section 17(A). The case would be met if the Attorney-General would agree to put in the words—

The Court or President may, subject to regulation, order any party to any application to pay costs.

Mr. HUGHES.—I do not think that is necessary.

Mr. GROOM.—That would leave the Attorney-General with power by regulation to define a scale of costs. As the clause stands the Court would have power to grant costs for the services of any counsel, solicitor, or agent in regard to any preliminary application.

Amendment (by Mr. HUGHES) agreed to—

That after the word "fit" the following words be inserted:—"but so that no costs shall be allowed for the services of any counsel, solicitor, or agent."

Clause, as amended, agreed to.

Clause 9—

Section nineteen of the Principal Act is amended—

(*a*) by omitting the words "in the prescribed manner; and"; and

(*b*) by adding at the end thereof the words "and

"(*d*) All industrial disputes as to which the President has held a conference under section sixteen A of this Act, and as to which no agreement has been reached, and which the President has thereupon referred to the Court."

Mr. SINCLAIR (Moreton) [7.50].—I move—

That the following new paragraph be added:—"(*c*) an organization for the purpose of this section shall include an employer in or in connexion with any industry who has in the aggregate throughout the six months prior to the submission of an industrial dispute by plaint to the Court employed not less than one hundred employés on the average per month in that industry."

The deletion of certain words from section 4 of the principal Act, which defines the meaning of "industrial dispute," will have

the effect of preventing individual employers from taking advantage of any protection that the Court may afford. Under section 55 of the original Act two employers may form an organization for the purpose of registration. This clause has to do with persons of whom cognisance will be taken by the Court. The memorandum which has been circulated by the Government explains that the intention is that the Court shall have cognisance of all industrial disputes submitted to the Court by an organization, of industrial disputes which are certified to the Court by the Registrar as proper to be dealt with in the public interest, and of industrial disputes with which any State industrial authority, or the Governor in Council of a State, requests the Court to deal. I wish to extend the same right to an individual employer as individual employés can get through their organizations. For instance, take the case of a firm like J. C. Hutton and Company, which carries on the business of bacon-curing in different States. It might be an utter impossibility for a firm like that to belong to an organization of employers, though it employs hundreds of hands in different States. The employés might decline to submit a case to the decision of the Arbitration Court. The employer, as an individual, would not be able to submit his case. I think that such an employer should have a right to the protection of the Court. It is to give them that right that I move the amendment.

Mr. HUGHES (West Sydney—Attorney-General) [7.55].—I am not quite clear as to the honorable member's object in submitting this amendment. As far as I can make out, nothing would be gained by it. A plaint can be submitted to the Court not only by an organization, but by an employer as an individual.

Mr. GROOM.—Under what section?

Mr. HUGHES.—Section 5 says that any association of employers in, or in connexion with any industry employing in the aggregate 100 employés may submit a case. There is nothing to stop any employer from taking advantage of that section.

Mr. GROOM.—No; there has to be an association of employers.

Mr. HUGHES.—Does the honorable member mean to say that there is anything in the Act to prevent one individual employer from registering?

Mr. GROOM.—Is there anything in the Act which authorizes him to register?

Mr. HUGHES.—I do not know that there is, but what is to stop him? I do not think there is anything. What particular object is the honorable member endeavouring to attain?

Mr. GROOM (Darling Downs) [7.57].—What the honorable member for Moreton says is that there is no provision to enable a single employer, who may have a dispute with his employés, to register as an organization, and submit his plaint to the Court. The honorable member points out that section 55 provides for the registration of an association, but that there is no provision to enable one person who employs a large number of individuals to register, and to come under the cognisance of the Court by filing a plaint. The definition of "industrial dispute," which has been struck out, covered any dispute as to an industrial matter arising between an employer and an organization of employés. That contemplated a dispute between employés and one employer. The honorable member wants an employer who does not belong to an association to be able to go before the Court with his plaint. What the honorable member is asking the Attorney-General to do is, I take it, to look into the matter, and to give an individual employer the same right as an association of employers has. It seems fair that it should be given. Under section 19 of the Act, the Court is to have jurisdiction over industrial disputes sent before it by the Registrar, industrial disputes brought by an organization on a plaint, industrial disputes referred to the Court, and then compulsory matters.

Mr. W. H. IRVINE.—The honorable member for Moreton does not want to make an individual employer an organization.

Mr. GROOM.—No; the honorable member only wants an individual employer to have the right to go before the Court.

Mr. FENTON.—Why make an exception of that one employer?

Mr. GROOM.—He is made an exception of. If three individuals happen to employ 100 men, they can get their plaint before the Court, and their case can be heard. But if one individual happens to employ 100,000 men, then, according to the suggestion made by the honorable member for Moreton, he is excluded from the jurisdiction of the Court.

Mr. ROBERTS.—Not necessarily.

Mr. GROOM.—The honorable member is right. An individual employer is not excluded from the jurisdiction of the

Court, but he cannot be a plaintiff in the Court.

Mr. ROBERTS.—If the Registrar certifies that it is an industrial dispute, he can be a plaintiff.

Mr. GROOM.—Quite so; if two persons could come and could get the case brought before the Court; but, being only one person, the employer cannot do so. It is fair to ask that if one employer who is carrying on an industry in several States fulfils all the conditions, and there is an industrial dispute—the evil with which we want to grapple—he shall have the right to file a plaint and go before the Court. If the Attorney-General will look at section 19, he will see that the Court has cognisance of industrial disputes which are submitted to the Court by an organization by a plaint. But if he will look at the definition of "organization" in section 4, he will find that it means an organization registered under the Act. What is such an organization? It is an association of employers, and not one individual employer. Perhaps the Attorney-General will promise to consider the amendment if he cannot see his way to accept it, because, in my opinion, this is a necessary power to take in the measure.

Mr. HUGHES (West Sydney—Attorney-General) [8.4].—I see now the point of the honorable member for Moreton. I think that if an amendment has to be made, it should be in section 55 of the Act by striking out the word "associations" in sub-section 1, which would then read—

Any of the following may on compliance with the prescribed conditions be registered in the manner prescribed as an organization—

and inserting as a new sub-section these words—"Any person employing 100 employés." If the honorable member will not press his amendment here, I shall give him an opportunity, if I do not agree with him, to test the feeling of the Committee on section 55, which, in my opinion, is the proper place to put it in. I want to look into the amendment to see that, if made, it will not be superfluous; otherwise, I shall be very glad to agree to it.

Mr. SINCLAIR (Moreton) [8.5].—I accept the assurance of the Attorney-General that he will give us another opportunity of considering this matter, and beg leave to withdraw the amendment. I would ask the honorable and learned gentleman to look at section 19 of the principal Act, and consider whether the amendment will not fit in there, seeing that that section deals with persons whom the Court recognises as having the right to bring a dispute before it.

Amendment, by leave, withdrawn.

Mr. GLYNN (Angas) [8.6].—There is no doubt that a very wide power is taken in proposed new paragraph *d* of section 19, but I do not feel inclined to object to it It provides that wherever the President has held a conference, he may send the matter on to the Court. I think that we have forgotten this fact, that since paragraphs *a*, *b*, and *c* of the section were drafted in 1904, we have extended the definition of "industrial dispute" to cover threatened or probable disputes, so that now if there is merely a probability of a dispute and a conference is held by the President, he can send that on for investigation at once, as if it were an ordinary dispute. This is a very wide power to give; but personally, I do not see how one can reasonably object to allow the President to do what a State authority can do. The widening of the definition also affects the earlier sub-sections.

Clause agreed to.

Mr. HUGHES (West Sydney—Attorney-General) [8.7].—Of course, this provision will not give to the President the power to deal with disputes outside the Act. It will only enable him to bring within section 19, as it were, disputes which would otherwise have to be referred in one of several ways indicated therein.

The CHAIRMAN.—The clause has been carried as printed.

Mr. GROOM.—I thought that we were still on the clause.

The CHAIRMAN.—If it is the desire of the Committee, I shall put the clause again.

Mr. GROOM.—There are one or two difficulties in connexion with the clause that I wished to point out.

Clause 10—

Section twenty-one of the Principal Act is amended by omitting the words "that any dispute relating to industrial matters is" and inserting in their stead the words "that a specified industrial dispute exists and is."

Mr. DEAKIN (Ballarat) [8.8].—I do not know whether the Attorney-General has clearly in his mind the extent to which the Registrar's power is to go. Certainly, this clause will make rather a serious innovation. Section 21, as proposed to be amended, will read—

A certificate by the Registrar that a specified industrial dispute exists and is an industrial dispute extending beyond the limits of any one State shall be *prima facie* evidence that the fact is as stated.

The Registrar's functions are already considerable, are rapidly extending, and cover a great many matters. This clause deals with a most important matter. The Registrar may inform himself with great pains and particularity. He may not have the means to inform himself, and yet his certificate is to suffice. It may be *ex parte*. I presume that the Attorney-General has a special reason for vesting this exceptional power in the Registrar.

Mr. HUGHES (West Sydney—Attorney-General) [8.9].—If the honorable and learned gentleman will look at the judgment in the Engine-drivers' case, he will see why this amendment has been proposed. On page 285 of the *Argus Law Reports* we read—

> The Registrar's certificate that any dispute is an industrial dispute extending beyond the limits of any one State is an evidence that an industrial dispute is in existence.

Section 21 of the Act reads—

> A certificate by the Registrar that any dispute relating to industrial matters is an industrial dispute extending beyond the limits of any one State shall be *primâ facie* evidence that the fact is as stated.

The Court strictly defined the power of the Registrar in this direction, and by no statement, evidence, or act of the Registrar could a dispute which was not an industrial dispute be made one. The object of this clause is to take a power with which the Registrar can be properly clothed.

Mr. GLYNN (Angas) [8.11].—There is no doubt that under section 21, as proposed to be amended, the Registrar's position will be a very important one. He will have to decide on some facts as to whether a dispute exists or not. At present, as a rule, a certificate would only be given in cases where no other evidence at the time was available and the fact was notorious. But surely the same rule would not apply to the extension of the dispute; in other words, that where no evidence was available, a certificate could be given of the existence as well as the extension of the dispute. We must assume that the Registrar will go on some facts which will justify a *primâ facie* impression. If such is the case, considering the extent to which the work of the Court is developing, he will have very important and responsible duties to discharge. In the circumstances, it might be well to consider what his position is to be in the future. At present he is an officer of the High Court, and simply holds the subordinate office of Industrial Registrar. That has, I think, been his position from the start. When I looked into his position some twelve months ago, it struck me that if the work of the Court had to be increased, we ought to think of appointing this officer straight out as the Industrial Registrar, at a salary corresponding with the great responsibilities and increased duties cast upon him. I have incidentally referred to the matter now because I have observed that on the Estimates a sum of £600 is allotted for the position. I suppose that the Attorney-General intends to at once appoint an Industrial Registrar, perhaps to attend to these duties only, whose salary and position will approximately correspond with his responsibilities. But even then he will be below the status of similar officers in the States.

Mr. BRENNAN (Batman) [8.15].—I am glad to emphasize from this side of the House what has been said by the honorable member for Angas with regard to the increased powers, and the vastly increased duties, which will, in the future, fall on the Registrar in respect of, and irrespective of, this Bill. I express the strong hope, following the lead of the honorable member for Angas, that the position will be classified, and the salary made commensurate with the work to be performed. We have the anomaly that in New South Wales the Deputy Industrial Registrar is a public officer, receiving a much larger salary than his principal at the Seat of Government, and I hope advantage will be taken of this Bill to have the salary fixed by the Governor-General in Council.

Mr. GROOM.—I think there is £600 on the Estimates for the Registrar.

Mr. BRENNAN.—There are two sums, one of £410, and another of £600, and, though I am not quite sure what the duplication means, I am afraid that the sum allotted to this officer may prove to be £410.

Clause agreed to.

Clauses 11 and 12 agreed to.

Clause 13 (Awards and orders not to be challenged).

Mr. DEAKIN (Ballarat) [8.17].—Has the Attorney-General anything further to say in regard to this clause? Does he still propose to retain it as affecting prohibition and mandamus?

Mr. HUGHES (West Sydney—Attorney-General) [8.18].—We are still standing to this proposal.

Mr. DEAKIN.—And in this form?

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Mr. HUGHES.—Yes, and in this form. Under section 31 of the Act, an effort was made to discourage litigation, and reach a conclusion as speedily as possible, making the decisions of the Court final. That, of course, has been a vain hope. I do not suppose that any Act has led to more litigation, with more decisions upset. It is clearly inseparable from the Constitution, as it now stands, that there should be this clashing of jurisdiction. We have not the power to make this Court final in the sense that the Parliament of England, the Parliament of New South Wales, or the Parliament of Victoria would have in respect of such a Court. But where we have the power to create a Court whose award shall be final, we propose to make this amendment so that neither by writ of prohibition nor by mandamus can decisions be quashed or called in question. There are two possible errors into which the Court may fall. It may fall into the error of excess of jurisdiction, owing to some limitation imposed by the Constitution, in which case nothing that we can do can help the situation—it is a fatal error. Then the Court may fall into the error of excess of statutory power, where we have not given some power we could have given if we had thought fit, or did not do all we intended to do. The Court will, of course, bring to the consideration of questions, in its jurisdiction, that judicial care that is the practice of judicial bodies; and it has to be the final Court to decide whether it has exceeded its jurisdiction, where, and only where, it is in excess of the statutory power which this Legislature could have conferred on it, but did not—and that, whether we intended to do so, and did not, or whether we did not even intend to do so, provided we had the power to do it. In the State of New South Wales, the Courts have been clothed with power to make a final decision which cannot be disturbed by any Court; and we propose to do that here, so that a decision cannot be upset on a mere technicality. Nobody here, or outside, desires eternal litigation on mere technical points. The Engine-drivers' case is one in point. If the Court had had the power to make a decision that could not be upset by any writ of prohibition, its decision would have stood despite the fact that the Statute did not confer the power on the Court to do this thing. The Court gave its decision, believing it had the power; and, therefore, since, of all the cases that have come before the Court, at least half have been upset, owing to errors created by the shortcomings of the Statute, we propose to cure these errors once for all. This is done in a fashion which will commend itself, I am sure, to every reasonable and sensible person. The Justice of the High Court who is now acting as President of the Conciliation and Arbitration Court is one of those men who would have to decide in any case how far he should go, or how far he should not go, in any particular. Behind every human system is one man: after all, there comes a point where we must say, "That is the man to decide." We may say that we will appeal to a man who sits with two or three others; but behind every system is a man. It is merely a question where we shall stop; and we propose to stop as the clause provides, believing that this will discourage litigation, and tend to the speedy settlement of differences. I say, emphatically, that this provision will make the Court extremely careful in what it does, considering that on its shoulders will rest the final settlement. For the reasons I have given, and for others that are obvious, I hope the Committee will accept the clause.

Mr. DEAKIN (Ballarat) [8.25].—Our point—which I think the Attorney-General will not see, for I feel convinced that he can—is simply that the intention which he has now announced to make the Court absolute master in its own domain always was the intention, and is the intention still. Why does the honorable member persist in framing his clause in such a way as to suggest that the idea is, not only to make the Court master in its own domain, but to make it what it can never be, the judge as to whether it has exceeded its own domain or not? Why will he not express himself in the clause in such terms as to put the meaning beyond dispute? The manner in which prohibition is aimed at, and the way in which the whole clause reads, undeniably conveys the contrary impression. The whole of this argument on the second reading turned on this one point. There was no dispute as to any of the essentials, or as to the wish to set the Court free in its own domain; and, finally, there was no denial on the part of the Attorney-General of the fact that there must be an appeal elsewhere when the Court exceeds its jurisdiction under the Constitution. Why not, then, use such terms as will leave the clause unambiguous and perfectly clear?

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Mr. HUGHES (West Sydney—Attorney-General) [8.26].—I venture to say that the matter is perfectly clear and unambiguous now. The High Court has, in this and in very many other cases, sufficiently emphasized the fact, so that any man, even if pachydermatous—even if he had an elephantine hide, twice reinforced—would have been pierced by the shafts of judicial wit long ago. But while it is perfectly true that the High Court will inquire into every case of alleged excess of jurisdiction, it can quash an award, either by writ of prohibition, or in any other way, only when that excess of jurisdiction is an excess of the constitutional limitation. If we put that in plain black and white it would—well, I do not know whether it would humiliate us, or whether the meaning is so obvious that nothing could reduce us any lower. It is perfectly clear, however, on the face of the statement I have now made, to what extent we desire to go, and obviously can go; and I think that nothing further remains to be said.

Mr. GLYNN (Angas) [8.28].—I do not think the Attorney-General is altogether correct when he says that if this amendment had been made previously in the Act, the Engine-drivers' case would never have come on—that that organization would not have been affected. That case was not brought up on a writ of prohibition, but on a case stated, which we do not touch. The only redeeming feature of the amendment appears to be that we leave the President power, on application, to submit points of law on a case stated. We are now really leaving it to the President to determine in every case, not only whether an award is to be made and is valid within the Constitution, but to make an order which is a much more extensive thing. If the President's decision is final on every point of law, so long as he proceeds, and we have proceeded, within the Constitution, he may still, if he chooses, send on doubtful points of construction, either of the Constitution or of the Act. I do not wish to object to the proposal as a matter of policy, because there is something to be said for it.

Mr. ROBERTS.—It is practically the procedure in the case of the South Australian Industrial Court.

Mr. GLYNN.—Yes, and it is the recent procedure in New South Wales; and, doubtless, the President, in similar cases to those I have indicated, will exercise his discretion.

Mr. W. H. IRVINE (Flinders) [8.30].—The Attorney-General has removed some difficulty by the distinction which he very properly drew between cases in which there is what is called an excess of statutory jurisdiction, and those in which there is an excess of constitutional jurisdiction. The first cases, as honorable members will know, are those where we have the power to make a law, but have not exercised that power to the full extent. The second is where the law, which is disputed, is challenged on the ground that this Parliament has no power to make it. With regard to the latter, I understood that the intention of the Attorney-General in introducing this Bill, and that was the conclusion I derived from his speech on the second reading, was to do away with the power of the High Court to challenge awards on any ground whatever.

Mr. ARCHIBALD.—He could not do that.

Mr. W. H. IRVINE.—He could not do that, but I understood that that was one of the objects of the measure. Now the honorable and learned gentleman points out, very properly, that, with regard to challenging awards or orders of the Court on constitutional grounds, we have no power to do that. He goes on, however, to say that this will have an effect in enlarging the power of the Court with regard to matters which the Statute we are dealing with does not give the Court, but which this Parliament could, if it chose, give the Court. I feel some considerable doubt about that, for reasons which I will state. The general principle on which the Court—not merely in certain cases in the High Court, but in a number of decisions in England—has acted, is that no statutory provision can take away the right to prohibit an inferior Court from exceeding its jurisdiction. It is very doubtful whether it admits of the distinction the Attorney-General proposes. In a recent case, Whybrow's case, known as "The Boot Case," the Court was unanimous in holding that the provision that no award of the Court should be challenged, quashed, or appealed against, or questioned on any account whatsoever, did not prevent a prohibition being granted, on the ground that the Court had exceeded its jurisdiction. I have the judgment here, and none of the Judges made any distinction between an excess of jurisdiction, so far as the constitutional power of Parliament is concerned, and an excess of jurisdiction so far as that given

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to the Court by the Statute is concerned. In all the cases the ground was the same, the question asked being, "Was there an excess of jurisdiction or not?" At page 21 of the second volume of *Commonwealth Law Reports*, it will be found that the Chief Justice pointed out that no Act of Parliament can take away from the High Court the right, by prohibition, to decide whether an inferior Federal Court had exceeded its jurisdiction. Whether that jurisdiction was exceeded by going beyond the Act, or did not exist because the Act was not within the constitutional powers of Parliament, was a distinction that was not made in the judgment. The Chief Justice said—

> Before dealing with the important question of law raised in this case I will dispose of the preliminary objection taken by Mr. Arthur that prohibition does not lie to the Commonwealth Court of Conciliation and Arbitration. The objection is based on two grounds. First, it is said that a prohibition is within the language of section 31 of the Commonwealth Conciliation and Arbitration Act 1904, which enacts that "No award of the Court shall be challenged, appealed against, reviewed, quashed, or called in question in any other Court on any account whatsoever." In *Clancy's case* (1) This Court had to deal with same point raised upon identical words in the New South Wales Industrial Arbitration Act of 1901, and we held, in accordance with a uniform line of English decisions, that such an enactment does not extend to cases in which a Court of limited jurisdiction has exceeded its jurisdiction.

A Court of limited jurisdiction might exceed its jurisdiction by going beyond the authority vested in it by a competent Parliament, or by attempting to pursue an authority purported to be vested in it by an incompetent Parliament. In each case there might be excess of jurisdiction. Mr. Justice Barton and Mr. Justice O'Connor expressed the same view in practically similar words. Mr. Justice Barton said—

> I agree that prohibition as distinct from ordinary appeal lies to this Court in respect of decisions in excess of jurisdiction pronounced by an inferior Federal Court, including the Arbitration Court.

Mr. Justice Isaacs differed in one respect in regard to the nature of the prohibition. He held that this Parliament could, by appropriate words, divest the High Court of the power to issue a prohibition in a case of that kind, but that it had not in fact done so. The majority of the Court, three Justices, held that the right of prohibition could not be taken away from the High Court with regard to any excess of jurisdiction by the Arbitration Court, or any inferior Federal Court. What were the reasons? They were twofold. First, with regard to the power that the High Court has to prohibit any Court from exercising jurisdiction in excess on the ground that the Act under which it is constituted is unconstitutional, a majority of the Court held that that was necessarily inherent in the High Court.

Mr. GROOM.—In the judicial power?

Mr. W. H. IRVINE.—Yes. Honorable members will see why. In every case where we have a twofold sovereignty divided between Federal and State Parliaments, that is to say, in every Federation, we must have a line of demarcation between the Federal and State authorities. We have two bodies to deal with, and where one trespasses upon the field of another, and does an act, it is as if it were not done. We must, in such a case, have some judicial authority to say whether it is the law or not. That is an inherent power. With regard to constitutional questions, there must, therefore, be an inherent right in the High Court, as being vested with the Federal jurisdiction of the Commonwealth, to determine that point in the long run. But the Justices went on to decide that that power is given by the Constitution, and not merely by necessary implication, but expressly, in section 75. That section of the Constitution, amongst other things, provides that—

> In all matters—
>
> . . . . . .
>
> (v) In which a writ of mandamus or prohibition or an injunction is sought against an officer of the Commonwealth,
>
> the High Court shall have original jurisdiction.

The right, therefore, to issue a prohibition to an inferior Court is a power vested in the High Court by the Constitution. Honorable members know that if this power, vested in the High Court by the Constitution, is not expressly stated by the Constitution to be subject to the power of Parliament, it is absolutely vested in the High Court, and is not subject to the power of Parliament.

Mr. WEST.—Is it not rather an anomaly that Parliament should have no power at all?

Mr. W. H. IRVINE.—Parliament has complete and unlimited power within the range of its own authority. There is nothing to control it. The High Court cannot control it. No one can control Parliament acting within the range of

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its own authority. But where it purports to act outside the range of its own authority, it does not act, and some tribunal has to determine that that is so. For that purpose, it has been held that the Constitution itself gives the High Court the right to issue a prohibition. The other question is whether that right to issue a prohibition which the Constitution gives the High Court applies to the second case referred to, where a question of excess of statutory jurisdiction arises. This point has not been expressly decided. Whilst admitting that the second proposition which the Attorney-General puts forward has not yet been the subject of any decision, there are certain reasons why I venture to express a doubt as to his proposition. It is as to whether, assuming the Act to be constitutional, but assuming that the President of the Court has gone beyond the statutory powers, this taking away of the right of prohibition will have any effect. The Attorney-General says that in such a case it will. I am not going to say that it will not, but I shall give some reasons why I think it is very doubtful indeed. In the Boot case, to which I have referred, the Judges pointed out that the Act purported to take away the right of the High Court to issue a prohibition against an order made in excess of jurisdiction by an inferior Court, but the Judges made no distinction between an excess of statutory, and an excess of constitutional jurisdiction. They based their decision upon a previous decision of the Court in Clancy's case in New South Wales. When we look at Clancy's case, we find that there was no question there of excess of legislative jurisdiction, because it was under an Act of the Parliament of New South Wales, and that Parliament had no such limits as we have. The Parliament of New South Wales had passed an Arbitration Act, had created an Arbitration Court, and had provided in just the same terms that awards or decrees of that Arbitration Court should not be called in question at all in any Court.

Mr. HUGHES.—Were the words "prohibition" and "mandamus" mentioned in the New South Wales Act? What was the date of the Clancy case?

Mr. W. H. IRVINE.—It was decided in 1904. The words of the Act were—

> A proceeding in the Court shall not be removable to any other Court by *certiorari* or otherwise, and no award or proceeding of the Court shall be vitiated by reason of any informality or want of form, or be liable to be challenged, appealed against, quashed, or called in question by any Court whatsoever.

The word "prohibition" would add nothing to that. The words of the section, as I have quoted it, are absolute, and are absolutely general.

Mr. HUGHES.—Subsequent to that the Legislature made an amendment by which prohibition, mandamus, and *certiorari* were inserted.

Mr. W. H. IRVINE.—I do not think that that provision has ever come before the Court.

Mr. HUGHES.—Not before the High Court; but it came before the Supreme Court of New South Wales.

Mr. W. H. IRVINE.—I do not know the case. The words in the Act, and in the New South Wales Act, are wide enough to cover prohibition, injunction, mandamus, or any other like procedure, the phrase "liable to be quashed" embracing every means of putting an end to a decree for which there is not jurisdiction. The question in Clancy's case was not whether those words were sufficiently wide, but whether they could give the effect intended, and take jurisdiction away from the Supreme Court. The question was not whether they did nominally take away jurisdiction, but whether they could actually do so. The High Court held that they could not, because it was not possible to take from that Court the power to determine whether the decrees of an inferior Court were in excess of jurisdiction. On page 197 of the report, it is laid down by the Chief Justice that—

> To hold in the face of these provisions that section 32 prevents the Supreme Court from checking any excess of jurisdiction would be in effect to give the inferior court unlimited jurisdiction. For this reason I have no doubt the Supreme Court had jurisdiction to grant a prohibition.

It is extremely difficult to put forward adequately on the floor of this Chamber arguments dealing with difficult legal questions; but I venture to assert that the use of the word "prohibition" will have no effect whatever if a constitutional objection is taken, and if the objection is taken that the Court has exceeded its statutory jurisdiction, the decisions in Clancy's case and the Bootmakers case also seem to make it clear that it will have no effect. The point itself has never been actually decided, but it is a pity to make it appear to the public that we are attempting to curb or limit the jurisdiction of the High Court to control inferior Courts in the exercise of their jurisdiction. We profess to give the Arbitration Court

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limited jurisdiction. Is it wise to create a Court of limited and inferior jurisdiction, and by an indirect and irregular method to, in effect, give it unlimited jurisdiction? Parliament ought to define the jurisdiction of every Court that it creates, making that jurisdiction as wide as may be necessary for the purposes of the Court. Although the jurisdiction given to the Arbitration Court is a wide one, we have imposed limits on it; but if we take away from the only Court that can review its decisions the power to do so—assuming that to be constitutionally possible—we in effect give the Arbitration Court unlimited jurisdiction. While we nominally hedge the Arbitration Court with statutory conditions and limitations, we really make it the Judge of its own jurisdiction. Is that a wise thing to do? Honorable members should certainly understand that that is the meaning of what is proposed. Either the legislation which we are now considering will have no effect, or it will have this effect: that, while we nominally impose on the Court of Arbitration certain restrictions and limitations, we say to it, "We have defined the ambit of your jurisdiction, but if you go beyond it, there is no one to question your right to do so." I think that an unwise way to legislate. However wide the jurisdiction of a Court, it should be confined within that jurisdiction. To say to a Court, "You have a certain jurisdiction, and as much more as you choose to take, because there is no one to question the exercise of your powers," is to take a course which has rarely been taken, and, in taking it, Parliament abdicates its function as a Legislature in favour of the Court which it creates.

Mr. BRENNAN.—Would not that contention apply to any law limiting the right to appeal?

Mr. W. H. IRVINE.—No; because, as I have pointed out, all laws which attempt to take away the power of the highest tribunal in the land, whatever it may be, to determine whether inferior tribunals have gone beyond their jurisdiction, have no effect. That has been held in Clancy's case, following a large number of English decisions.

Mr. ROBERTS.—The South Australian Industrial Court is final in all its decisions and orders.

Mr. W. H. IRVINE.—It is quite another thing to make the decisions of a Court final. That may be a very wise course to take, especially in regard to a tribunal like an Arbitration Court, which is not concerned with legal technicalities, and has to deal with a lot of matters which are not proper subjects of regular judicial decisions. It may be wise to say of such a Court, "We are not going to allow its decisions to be questioned, either on the ground that the Court was in error as to the facts, or that it was in error as to law." That is a different thing from saying, "We are going to allow the Court, not merely to be final in decisions within its own range of jurisdiction, but to determine what its own range of jurisdiction is, without appeal. That is the effect of what the Attorney-General proposes to do. We, on this side, cannot complain that our arguments are not listened to. Honorable gentlemen opposite extend to us that courtesy, but I am afraid that they are not prepared to go further, and our duty is done when we have pointed out these objections.

Clause agreed to.

Clause 14 agreed to.

Clause 15—

Section thirty-eight B of the Principal Act is amended by inserting after the words "industrial dispute" the words "or to the demands made by the parties in the course of the dispute."

Amendment (by Mr. HUGHES) agreed to—

That after the word "amended," line 2, the letter (*a*) be inserted.

Mr. DEAKIN (Ballarat) [8.56].—I again call the attention of the Attorney-General to the significance of the words "or to the demands made by the parties in the course of the dispute." The honorable member for Darling Downs pointed out that the phrase altogether eliminates the judicial element of the proceedings, by allowing entirely unexpected claims or demands to be made during the hearing involving heavy costs without the opportunity for full inquiry, or preparation of a complete defence, and to the embarrassment of the Court by the multiplication of unexpected issues. This objection, though stated with great clearness and force, seems to have made no impression on the Attorney-General, and I therefore feel it my duty to once more remind him how enormously this provision may add to the cost of proceedings, by protracting them, inviting decisions upon questions which ought to have been intimated from the outset, and presented with opportunity for full examination by all concerned.

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Mr. GROOM (Darling Downs) [8.58].—I should like the Attorney-General to explain the purposes underlying the clause. As a rule, if a case comes before a Court on a plaint, the issues are submitted, and the party who has to answer knows exactly the nature of the case that has to be dealt with, and the evidence that can be called. The clause is a further extension of 38B, and its effect is to provide that, after a plaint has been submitted, the Court, in making an award or order, shall not be restricted to the specific relief claimed by the parties, or to the demands made in the course of the dispute, but may include any matter or thing which it thinks necessary or expedient for the purpose of preventing or settling a dispute. How do these matters come before the Court? First of all, they come before it by virtue of the plaint, which is filed, and secondly, by virtue of a claim made during the hearing of a case while the parties are there, and the evidence can be called. We are now going a step further and declaring that the Court is not to be limited either to the demands made in the original plaint, or to those made by the parties during the hearing of a case, but that the Judge may go further and say, "I am going to decide something else which, in my opinion, is necessary to settle this dispute." What is that "something else" to be? It must be something that is going to affect the rights of the parties on one side, or the other, because it may be included in the award. It must mean either that some one is going to get less by the order of the Court, that some one is to fulfil conditions that he may not care about, or that the employer is to do something. All these matters will apply to both sides, and there is an element of danger in allowing something to be included in an award which has not been raised by the plaint or by the parties during the hearing of a case. I should like the Attorney-General to give an explanation of the particular circumstances which necessitate such a wide power being conferred. I see no objection to the Judge dealing with all the matters in a plaint, or with anything that may arise during the hearing of a dispute. For instance, additional matters may arise during a hearing, and the plaint can be amended to meet them. I believe it is right to provide for such a thing as that. We are considering this question in the same way as we should consider the powers and jurisdiction of the High Court, and want this Court to have every elasticity and power to deal with anything that may arise during a hearing. This provision, however, goes very much further, and I should like the Attorney-General to explain what hardship has arisen to necessitate it.

Mr. HUGHES (West Sydney—Attorney-General) [9.4].—It is well known that the causes of industrial disputes are not always those that lie upon the surface, and, also, that the parties to a dispute do not always understand the causes of economic disturbances. A body of men, employers or employés, might come before the Court, might state their differences, and believe that the settlement of those differences would promote industrial peace, whereas they might promote industrial war. If an intelligent impartial man, with a judicial frame of mind, listening to all the evidence, sees clearly that the parties have not touched the master-key, and that, unless it is touched, they will be at loggerheads again, is he not to have power to do anything? Is he simply to have power to patch up the trouble, and send the parties out in a way that will invite fresh disturbance? In the Broken Hill case His Honour went outside the plaint. He found it necessary to do so, and the High Court pulled him up.

Mr. GROOM.—But that was in respect of matters that arose during the hearing of the case, and with which the parties could deal. I do not object to that; it is quite right.

Mr. HUGHES.—Of course it is right, and there are cases where the Court itself sees in the course of the hearing matters that come within its jurisdiction, and ought to be settled. The President of the Court is there to settle the disputes brought before him, and to prevent the occurrence of others. I think this is perfectly fair. When we were talking about extending preference to unionists we were told that we were limiting the judicial discretion of the Judge, and rendering his office a merely quasi judicial one. What we propose now to do is to give him power to settle anything that he may think is outside the plaint, although clearly inside the dispute.

Mr. JOSEPH COOK (Parramatta) [9.7].—There ought to be some elasticity in a Court like this to settle disputes and to prevent them arising, but it occurs to me that this clause goes very much further. It gives the parties to a dispute the right to ask the Judge to legislate concerning matters as to which they may have

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been disappointed elsewhere. For instance, in an Inter-State mining dispute I take it that it would be quite competent for the President of the Court to say that an eight hours, from bank to bank, rule should apply to the industry, and be a condition necessary to the insurement of peace. In that way he could do things which a State Government has from time to time refused to do. The point is, not whether they are right or wrong, but whether the Judge ought to be given such powers as will enable him to undermine the legislation of the various States. That seems to me to be the most important aspect of the question. I agree that the Judge should have large powers and great latitude in regard to anything affecting the dispute that has to be settled, but in this provision there are no words of limitation. Under it the President of the Court is not tied up by any plaint, nor by the demands of the parties, but anything that they may choose to bring in while a dispute is in process is a subject upon which he may give a decision. This may lead to his abrogating or setting aside all the provisions of State regulative Statutes. I suggest to the Attorney-General that he is likely to come into conflict with the High Court once more over such a provision as this, although I am beginning to doubt whether he cares very much about that. All this will make an admirable argument for the honorable member and his party at the next elections, but I hope it will go on record that he did not ask the Committee to pass this provision without knowing the facts of the case. It is our duty to point them out as they occur to us, and I should strongly advise my honorable friend, if he wants this measure to stand, to place some limitation on this clause. It cannot be right that the President of the Court should have power to undermine State laws and to set them aside altogether for the purpose of making an award of this kind.

Amendment (by Mr. HUGHES) agreed to—

> That after the word "dispute," line 4, the following words be added, "and (*b*) by adding at the end of the section the words 'or of preventing further industrial disputes.'"

Clause, as amended, agreed to.

Clause 16 (Board of Reference).

Mr. GROOM (Darling Downs) [9.11].—Under this clause it is proposed, *inter alia*, to amend section 40A of the principal Act by inserting after the word "fixing" the word "determining" so that the Court by its award may assign to the Board of Reference the function of allowing the fixing, "determining," or dealing with any specified matters which under the award require to be "determined." Will the Attorney-General tell us what is his object in inserting the word "determining." Is it intended to give the Board of Reference a sort of delegated power of adjudication so as to make it a kind of Board of Decision?

Mr. HUGHES (West Sydney—Attorney-General) [9.12].—At present a Board of Reference can only be appointed by the Court. This clause enables the Court to provide for its appointment by the parties or otherwise, and the word "determining" will not confer upon these Boards any subordinate legislative powers. The Court has not those powers, and therefore cannot delegate them. The word "determining" is to be understood quite apart from the meaning attached to it in connexion with Wages Boards, where it is used as synonymous with the decision of a Judicial Court, or as meaning a statutory declaration of conditions and rates of pay in a trade.

Mr. JOSEPH COOK.—Do I understand from the Attorney-General that the Boards of Reference appointed by the Judge will have no power to make final determinations, but will only have power to make recommendations to the Judge or to carry out some instruction given by him?

Mr. HUGHES.—Certainly. That was not the point raised by the honorable member for Darling Downs. The word "determination" since the establishment of Wages Boards has attained quite a distinct meaning. The determination of a Wages Board is a kind of judgment or decision, because it has been held that Wages Boards are subordinate legislative bodies, and that within the ambit of their authority they are sovereign. They can make laws that our Legislature cannot make. These Boards of Reference cannot exercise the same power.

Mr. JOSEPH COOK.—What does "determining" mean?

Mr. HUGHES.—There may be an award, and the award of the Court is the ambit of the jurisdiction of these Boards. Under it they are able to carry out this or that.

Mr. JOSEPH COOK.—Still, there will always be a question as to what the award is. Are they to determine that?

Mr. HUGHES.—They go inside that.

Mr. JOSEPH COOK (Parramatta) [9.14].—In carrying out any part of an

award made by the President of the Court, there is nearly always certain to be a dispute as to what is the particular meaning of the award. It is in that connexion that nearly all the troubles of to-day arise. The masters interpret an award in one way and the men in another. In other words, most of the disputes arise from the "policing" of these awards and the carrying of them into effect. Is the Board of Reference the final judge in all these matters, or will there be a right of appeal from the Board back to the Judge?

Mr. HUGHES (West Sydney—Attorney-General) [9.16].—It all depends what the Board are doing. I could not say, unless I had a concrete case, whether or not there would be an appeal to the Court itself or to the Registrar. In a case where the Judge has the right to make a final decision, and does so, he may confer his power upon the Board, and in that case I do not see that there would be an appeal.

Mr. JOSEPH COOK (Parramatta) [9.17].—In that case, the honorable member is actually restricting the rights of the parties to the dispute, because now, when there is any trouble in regard to the decision of a Judge, they may always refer the matter back to the Judge, and get from him a statement of what he actually meant in the award. This is a very important point, because nothing leads to so much trouble to-day as the understanding of the awards that have been made.

Mr. HUGHES.—I could say better if the honorable member would give me one case.

Mr. JOSEPH COOK.—Supposing we had a mining dispute determined by the Judge, and the question arose as to what payments should be made for working deficient places. Would the Board have the final say as to what the Judge meant on that point? That is a case arising almost every day in the Hunter district. If the Attorney-General means that the Board of Reference shall have the final determination in these matters, he will very quickly find that he is in for trouble.

Mr. HUGHES (West Sydney—Attorney-General) [9.19].—Suppose, in a mining award, the question of payment for dirt arose, and three men were appointed on each side to determine whether the dirt ought to be paid for at certain rates. Whether or not an appeal could be made under the award of the Judge from the decision of that Board of Reference would not be material, because, whichever party would not agree to the award would have to come before the Court as the result of an application by the other party for penalties under the award. By that means the matter would come before the Court, and be determined by the President or the Registrar, as the case may be.

Clause agreed to.

Clause 17—

The Principal Act is amended by inserting, after section fifty-eight, the following section:—

"58A. An organization may, in the prescribed manner, and on compliance with the prescribed conditions, change its name."

Amendment (by Mr. HUGHES) proposed—

That the following words be added:—"and the Registrar shall thereupon record the change of name in the register and upon the certificate of registration."

Mr. GROOM (Darling Downs) [9.21].—The amendment makes it obligatory upon the Registrar to record the change of name. Should that be done. Where a union or organization is registered in a certain name, and another organization applies for the same name, has any provision been made for the Registrar to settle such a conflict?

Mr. HUGHES (West Sydney—Attorney-General) [9.23].—I do not think it is mandatory on the Registrar to register the change of name, unless the necessary conditions have been fulfilled. The "prescribed conditions" mentioned in the *clause will* provide for the point raised by the honorable member.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 18—

Section sixty of the Principal Act is amended—

(*a*) by omitting the words "appears to the Registrar," and inserting in their stead the words "appears to the Court, on the application of any organization or person interested";

. . . . . .

Amendment (by Mr. HUGHES) agreed to—

That after the word "interested" the words "or of the Registrar" be added.

Mr. W. ELLIOT JOHNSON (Lang) [9.26].—I move—

That the following words be added:—

(*aa*) by inserting the following sub-section:—

"(*cc*) that the rules or objects of a registered organization impose political conditions or include political aims or require its members to contribute to political funds; or to support political candidates; or subscribe to political newspapers."

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The object of this amendment is to serve the same purpose as the provision which was inserted in section 55 of the original Conciliation and Arbitration Act, as follows—

Any of the following associations may, on compliance with the prescribed conditions, be registered in the manner prescribed as an organization.

. . . . . .

Provided that no such organization shall be entitled to any declaration of preference by the Court when and so long as its rules or other binding decisions permit the application of its funds to political purposes, or require its members to do anything of a political character.

And further provided that no organization shall be entitled to appear before the Court to oppose an application for preference by any organization so long as its rules or other binding decisions permit the application of its funds to political purposes, or require its members to do anything of a political character.

This is, or purports to be, an industrial Bill, and takes no apparent cognizance of political organizations. There are, however, many organizations which, while ostensibly industrial, are much more political than industrial in their character. It was recognition of this fact by Mr. J. C. Watson, the ex-leader of the Labour party, and by other members of the same party, that led to the decision of the House to exclude from participation in the benefits of this particular class of legislation those organizations which had political aims, or whose funds were used for political purposes. At a later period, however, that very wise provision was knocked out of the original Act. I desire to restore it in another form, so that the Court itself may have the power to cancel the registration of an organization when it is shown that its funds are used for political purposes, that its members are required to subscribe to certain political conditions or platforms, that its aims are political, or that its members are required to sacrifice their freedom of conscience and free will, and bind themselves to support political candidates of any special colour, or to subscribe to funds for the purpose of furthering political organization, or to subscribe to newspapers which have for their object propaganda work in connexion with the party organization.

Mr. ROBERTS.—Why not add to that "or if any of its members are seen talking to Labour politicians?"

Mr. W. ELLIOT JOHNSON.—I do not propose to add anything in the nature of what the Honorary Minister suggests. I want the public in general to know it if these organizations are created, or their funds are used, for political purposes, under the guise of industrial aims. If these are political organizations they should come out into the light of day as such, and should not be made the subject of this paternal legislation. I might give a number of cases in which persons, on joining unions, were bound hand and foot to do certain things of a political character, quite irrespective of whether those things were in conformity with their political views. They bound themselves to support candidates for Parliament who might or might not hold views entirely opposite to theirs. They had to give up control over their consciences; in fact, they gave themselves body and soul into the hands of the unions.

Mr. PAGE.—What industrial organizations asked their members to do that?

Mr. W. ELLIOT JOHNSON.—I have just said that I do not want to go into such particulars, but I can do so if the honorable member desires me.

Mr. PAGE.—I should like to know.

Mr. W. ELLIOT JOHNSON.—To save time, I refer the honorable member to speeches by Mr. J. C. Watson and the honorable member for Darling. Furthermore, honorable members opposite, when the original Arbitration Bill was being considered, in the year 1904, expressed such views.

Mr. PAGE.—Is the Australian Workers Union one of those organizations?

Mr. W. ELLIOT JOHNSON.—It is one of them. The Australian Workers Union was very much in evidence on that occasion. Case after case was cited to show that this sort of thing was done, and that all kinds of practices were resorted to by certain organizations, with the concurrence of the then Leader of the Labour party, supported by other leading members of the party; as a consequence of which a clause was inserted in the Bill which afterwards became law to exclude organizations which resorted to such practices from participation in the benefits of the measure.

Mr. HUGHES (West Sydney—Attorney-General) [9.33]. — It is a source of satisfaction and pleasure to me to welcome a little effort of this sort which we had thought that circumstances had so utterly demolished beneath the relentless wheels of juggernaut that it was too flat ever to gambol round the legislative halls again. I have seen this proposal before.

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Mr. DEAKIN.—The honorable gentleman voted for it before.

Mr. HUGHES.—I regarded it then, as I regard it now, as a very ingenious, well-meant effort to knock the stuffing out of the party to which I belong. Even if the proposal were sponsored by a gentleman who had made himself very much more useful and necessary to us than the honorable member has done, I should still be inclined to do with it as we are told is done with the wicked. I cannot possibly recommend honorable members to accept the amendment. It is redolent of the Middle Ages—and of the very middle of those. It is an effort to sap the virtue of the measure before the Committee, and practically to declare that there shall be no industrial peace, so far as concerns any organization that dares to spend a penny of its money to secure industrial rights by legislative means, no matter how much the country suffers. Suppose that there were two men fighting in the street, and because they had elected to spend their money in a certain way the police were called off and told, "You must not interfere with those men, because they are outside the pale of the law." In this instance the Courts of the country are to be told, "You must not interfere with a union that is fighting for the employers if it has spent any of its money on political purposes. Let such a union kick up as much row as it pleases; we only interfere with unions that do not spend money in that way." That is what the amendment amounts to. I cannot accept it. I hope the honorable member for Lang will realize, however, that we welcome the fact that time has produced no change in him, though circumstances may have effected changes in others that make these little ebullitions unnecessary and uncalled-for.

Question—That the words proposed to be added be so added—put. The Committee divided.

Ayes	... ...	17
Noes	... ...	22
Majority	... ...	5

AYES.

Cook, Joseph	Livingston, J.
Deakin, A.	Quick, Sir John
Forrest, Sir John	Salmon, Dr. Carty
Foster, Richard	Sinclair, H.
Glynn, P. McM.	Thomson, John
Greene, W. M.	Wynne, Agar
Groom, L. E.	*Tellers:*
Hedges, W. N.	Johnson, W. Elliot
Irvine, W. H.	McWilliams, W. J.

NOES.

Archibald, W. O.	Page, J.
Cann, G.	Riley, E.
Carr, E. S.	Roberts, E. A.
Chanter, J. M.	Smith, Laird
Charlton, M.	Tudor, F. G.
Fenton, J. E.	Watkins, D.
Fisher, A.	West, J. E.
Frazer, C. E.	Wise, G. H.
Hughes, W. M.	
Jensen, J. A.	*Tellers:*
McDougall, J. K.	Brennan, F.
O'Malley, King	Finlayson, W. F.

PAIRS.

Kelly, W. H.	Spence, W. G.
Palmer, A. C.	Scullin, J. H.
Sampson, S.	Moloney, Parker
Fowler, J. M.	Ozanne, A. T.
Edwards, R.	Bamford, F. W.
Best, Sir Robert	Maloney, Dr.
Irvine, Hans	Higgs, W. G.
Fairbairn, G.	Mathews, J.
Atkinson, L.	Thomas, J.
Smith, Bruce	Brown, Thomas
Harper, R.	Hall, D. R.
Ryrie, G. de L.	Webster, W.
Fuller, G. W.	Mahon, H.

Question so resolved in the negative.

Amendment negatived.

Clause, as amended, agreed to.

Clauses 19 and 20 agreed to.

Clause 21 (Term of industrial agreement).

Mr. DEAKIN (Ballarat) [9.46].—Does this clause refer to agreements such as that now in question in the case of the wharf labourers' dispute in Sydney, or is it to introduce a new kind of agreement?

Clause agreed to.

Amendment (by Mr. HUGHES) agreed to—

That the following new clause be inserted:—

44. Section seven of the Principal Act is amended—

(*a*) by omitting the words "in any industry"; and

(*b*) by omitting the words "in that industry."

Mr. HUGHES (West Sydney—Attorney-General) [9.47].—This evening the honorable member for Moreton moved an amendment which, at my request, he was good enough to withdraw. I told him that I would look into the matter, and, if necessary, give the Committee an opportunity to amend the Act in the direction which he desired. Sub-section 1 of section 55 consists of two paragraphs, which define the kinds of organizations, and I propose to ask the Committee to amend the sub-section to read—

Any of the following associations or persons may, on compliance with the prescribed con-

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ditions, be registered in the manner prescribed as an organization :—

(*b*) Any association of employers in or in connexion with any industry, who have in the aggregate, or any employer who has, throughout the six months next preceding the application for registration, employed on an average taken per month not less than one hundred employés in that industry—

The sub-section, if so amended, will enable any individual employer who has employed 100 employés to register, independently of any other employer. It will carry out literally what the honorable member desired to do. I move—

That the following new clause be inserted :—

16A. Section 55 of the Principal Act is amended—

(*a*) by inserting in sub-section one after the words "following associations" the words "or persons"; and

(*b*) by inserting in paragraph *a* of sub-section 1 after the word "aggregate" the words "or any employer who has."

Proposed new clause agreed to.

Mr. GREENE (Richmond) [9.50].—I move—

That the following new clause be inserted :—

21A. After section 91 of the Principal Act the following section is inserted :—

"A member of the Commonwealth or of any State Parliament shall not be an office-bearer in any organization under the Act."

Mr. FINLAYSON.—That will cut both ways.

Mr. GREENE.—Undoubtedly it will. Not only is it desirable, I think, in the public interest, that this amendment should be made; but I believe it is becoming more and more the general desire of the unions themselves that members of Parliament should not hold positions of this description. Only so recently as yesterday a very large number of officers in the United Labourers Union, including Senators Buzacott and Needham, of Western Australia, assembled in Melbourne from all parts of the Commonwealth. At this conference to bring about an amalgamation of the United Labourers Unions, a number of motions were moved and carried, of which one was : "The exclusion of members of any Parliament from holding office in the amalgamation."

Mr. FINLAYSON.—Do you agree to any of the other resolutions?

Mr. GREENE.—I have not studied the other resolutions, and therefore I cannot answer the question offhand, though no doubt I do agree to a number of them. To the one I have quoted I do agree, because I think it is in the public interest that, when disputes crop up or strikes come about, the holding of offices in unions puts members of Parliament in a false position. Notwithstanding the Attorney-General's denial in the House that the agreement between the Wharf Labourers Union and the ship-owners is unregistered in the Federal Arbitration Court, I find that it has been registered.

Mr. MCWILLIAMS.—He knows well enough that it has been registered.

Mr. HUGHES.—I do not know of it. When was it registered?

Mr. GREENE.—I believe it was registered on the 5th of this month.

Mr. MCWILLIAMS.—No.

Mr. GREENE.—I am not quite sure of the date when it was registered.

Mr. HUGHES.—I am not going to contradict the honorable member; but I think that he should be rather careful in what he says. I do not know that the agreement has been registered.

Mr. MCWILLIAMS.—It was registered on Friday last, and the Attorney-General knows that it was.

Mr. GREENE.—At all events, the agreement has been registered; and, inasmuch as it covers the whole of the States, and binds the union and the employers all over the Commonwealth to prevent a breach of the award by either a single union or a single employer, it is very doubtful whether the dispute is not distinctly under the control of this Parliament.

Mr. LAIRD SMITH.—It has not extended beyond the limits of any one State.

Mr. GREENE.—It does not matter whether the dispute is confined to any one State or not. It is a breach of an agreement which applies all over the Commonwealth. The Attorney-General is, as every one knows, a President of a Wharf Labourers Union. I think that there is no doubt that a breach of the agreement has been made.

Mr. TUDOR.—When was the agreement registered?

Mr. GREENE.—It was registered last week, I believe.

Mr. TUDOR.—The dispute was not started then.

Mr. GREENE.—Nevertheless, a dispute is in existence, and the fact that it was not started last week does not, I think, make the slightest difference. In the circumstances, the Attorney-General's position is most invidious, and, I believe, distinctly against the public interest. I think that,

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if a provision of this kind were inserted in the Act, it would impose no hardship upon anybody, and certainly prevent such a state of things cropping up again as we have to-day. I feel sure that it would make generally for greater public confidence than exists at present. As has been pointed out, the amendment would cut both ways. If we had an Attorney-General who was the president or secretary of an Employers Federation, his position would be as invidious as that of the present Attorney-General. That is a thing which should not happen, because, in my opinion, it is distinctly against the public interest. I believe that my proposal will meet with the approval of many supporters of the Government.

Mr. HUGHES (West Sydney—Attorney-General) [9.57].—This afternoon the honorable member for Richmond asked me whether the agreement to which he referred had been registered, and I told him that it had not been. I certainly was under that impression; but it appears, from what I have just been told, that the agreement was registered on Friday last. I have not been so informed except by honorable members on the other side. The honorable member for Richmond must take my word that I thought that the agreement was not registered.

Mr. BRENNAN.—It must be registered within thirty days.

Mr. McWILLIAMS.—It has been published in all the newspapers that the agreement has been registered.

Mr. HUGHES.—In regard to the agreement, I, and those associated with me, all of whom but one or two are members of Parliament, have done all that men could do to induce this branch of the Federation to stand honorably by the award. I have not hesitated to say publicly in a newspaper which circulates in Sydney, as well as elsewhere, that I thought the basis of our industrial evolution must be the honorable observance of agreements; and I say so now. I assure honorable members that whether the agreement was registered or not would not affect the jurisdiction so far as concerns the Courts having power now to do anything with the men, excepting under section 16A. The honorable member says that it is not in the public interest for members of Parliament, either of State or Commonwealth, to be office bearers in any organization under the Act. All I have to say is that the honorable member does not seem to realize that our organization—I am speaking now of the Labour party—is so inseparably entwined with the various industrial organizations all over the country. that, in effect, he says that no member of an industrial organization shall enter Parliament, or, if he does, his counsel, advice, and assistance shall be no longer at the disposal of the organization to which, perhaps, he owes his political existence, or to which, at any rate, he has devoted the better portion of his life. Men on this side may be mistaken, and no doubt they, like all of us, occasionally are. I am perfectly sure, however—and I have had some experience of the matter—that strikes are not fomented by members of Parliament, or men who believe in our organization, as we practise and preach it here, but by men, in very many cases, so widely differing from the views that we advocate that there is nothing, not even a similarity of sound, between us. I do not hesitate to say that some of our most virulent and unrelenting opponents in political life are men that the honorable member, apparently, would rather place at the head of associations than ourselves. For my part, I have been associated with this organization since its inception—I found them unorganized, and I organized them—and I say that no man has ever lost a day's work through me. I am unable to accept the amendment of the honorable member. I should not have spoken in this strain but that the honorable member's contradiction of what I said this afternoon made it necessary for me to explain precisely the conditions under which I spoke. I do not know that I am called upon to say any more, except to assure the honorable member, this Committee, and the country, that my opinion, and the opinion of those associated with me on the Council, is, and always has been, that an honorable agreement ought to be observed.

Mr. LAIRD SMITH (Denison) [10.5].—It was not my intention to speak on this Bill, because I desire to see it passed as speedily as possible. But the amendment proposed by the honorable member for Richmond is such as to compel me to say something, as I happen to be the representative of the Waterside Workers of Tasmania. What happened when this unfortunate strike came about? We immediately met together, and consulted with the President of the organization—a man who has done more for industrial peace in Australia than any honorable member opposite, any other member of Parliament, or any individual unionist throughout the continent. The

power that that gentleman wields in the union and in conference is beyond measure; and that power is always used with the one object of securing industrial peace, with honour and to the welfare of all concerned. What did I do in compliance with the views of the Attorney-General? I went to Tasmania, and in Hobart I saw the president of the union and at Launceston the secretary of the Launceston branch; and I venture to say that I did something towards preventing the strike extending into that State. The men there, I hope, have every confidence in me, as the men, as a whole, have confidence in the Attorney-General. Is that not doing something for industrial peace? This is drawn from me; I had no intention of saying it, but when I hear honorable members opposite talking about members of Parliament bringing about strikes, and so forth, I feel compelled to defend myself. I, like the Attorney-General, desire industrial peace; and we have entered, on behalf of the unions, into an honorable agreement which, as we had no hesitation in telling them, ought to be kept. The influence we were able to bring to bear, I trust, prevented the strike extending throughout the length and breadth of Australia. Is that not worth the attention of honorable members who pretend, or say, that they desire industrial peace. If the honorable member for Richmond is sincere he ought to withdraw this amendment, which is an insult to members of Parliament who use their brains outside this House in their efforts to bring about a better state of affairs in the industrial world. Honorable members will admit that the experience and education we gain here—some, I admit, from honorable members opposite—make us better able to deal with those who represent the organized capital of Australia. We hear nothing from honorable members opposite about this organized capital, although they are continually admitting to us that capital is organized, and will be withdrawn if we do certain things, notwithstanding that such withdrawal would paralyze industry in Australia. If there is justification for organizing capital, and withdrawing it under certain circumstances, surely the employés, and those who are associated with them, are justified in meeting together and deciding whether they shall enter into an agreement which may or may not prevent a strike. If members of Parliament can assist in this work why should they not do so? The agreement referred to was brought about by the ship-owners' representatives meeting the workers' representatives across a table; and during the whole six weeks of the negotiations not an unkind word was spoken. The result was an agreement unanimously accepted by the unions I represent and satisfactory to the ship-owners. Is that not good for the country? I hope that, under this Bill we shall, at no far distant date, be able to settle all industrial disputes at the conciliatory table.

Mr. HEDGES.—That is not the Arbitration Court.

Mr. LAIRD SMITH.—The Court is invaluable, because, if we, or the employers, ask for too much, an appeal can be made; and when we know that there is that final tribunal both sides are careful. The amendment is one that will be disastrous, not only to the trade unions, but to those who represent the organizations of the capitalists.

Mr. GLYNN (Angas) [10.11].—I do not wish to say anything about the direct object of the amendment, because it appears to me to be a matter for the discretion of honorable members, rather than for parliamentary prohibition. I understand, however, that the industrial agreement referred to to-day is registered; and I incidentally call attention to the definition of "industrial matters" which includes any claim arising out of an industrial agreement, and also the definition of "industrial disputes" which includes any dispute as regards industrial matters. It might, therefore, seem that a dispute as to a claim under an industrial agreement is a dispute within the meaning of the Constitution. If, for instance, one side demands performance by the other it may be that there is an industrial dispute within the meaning of the Act; and if there is, then section 6 of the Act comes into force, and says that no strike shall take place. I shall say no more, because there may be two interpretations, but as the Federal jurisdiction has been spoken about, I thought it better to call attention to these definitions. If one of the obligations of the agreement is to perform work at a certain rate; and if there is a dispute as to that, it seems possible there may be jurisdiction.

Proposed new clause negatived.

Title agreed to.

Bill reported with amendments; report, by leave, adopted.

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LIGHTHOUSES BILL.

Motion (by Mr. TUDOR) proposed—

That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 3 and 7 and for the consideration of proposed new clause 8B.

Mr. JOSEPH COOK (Parramatta) [10.15].—I should like to know what object the Minister has in moving the recommittal of this Bill at this time of the night, when honorable members on this side who are interested in the subject, have gone home in the expectation that no further business would be done. It is now past the usual time for adjourning on a Tuesday night, and it is most unfair that without notice to anybody the Minister should move the House into Committee again to take up new business.

Mr. TUDOR.—One of the amendments is being brought in at the suggestion of the honorable member for Swan.

Mr. JOSEPH COOK.—That does not make the attitude of the honorable member any better. I am sure that the honorable member for Swan would have had the courtesy, if he were in the Minister's place, to have explained what the Committee was to be asked to do.

Mr. TUDOR.—The House never adjourned at this hour on a Tuesday night during the whole of the time the honorable gentleman was in office.

Mr. JOSEPH COOK.—The honorable gentleman is quite wrong. He is too reckless for a responsible Minister, and if he will permit me to say so, he is also too perky. He ought not to mind what we did, as we have paid the penalty for it. I never knew a more ungenerous lot of individuals than the members of the present Government. Ever since they have been in possession of the pay and privileges of power they have been gibing at the men who, for the time being, are politically down. I say that that is un-British and ungenerous. However, it is the way of the Minister of Trade and Customs.

Mr. SPEAKER.—Order! The honorable member is not discussing the question.

Mr. JOSEPH COOK.—It all comes of these unruly interjections, and Ministers should set us a better example. The Minister is not treating honorable members fairly. We should have had notice that the Government proposed to take this business after the usual closing time. To say nothing else of it, it is political sweating to ask us to work these hours without any provision for overtime payment.

Mr. TUDOR.—There is nothing in this.

Mr. JOSEPH COOK.—If so, we could deal with the matter in five minutes tomorrow. I should like to have some explanation from the Minister as to why he makes this proposal at this hour of the night.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.20].—When the Bill was previously being considered in Committee an amendment was inserted in clause 7 to give power to construct submarine signal stations. When this was brought under the notice of the Attorney-General's Department it was found that the matter might be more appropriately dealt with in the interpretation clause. In the circumstances, it is considered advisable to omit paragraph *d* of clause 7, and to deal with the matter in clause 3, the interpretation clause. That is the reason why it is proposed that these two clauses should be reconsidered. On two previous occasions when the Bill was under consideration, the honorable member for Swan expressed a fear that under the Bill the Government might be liable, in case of an accident occurring to a ship because of a light going out. At the honorable gentleman's suggestion a clause has been drafted to deal with that matter, and I desire the recommittal of the Bill to propose its insertion.

Question resolved in the affirmative.

In Committee: (Recommittal).

Clause 3—

In this Act, unless the contrary intention appears—

. . . . . .

"Marine marks" includes lightships, beacons, and buoys.

Amendment (by Mr. TUDOR) proposed—

That the word "and," line 4, be left out.

Mr. JOSEPH COOK (Parramatta) [10.23].—Would the Minister kindly condescend to explain what the amendment means? Honorable members are ignorant of what he is proposing to do, and he has told us nothing about it.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.24].—I have already stated the reason for the amendment. Paragraph (*d*) of clause 7 reads—

(*d*) construct submarine signal stations.

It has been considered by the Attorney-General's Department that this should be omitted from clause 7, and the matter dealt with in the interpretation clause. That is the reason for the proposed alteration. It will be seen that under clause 3, "marine marks," includes—

"lightships, beacons, and buoys."

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It is proposed now to strike out the word "and" before the word "buoys," and to insert after the word "buoys" the words "and submarine signal stations," so that a submarine signal station will be deemed to be a marine mark.

Amendment agreed to.

Amendment (by Mr. TUDOR) agreed to—

That after the word "buoys" the words "and submarine signal stations" be inserted.

Clause, as amended, agreed to.

Clause 7—

The Minister may—

. . . . . .

(*d*) construct submarine signal stations.

Amendment (by Mr. TUDOR) agreed to—

That the words "(*d*) construct submarine signal stations" be left out.

Clause, as amended, agreed to.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.26].—I move—

That the following new clause be inserted to follow clause 8 (A) :—

8 (B) An action or other proceeding shall not be maintainable against the Commonwealth, or the Minister, or any officer of the Commonwealth by reason of any act default error or omission, whether negligent or otherwise, in relation to any lighthouse or marine mark."

The honorable member for Swan, in discussing this Bill, pointed out that, as a result of some inadvertence in connexion with legislation on the subject in Western Australia, the State Government were called upon to pay damages because of an accident to a lighthouse or marine mark. In the circumstances, he considered it advisable that we should insert in this Bill a clause, similar to a section appearing in the Post and Telegraph Act, relieving the Government of any liability because of any default in connexion with a lighthouse or marine mark. The honorable gentleman was so persistent in the matter that I brought it before the Cabinet, and as it was held that there were reasonable grounds for his contention, this clause to deal with the matter is submitted.

Mr. GLYNN (Angas) [10.28].—I think that this clause goes a little further than the honorable member for Swan suggested. What was really in mind, I think, was that no claim should arise from the fact that a light or marine mark was deceptive.

Mr. TUDOR.—These words are in a section of the Post and Telegraph Act.

Mr. GLYNN.—I do not think that the honorable member for Swan intended to go so far.

Sir JOHN FORREST.—Yes; I copied the words from the Post and Telegraph Act.

Mr. GLYNN.—We are dealing with a different matter here. A marine mark might be so placed as to lead to an accident, and though it might not be deceptive as a mark in the way the honorable member for Swan, I think, had in mind, it is proposed here to declare that the Government will be under no responsibility for damage. Perhaps the matter is not of very much consequence, since it would be very seldom that a case of the kind would occur.

Mr. ARCHIBALD (Hindmarsh) [10.30].—I think the Government ought to give us some further information on a matter of this kind. I should like to know what is the law on the subject in the Old Country.

Sir JOHN FORREST.—The Government is not liable, I think.

Mr. ARCHIBALD.—We should know that. In legislating regarding lighthouses, beacons, and buoys, we must remember that any neglect on the part of those whose duty it is to attend to lights, or to the placing of beacons, may bring death to persons at sea, and everything should be done to prevent negligence. What would be the effect if the Government were not liable for negligence? Of course, if we are following the recognised maritime law of the world, I have no objection to the clause, but it is not sufficient to be told that the clause adopts a provision of a Western Australian Act.

Proposed new clause agreed to.

Bill reported with further amendments; report, by leave, adopted.

ADJOURNMENT.

ORDER OF BUSINESS.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer).—I move—

That the House do now adjourn.

The first business to-morrow will be the third reading of the two Bills dealt with to-night; then will come the formal introduction of the Commonwealth Bank Bill, and, following it, the consideration of the Works Estimates, in order that they be sent to the Senate. After that the Budget debate will be continued. The suggestion is that members should deal with items in considering the Works Estimates, and with the policy of the Government in the subsequent debate.

Question resolved in the affirmative.

House adjourned at 10.35 p.m.

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Senate.

Wednesday, 1 November, 1911.

The PRESIDENT took the chair at 3 p.m., and read prayers.

PETHERICK COLLECTION BILL.

Assent reported.

PAPERS.

MINISTERS laid upon the table the following papers:—

Papua—Ordinances of 1911—
(1) No. 17.—Animals Prohibition and Restriction.
(2) No. 23.—Supply (No. 1) 1911-12.

Representation Act 1905—Certificate of the Chief Electoral Officer as to the numbers of the people of the Commonwealth and of the several States.

Representation Act 1905—Determination by the Chief Electoral Officer of the Representation of the States in the House of Representatives.

Customs Act 1901-1910.—Regulation relating to the Maximum Weight of Packages of Wheat, &c., for Inter-State Transfer.—Statutory Rules 1911, No. 168.

OVERSEA FRUIT SPACE.

Senator READY asked the Minister representing the Minister of Trade and Customs, *upon notice*—

Will the Minister for Customs lay on the table of the Library correspondence with his Department relating to the control of oversea fruit space by the Federal Government?

Senator FINDLEY.—The answer to the question is "Yes."

MR. P. V. GUERIN.

Senator CHATAWAY asked the Minister representing the Minister of Trade and Customs, *upon notice*—

1. Was Mr. P. V. Guerin registered for temporary employment as an excise officer on or about 10th March, 1911?
2. Did the Department notify him in October that he was ineligible for employment?
3. If so, was it on account of age, or because he was not a unionist?
4. If because of age, why did the Department not notify him earlier?
5. If because he was not a unionist, what opportunity did the Department give him to become one?

Senator FINDLEY.—The answers to the questions are—

1. Mr. P. V. Guerin was registered for temporary employment on 1st March, 1911.
2. Yes.
3. It was on account of his age. He is 67½ years old.
4. All applicants are registered in order of seniority of application in the office of the Public Service Inspector, where reference is made by Departments when temporary officers are required. Mr. Guerin's name was not considered for employment by the Customs until October, when his name was one of the senior on the list. Inquiries then showed his age precluded his employment as a mill officer, and he was informed accordingly.
5. *Vide* reply to 4.

PAPUA.

Senator DE LARGIE asked the Minister representing the Minister of External Affairs, *upon notice*—

1. Has the official that accompanied the party of Federal members to Papua furnished the Department of External Affairs with a report of the visit?
2. If not, is it the intention of the Minister to ask for a report?

Senator McGREGOR.—The answer to each question is "No."

TELEGRAPHISTS: ALLOWANCE.

Senator KEATING asked the Minister representing the Postmaster-General, *upon notice*—

1. If all telegraphists in Tasmania who, in the performance of their work, use privately-owned typewriting machines, obtain the authorized allowance therefor?
2. If not, why some do and others do not receive such allowance?

Senator FINDLEY.—The Deputy Postmaster-General, Hobart, has furnished the following information:—

1. No.
2. In cases where such allowances have not been authorized the business of the Department does not warrant the use of the machines.

ELECTORAL BILL.

SECOND READING.

Debate resumed from 27th October (*vide* page 1946), on motion by Senator PEARCE—

That this Bill be now read a second time.

Upon which Senator ST. LEDGER had moved—

That all the words after the word "That" be left out, with a view to insert in lieu thereof the following words:—"in the opinion of the Senate the public interest calls for increase rather than the curtailment of voting facilities, and that in particular the system of voting by post should not be abolished, but should be extended under proper safeguards, and simplified."

Senator MILLEN (New South Wales) [3.7].—In ordinary circumstances——

Senator GIVENS.—A three-hours' go will not satisfy you.

Senator MILLEN.—I might have felt called upon to apologize to the Senate for again intruding into the debate, but I venture to say that even Senator Givens, when he hears the purpose for which I have risen, will think that my conduct is amply justified. Senator Findley, in reply to my remarks, laid particular stress on what he alleged were the facts which induced him, and presumably the Government, to regard postal voting as a danger. In order that I may not do him an injustice, I shall quote what he said as recorded in *Hansard*—

> **The result of one election for Melbourne was in favour of a certain gentleman who died some time ago in the Old Country, but when the seat was again contested it was won by the previously unsuccessful candidate, mainly because of the undue influence exercised under the postal voting system at the first election.**
>
> . . . . . .
>
> **At the first election a considerable number of votes were recorded by post, and at the second election there was a very considerable diminution in the number of votes so recorded.**

We have here speaking the responsible Minister in charge of this Bill, the object of which is to make a substantial alteration in our electoral system. We have a right to expect that when a Minister makes a statement of fact in a matter so easy of verification it shall be at least reasonably accurate. It is an obligation on every senator to make himself acquainted with the facts which he presents to the Senate, but that obligation is doubled when a Minister is speaking. I direct attention to the figures for the election, and I do not propose to do more than to quote from the official report presented by the Divisional Returning Officer for the electorate. On the first page of the report the following statement appears—

> **The postal votes also exceed those recorded on the last occasion by 168.**

Here is a flat contradiction of the statement of the Minister, that the result of the election had been turned from the success of Sir M. McEacharn at the first election to the success of Dr. Maloney at the second by reason of the diminution in the number of postal votes recorded. The official figures show that there was an increase of 168 in the number. Let us go a little further into the figures, and also the report on the election, and we shall have no difficulty in seeing what was one material contributing factor to the totals shown in the two contests. Dr. Maloney scored 8,667 votes against Sir M. McEacharn's 7,808 votes. Of the postal votes at this contest the latter received 603, and the former 197. I do not want any reference to the figures to confuse, or, at any rate, to cause the Senate or the Minister, or, I hope, persons outside these walls, to forget that on a simple matter, capable of being verified by reference to the records, the facts contradict what the Minister, in all solemnity, asked us to accept.

Senator FINDLEY.—I do not think so.

Senator MILLEN.—If the Minister will assure me that this is not an official document, but a forgery, or that I am misreading it, I shall resume my seat at once. Otherwise the Senate has a right to complain that he presented as an official fact that which is shown to be wrong, and presented it as one of the arguments in support of the Bill.

Senator GIVENS.—From what volume is the honorable senator quoting?

Senator MILLEN.—I am quoting from the second volume of the parliamentary papers for the session 1904.

Senator FINDLEY.—I was asked for proof, and, believing myself to be correct, said that at the election contested in Melbourne there was a number of votes recorded by post which should not have been recorded, but that is not what moved the Government.

Senator MILLEN.—I frankly accept the Minister's statement that that is not the reason moving the Government. I have never said that it was. He knows quite well what I have alleged as the reason which moved the Government, but that is the reason which he gave.

Senator FINDLEY.—I admit that in quoting the figures I made a mistake as to the year.

Senator MILLEN.—That is my point. In his speech, the Minister does not say that he spoke on the spur of the moment. He came down to reply to a speech which I had made some days before. With the staff at his disposal, he had had ample opportunity to verify the facts on which he proposed to rest his case.

Senator FINDLEY.—The honorable senator will admit that it was in reply to an interjection by Senator St. Ledger that I made the statement.

Senator ST. LEDGER.—What was my interjection?

Senator MILLEN.—The Minister, supported by the assistance which officials could give him, did not offer this statement as an opinion, but as proof.

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Senator PEARCE.—Senator Findley has stated that he made an error.

Senator MILLEN.—Quite so; but we would not have heard anything about the error if it had not been detected. There is an obligation on the Minister to familiarize himself with facts. He has nothing to do but to ask an official to look up a matter, if he is too busy to deal with it himself.

Senator FINDLEY.—The question was asked by way of interjection, and that is the reply which I gave, believing at the time that it was right.

Senator MILLEN.—I do not suggest for a moment that Senator Findley, hardened as he may be in political warfare, would get up here and tell a deliberate untruth. The point I am pressing is that there is an obligation on every senator, and doubly so on a Minister, to verify a fact before he offers it for acceptance here. If the Minister wants to know what was the big determining factor at the election in question, and he will look further down the report, he will find, under the head of "Form Q, section 139," the following statement:—

When it is taken into consideration that the Division of Melbourne is entirely a city division the number of "Q" forms, viz., 198, is large.

This system of voting appeared to be abused, as the polling places were all in close proximity to each other, and it seems to me that the privilege was never intended to apply to those electors living within easy access by tram or other means of rapid conveyance to the polling places for which they are enrolled. I do not think this privilege should be allowed to be used unless the elector is at least 3 miles distant from the booth for which he is enrolled.

Let me remind honorable senators that the very basis of our present system, when it was proposed here, was, that as we were to an extent making the method of voting lax, it was necessary to localize electors to the polling booth in the neighbourhood of which they lived. It was the only check which was offered, and it was stated that as a man would have to vote in his own locality, being known he would not be likely to attempt to impersonate. But here is a case where official attention was drawn to the fact that the facilities provided for another set of circumstances were being abused. Why? The Minister is looking for the reason why the decision of one month was altered in the next. Let him look into the number of those who voted on "Q" forms at polling places other than their own, and he will get a key to an impression which at any rate determined the flow of votes on that occasion. It does seem strange that the Minister, desiring only to insure the purity of our electoral methods, seeks to destroy the facilities accorded by postal voting, and at the same time is blind, deaf, and dumb regarding an abuse to which an official has drawn attention.

Senator MCGREGOR.—There was no illegality under the "Form Q" vote.

Senator MILLEN.—There was no illegality about the postal voting.

Senator MCGREGOR.—Yes, there was.

Senator MILLEN.—It is curious that this officer did not draw attention to it, but did draw attention to the abnormal number of persons who voted at polling booths other than their own. Any one who is experienced in electoral matters must know that the great door through which fraud can enter is the absent voting provision. Yet, whilst attention was directed here to the great danger of allowing persons to vote outside their immediate neighbourhood, or allowing other persons to vote for them, Ministers are in no sense concerned about restricting that facility; but they concentrate their attention upon postal voting, against which, hitherto, no official has reported.

Senator GIVENS.—In one case in Queensland the very people in the cemeteries voted!

Senator MILLEN.—Was the honorable senator there?

Senator GIVENS.—I was not.

Senator MILLEN.—If the honorable senator had been there, I could have understood the activity in the cemeteries. I should now like to deal with another argument on this point, brought forward by Senator Findley. He seemed to regard it as an argument against postal voting that that system had been more largely used in Victoria, which is a thickly-settled State, than in States where settlement is more widely dispersed. That was one of the most extraordinary arguments I have ever listened to.

Senator PEARCE.—There are more sick people in Victoria than in other States, I suppose.

Senator MILLEN.—It is not merely a question of affording facilities for sick people.

Senator PEARCE.—But the honorable senator's supporters made a special point about the sick people.

Senator MILLEN.—The honorable senator does not seem to be able to regard this

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matter from the point of view of more than one set of persons. The reason for the state of things described by Senator Findley is obvious. Just as the facilities for voting at the ballot-box in closely-settled States are greater than in the more sparsely-settled States, so the facilities for obtaining postal votes and securing the necessary witnesses are greater.

Senator PEARCE.—Undoubtedly.

Senator MILLEN.—If the increased number of postal votes in Victoria, as compared with other States, were an argument for the abolition of postal voting, the increased number of ordinary votes in proportion to population would equally be an argument against ordinary voting.

Senator PEARCE.—Where is the necessity?

Senator MILLEN.—I do not say that the necessity was greater.

Senator PEARCE.—Of course the honorable senator does not.

Senator FINDLEY.—I thought the honorable senator argued that it was an especial hardship to abolish postal voting in big areas, where the population is scanty?

Senator MILLEN.—So it is. The hardship is great in such cases. Honorable senators opposite seem to think that, in regard to postal voting, there is nothing else to do than simply drop a piece of paper into the post. As a matter of fact, there is a great deal to do before that takes place. There were thousands of electors in the sparsely-settled portions of New South Wales, Queensland, South Australia, and Western Australia, who could not get witnesses to sign their applications for postal votes. In Victoria, however, it was different. The very fact that this is a closely-settled State means that witnesses are more easily obtained than in the wide areas to which I have referred.

Senator PEARCE.—No one ever denied that.

Senator MILLEN.—That is one explanation why postal voting was more largely availed of in Victoria than elsewhere.

Senator PEARCE.—Where is the necessity?

Senator MILLEN.—The Minister seems to think it a good argument to say that, if I find it impossible to go to a polling booth because I live 20 miles away from one, I am helped in my difficulty because there is some other man who lives 50 miles away from a polling booth. But that is nonsense.

Senator PEARCE.—Necessity has everything to do with it.

Senator MILLEN.—And necessity has influenced the application for postal votes in Victoria, just as in other States. The facilities for postal voting, however, were greater in this State than elsewhere.

Senator PEARCE.—No one denies that.

Senator MILLEN.—The Minister says then—for this is what his argument amounts to—that, though the law gave people opportunities for voting by post the moment they attempted to use these facilities, a case arose for depriving them of their privilege.

Senator GIVENS.—Suppose they used the facilities improperly?

Senator MILLEN.—There is no evidence that anything of the kind occurred. In not one single instance has there been a definite statement made by any honorable senator opposite to show that there has been any abuse in connexion with postal voting. Moreover, the postal voting system has never been alleged by any official to have been improperly used.

Senator BARKER.—Because they would have no official knowledge of the abuses.

Senator MILLEN.—If the officials whose business it is to know are not in possession of information which would enable them to make a charge against the postal voting system, how is it that every honorable senator opposite pretends to be in possession of such information?

Senator BARKER.—Personally I know, as a justice of the peace, that there was abuse in the particular electorate to which reference has been made. I could give the evidence.

Senator MILLEN.—Was the honorable senator a party to it?

Senator BARKER.—I was a party to it.

Senator MILLEN.—Now we begin to understand why honorable senators opposite are so confident that fraud has been committed. The honorable senator admits that he was a party to it.

Senator BARKER.—No; a party to the knowledge of it.

Senator MILLEN.—I do not dispute what Senator Barker says, that he was one of those who manipulated this thing, but this is the first time I have been brought face to face with a man who made such an admission.

Senator BARKER.—What I said was that I had personal knowledge that the system was abused.

Senator MILLEN.—That is like the rest of the statements made by honorable senators opposite. They tell us that abuses exist, but they give us no evidence of them.

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Senator BARKER.—I can give the evidence.

Senator MILLEN.—Then why did not the honorable senator place that evidence in the hands of those whose business it was to initiate a prosecution?

Senator BARKER.—I did; but was told that it was not sufficient.

Senator MILLEN.—Then it was no proof. Dealing with these figures as to Victoria again, I point out that Senator Findley's argument was that, because postal voting was more largely used in Victoria than elsewhere, therefore the system was abused. But the voting by the ordinary method in Victoria was, in proportion to population, in excess of the voting in other States. Is that also a proof of abuse? Again, I point out that the reason for the heavier vote in Victoria is that facilities are greater in this State than elsewhere. Moreover, facilities for travelling in this State enable people to be better organized.

Senator PEARCE.—Hear, hear—better organized!

Senator MILLEN.—The Minister of Defence may regard party organization with disfavour, if he chooses to do so; but we know perfectly well that the time has passed altogether when there can be an unorganized, and, at the same time, successful election. It is idle to attempt to deceive the people outside by pretending that superiority of organization is an argument against this system. The fact that there was a larger vote in Victoria was simply another proof that there was better organization, keener interest in the election, and greater facilities for recording votes. Turning again to the Melbourne election, to which reference has been made, I should like to make another comment upon the actual figures. Here, I venture to say, we shall find the reason why this Bill has been introduced. On the occasion in question, Dr. Maloney polled 197 postal votes, and Sir Malcolm McEachern polled 603. There is the one simple reason which I can discover why the Government are seeking to abolish postal voting.

Senator W. RUSSELL.—In South Australia, the post-office stamp was used by people who had no connexion with the post-office. That is proof enough.

Senator MILLEN.—That is not proof at all. A mere statement is not proof.

Senator W. RUSSELL.—But it was proven.

Senator MILLEN.—I do not know anything about the case to which the honorable senator refers.

Senator W. RUSSELL.—I can tell the honorable senator.

Senator MILLEN.—Senator W. Russell is making a statement with which it is impossible for me to deal. If he means to say that there are in the post-office men who are capable of being used for corrupt purposes, while I may regret the fact, I can only say that, unfortunately, in all large collections of people, you will find some cases of that kind.

Senator W. RUSSELL.—This happened to be a woman.

Senator MILLEN.—There is no law which we can pass which will guard against a certain percentage of persons doing wrong.

Senator McGREGOR.—The poor woman did not think she was doing wrong. She was hoodwinked.

Senator MILLEN.—The same remark applies to voting at the ballot-box in the ordinary way. Probably all honorable senators know of instances in which officials have not done all that they ought to have done.

Senator W. RUSSELL.—There was corruption in this case.

Senator MILLEN.—There is also a certain amount of corruption in regard to the ordinary method of voting. But is the honorable senator prepared, because officials in some cases—according to him—act corruptly, to propose the abolition of the ordinary method of voting?

Senator W. RUSSELL.—I made the statement because I was challenged.

Senator MILLEN.—That is the logic of the honorable senator's interjection—that we should abolish postal voting because a postal official acted corruptly. The honorable senator should also propose, then, the abolition of the ordinary method of voting, because occasionally corruption occurs in connexion with it. He should propose to abolish everything in connexion with which corruption may creep in. The answer to that is that, because some people act corruptly, either in connexion with postal voting, or anything else, that is no reason why we should abolish a useful system. Instead of abolishing postal voting, we should endeavour to stop up every loophole by which corruption can creep in.

Senator W. RUSSELL.—We want to have secrecy of the ballot, and purity at the same time.

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Senator MILLEN.—What the honorable senator wants is to create facilities which, while enabling those who favour his party to vote, will act as a prohibition against his political opponents.

Senator FINDLEY (Victoria) [3.31].—I wish to say a word or two in reply to some of the remarks of the Leader of the Opposition. It is true that I made a slight error in my statement with regard to the number of postal votes recorded at a certain election for the city of Melbourne.

Senator MILLEN.—Does the honorable senator seriously call it a "slight error"?

Senator FINDLEY.—I do call it a slight error, because, after all, what is a disparity in regard to figures? At the first election to which reference has been made, the postal votes were 647. At the second election they numbered 815. The Leader of the Opposition evidently laid himself out for a vigorous attack upon me because of the statement I made. I made it in reply to an interjection by Senator St. Ledger. It was made on the spur of the moment. I was under the impression at the time that a larger number of postal votes was recorded in the city of Melbourne in the first election than in the second election. But it is common knowledge that, in connexion with both of those elections, numbers of votes were recorded by post that ought to have been recorded in the usual way, because there was every facility for voting at the ballot-box in the electorate in question. But that is not the only reason, let me repeat, that moved the Government to propose the abolition of postal voting. Senator Millen admits that it is true that there was a very much larger percentage of postal votes recorded in Victoria than in any other State. He gave as a reason for that the fact that Victoria is a smaller State.

Senator MILLEN.—I did not give that as a reason.

Senator FINDLEY.—It was one of the reasons given.

Senator MILLEN.—No.

Senator FINDLEY.—The honorable senator argued that, because Victoria is a smaller State, there are more facilities for voting here than is the case in a large State. If that argument were true, the very largest percentage of postal votes recorded should have been in Tasmania.

Senator ST. LEDGER.—The honorable senator must take into consideration the size of the population.

Senator FINDLEY.—It is remarkable how honorable senators opposite jump about from one point to another. The main reason for the abolition of postal voting is not, as alleged, that it is harmful to members of the Labour party, and helpful to members of the Opposition party, but because the Government have set up a principle. Experience has shown that for years the Labour party has advocated principles that have been unpopular; that for years they have been in a hopeless minority in regard to their advocacy, but that they have seen the minority turned into a majority in the course of time. It is because the Government believe, as a matter of principle, that no matter how many safeguards are placed around this system of postal voting, it can never give satisfaction to the Labour party or any other party, that they propose to abolish it. The main reason given by honorable senators opposite for the retention of the system is that it is a convenience to female electors at certain periods.

Senator CHATAWAY.—And also to seamen and commercial travellers.

Senator FINDLEY.—Commercial travellers can vote under this Bill. A commercial traveller can record his vote at any polling-booth. A seaman can record an absent vote. Let us look at the argument with regard to depriving the female section of the community of voting facilities. This eleventh hour sympathy for suffering sisterhood on the part of honorable senators opposite can hardly be taken seriously. In my previous speech on this subject I quoted the number of votes recorded by post at the last election. The total was 29,249, of which 13,490 were the votes of males, and 15,759 of females.

Senator O'KEEFE.—Can the honorable senator give any reason for the fact that, in the city of Melbourne election referred to, though the personal votes for Dr. Maloney exceeded the personal votes for Sir Malcolm McEacharn, the postal votes for Sir Malcolm McEacharn exceeded the postal votes for Dr. Maloney? How is the discrepancy accounted for?

Senator FINDLEY.—At that election excitement ran high. There was very much at stake. A great deal of expense was incurred to get people to vote. People voted by post who would not have voted at all at the ballot-box, and some who voted by post in a certain way would probably have voted another way had they gone to the poll. Senator Walker sought to show how seriously the abolition of postal voting would inconvenience womenfolk throughout Australia at certain periods. To

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obtain some idea of the number who would be affected, I have obtained some figures from which an inference can be drawn. In New South Wales in 1909 the number of births was 43,782. On an average we may suppose that each woman was indisposed for four weeks during the year.

Senator WALKER.—I estimated six weeks.

Senator FINDLEY.—Let us divide the total number by twelve. That gives 3,649 in any one month. That is the number of women who, if the estimate be reliable, would in a month be inconvenienced by the abolition of postal voting. But there are, as we know, many women who are able to move about a fortnight after maternity. On that basis of calculation the number who would be inconvenienced would be 1,684. The number of postal votes cast by women in New South Wales at the last election was 3,325, or less than the number who, according to Senator Walker, would be physically incapacitated from recording a vote at all.

Senator WALKER.—It is only fair to say that I allowed six weeks for a maternity case.

Senator FINDLEY.—I have shown that the number of births in New South Wales in 1909 was 43,782. If women were laid up for four weeks in maternity cases there would have been 3,649 unable to vote at the last election, or a greater number than the number who actually recorded postal votes.

Senator MILLEN.—It is not to be assumed that every one would want to vote.

Senator FINDLEY.—I am putting the matter in this way because it has been urged that the postal voting system was introduced mainly to convenience women in maternity cases.

Senator MILLEN.—Women might be unable to vote in the ordinary way for quite other reasons. They might be at a distance from a polling booth.

Senator FINDLEY.—That was one of the main reasons. When Senator Givens was speaking, he made a suggestion which was eagerly gripped by honorable senators opposite.

Senator ST. LEDGER.—Have the Government gripped it yet?

Senator FINDLEY.—That is another matter. In Victoria, the number of births for 1909 was 31,544, or lower than in New South Wales. Dividing that by twelve, assuming a woman in a maternity case to be indisposed for a month, we should have a total of 2,628 who would be unable to vote. If we reckoned the time at a fortnight, the number would be 1,213, yet at the last elections in Victoria 7,708 recorded their votes by post. The number of births was considerably less in Victoria than in New South Wales; the number of women who voted by post in the former State was considerably higher than the number who voted that way in the latter State. In Queensland, the number of births was 15,552, allowing for a period of four weeks the number of women who would have been unable to vote in the ordinary way would have been 1,296; allowing for a fortnight the number would have been 598.

Senator VARDON.—They will be robbed of their votes, anyway.

Senator FINDLEY.—We shall not rob any one of the vote. The number of postal votes recorded by women in Queensland at the last elections was 2,382. In South Australia the number of births in 1909 was 10,091. If women were indisposed for four weeks 841, and if they were indisposed for a fortnight only 388 would have been unable to record their votes in the ordinary way, and yet 791 women voted by post. In Western Australia the number of births was 7,602. If women were indisposed for a month 633, and if for two weeks 292 would have been unable to vote in the ordinary way, and yet the number of postal votes cast by women was 850. In Tasmania the number of births was 5,500; assuming women to be indisposed for a month, there would have been 458, and if for a fortnight 211 unable to vote, yet the number of postal votes recorded by women in Tasmania was 703. Repeating again that the main argument against the proposed abolition of postal voting is that it will seriously inconvenience and, as a matter of fact, wholly disfranchise the women folk who may be in a certain condition, we find that the total number of postal votes recorded by women at the last elections was 15,759, and the total number recorded by males 13,490. Now, what was the matter with the males?

Senator ST. LEDGER.—That is not the point. Why disfranchise the females?

Senator FINDLEY.—I wish to know what is the point. I have been trying to ascertain the point which the Opposition have been endeavouring to make in their objection to the abolition of postal voting. One objection urged against it is that women in a certain condition of health will be disfranchised. Another is that aged

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and infirm men will be disfranchised. But it does not matter what figures are quoted in order to show that the number who will be disfranchised by the abolition of postal voting will be comparatively very small, nothing, apparently, will alter the view expressed by certain honorable senators of the Opposition that the Labour party desired the abolition of postal voting mainly or wholly because they believed that more postal votes would be recorded by post against members standing in their interests than would be recorded against those standing in the interests of the so-called Liberal party. Let me repeat again that no such motive moves the Government in their desire to bring about the abolition of the postal voting system. We believe it to be a bad system.

Senator GIVENS.—We might as well abolish the ballot altogether.

Senator FINDLEY.—I am sure that we might almost as well abolish vote by ballot as permit the postal voting system to continue.

Senator McCOLL.—What nonsense.

Senator FINDLEY.—We know that men and women are employed, and well paid, by certain organizations, whose business it is to ferret out everybody who has a vote. They invade localities which, perhaps, would not be entered if the money element were not considered, to cause votes to be exercised, and to exercise influence over people that would not be brought to bear upon them if this postal voting system were not in operation.

Senator McCOLL.—The Government proposal will not stop that.

Senator FINDLEY.—If it will not, then, not much harm will be done from the honorable senator's point of view.

Senator MILLEN.—The Government are proposing to abolish the system where no undue influence is employed, and people cannot vote in any other way than by post.

Senator FINDLEY.—I do not expect that we shall ever reach finality in the matter of legislation.

Senator MILLEN.—I agree with the honorable senator that this is not finality.

Senator READY.—It is a step in the right direction.

Senator FINDLEY.—I agree with Senator Ready, that this is a step in the right direction.

Senator VARDON.—It is a retrograde step.

Senator FINDLEY.—That may be the opinion of the honorable senator but, in our opinion, it is nothing of the kind. In our opinion there will be a much more independent vote cast as the result of the abolition of postal voting than is the case to-day.

Senator SAYERS.—The Government are doing about 20,000 people out of their votes.

Senator FINDLEY.—That is a mere assumption. We shall do nothing of the kind. I quoted figures a moment ago to disprove such a statement, and I shall not weary the Senate by repeating them.

Senator MILLEN.—In the figures quoted no allowance is made for electors at a distance from a polling booth, or unable to vote in the ordinary way, because of other forms of illness.

Senator FINDLEY.—Every possible convenience will be afforded electors to overcome the difficulty of distance from a polling booth, and every effort made to meet the case of those who will not be in their own electoral division on the day of election, and also the case of those who will not be in the Commonwealth on the day of election. I hope, and fully anticipate, that the amendment which has been moved, with respect to the proposed abolition of postal voting, will not be carried.

Senator SAYERS (Queensland) [3.50].—I have already received letters in connexion with this Bill from people residing 50 miles from any polling place so far established in Queensland. You, sir, must be quite aware that there are people on stations and in the bush, at places where there is no polling place within a reasonable distance, who should be considered. During the referenda campaign, in common with many others, I found it impossible to secure a ballot-paper. The supply of papers for the referenda, and even for the census, was so limited that thousands of people in North Queensland, in the hinterland of Cairns, were unable to return themselves as resident in that State at all. I refer to this incidentally to show the difficulties which people in remote districts have in securing papers, even for such a purpose. How are these people to record their votes if the postal voting provisions are abolished?

Senator GIVENS.—If the honorable senator will look up the figures he will find that, in the particular district to which he has referred, a higher percentage of

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the electors on the roll recorded their votes than was the case in the city of Brisbane.

Senator SAYERS.—I shall deal with that later on. I pledge my word for the truth of what I said. I could give the names of people who could not get census-papers to fill in, and I am certain that the difficulties at election time will be ten times greater. Census-papers were supposed to be delivered at every domicile, and all that people had to do was to fill them in. In many cases it was found impossible for people to obtain those papers, and I want to know how those people will be able to record their votes under this Bill. It will prevent them from voting at all. I suppose that no honorable senator would expect a woman to travel 40 or 50 miles to record a vote. The postal vote was introduced to enable people at a considerable distance from a polling place, or otherwise unable to vote in the ordinary way, to record their votes. Honorable senators opposite claim that they are progressive, but I say that this is a retrograde movement. We have been told that the postal voting system has been abused, but we have been given no proof of the statement. I say that if there are abuses under the system we should try to do away with them, but we ought not to disfranchise people. If the Government intend to establish polling booths everywhere, so that no one will be likely to be disfranchised, I can find some excuse for the proposal. We have had merely statements as to any abuse of the postal voting provisions of the existing Act.

Senator READY.—They were backed up by proof.

Senator SAYERS.—We have had no proof at all. The honorable senator has told us a nice tale about motor cars going around, but no cases were brought under our notice.

Senator READY.—I mentioned a specific Police Court case.

Senator SAYERS.—I could mention a hundred Police Court cases of personation, but the honorable senator would not, on that account, advocate doing away with voting by ballot. Senator Givens must remember the California Gully case, in Queensland.

Senator GIVENS.—There was no Labour party in Queensland at that time.

Senator SAYERS.—I am not now talking about the Labour party, or any other party, I am alluding to the abuse of the ballot system. The honorable senator knows the scandalous case to which I referred, as well as I do, but the State Government did not, because of that case propose to do away with voting by ballot.

Senator GIVENS.—It was an easy matter to guard against abuse of that kind, but it is impossible to guard against abuses of the postal voting system.

Senator SAYERS.—We could very easily safeguard the postal voting system. Before submitting a proposal to entirely abolish the system the Government should have proposed means to safeguard it from abuse, if abuse exists in connexion with it. Honorable senators have complained that men and women have been induced to vote by post so that it might be known how they voted. I have witnessed a few postal votes, but I never knew how the people voted.

Senator READY.—Every one is not so honorable as is the honorable senator.

Senator SAYERS.—If abuse has crept in under the system we might provide that the postal vote should not be used unless the voter is at a certain distance from a polling booth. We might require the elector to sign a declaration to prove his *bona fides*, and impose as severe a penalty as honorable senators please upon the signing of a false declaration. I cannot for the life of me understand why this proposal is made. It is common rumour that it is because it does not suit honorable senators on the other side. That is public talk even amongst Labour sympathizers. It is claimed that they have lost a certain number of votes, but that the other side will lose more if the system is abolished. I do not say that that statement is true. We hear of many strange things done at elections. We are told that men and women have been induced to vote by post in order that interested individuals might know how they voted. I have been mixed up in politics for a good many years, and have never known that to be done.

Senator GARDINER.—The honorable senator is still mixed.

Senator SAYERS.—I think that a man would require even greater hardihood than the honorable senator who has interjected to ask an elector to vote by post, so that he might know how he voted. I have too high an opinion of the men and women of Australia to believe that they could be cowed into voting in order to suit any one. When I hear such things said from the other side I feel that those who make use of such statements belittle the manhood

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and womanhood of Australia. We are told that after elections people are punished in all sorts of ways because of the votes they gave. I have said to those who have made such complaints to me that unless they spread the truth about themselves no one could know how they voted. I do not believe that anyone would ask the electors of Australia to vote by post in order to find out how they voted.

Senator BARKER.—The honorable senator thinks that that is not possible.

Senator SAYERS.—I do not say it is impossible. Senator Barker might have more hardihood than I have; but if I asked a person to vote by post in order that I might learn how he voted I would probably receive an answer that would make me look very small. If the honorable gentleman came to me and asked me how I was going to vote, or to vote by ballot in such a way that he would know for whom I had voted, I know the answer he would get; and I believe honestly that both the men and women of Australia are as independent as I am.

Senator LONG.—Your living does not depend upon your answer.

Senator SAYERS.—That is another old gag. No man's living depends upon his answer. I ask the honorable senator, supposing a man on the West Coast of Tasmania voted for the Labour party, would he be dismissed? If he were there would be a strike immediately. The same thing applies to Sydney, Newcastle, Charters Towers, or any other part of Australia. I know that men are not hounded down because they vote for the Labour party, the Liberal party, or any other party. It is about time that gag was dropped. I know the people of Australia are independent enough. I have heard the same old story after every election for the last twenty-five years. At one time, if any person had known of such a thing in my own district it would have been myself.

Senator DE LARGIE.—It was done in your State, anyhow.

Senator SAYERS.—I have never yet known of one instance of a person being dismissed from his employment on account of the way he voted.

Senator DE LARGIE.—Every member of Mr. Tom Glassey's first committee was sent away from his employment.

Senator SAYERS.—I have heard this statement time after time. If a man gets dismissed after an election for any reason, it is immediately said that he was dismissed because he voted for the Labour party. I have asked people who make those statements how any one can tell for whom a man votes.

Senator DE LARGIE.—Every one knew how Glassey's committee voted.

Senator SAYERS.—I am not talking about Glassey's committee. Before the Bill is read a second time, I want to know from the Government whether they are going to take any steps to provide facilities for people at a distance from polling places to vote. Will they give the Senate and the country any assurance that people who reside 20, 30, 40, or 50 miles distant from polling booths will have some means of getting their votes recorded, without having to travel such a distance? I am certain that no honorable member on the Ministerial side of the Chamber would expect a woman, or a man who was not in good health, or who was crippled, to travel such a distance to vote. If the Bill passes without amendment, such people must be disfranchised; and I want the Government to tell me what they are going to do to enable those people to vote. I will be satisfied if they tell me that, and if they will agree to accept an amendment —let it be guarded by all the machinery that they can bring in—which will give that class of people an opportunity of voting. I do not think the Ministry would like it to go forth to the country that, because people happen to live a long distance from a polling booth, they are not to be allowed to vote. The people I am referring to are practically our pioneers away in the bush. Honorable senators must remember that Queensland is not a small State like Victoria. Queensland is as large as New South Wales, Victoria and ten Tasmanias combined. There are thousands of people in Queensland who are not within reach of a polling booth, and it does not meet the case for the Government to say, "We will give people facilities to vote where there is a polling booth." The same thing applies to New South Wales, South Australia, and Western Australia as applies to Queensland, though it may be to a lesser extent. I am speaking of the State I know, and I say that, unless the Government bring in some provision which will give settlers who are far removed from any polling booth facilities to record their votes, they will inflict a great hardship on the very class of people we want. We are always crying out about putting people on the land. We put them on

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farms, sheep stations, or small selections, and yet we are going to distranchise them.

Senator GARDINER.—They have no facilities for voting now. In many instances the trouble of getting a postal vote is greater than that of going to vote.

Senator SAYERS.—Why does the honorable senator want to do away with postal voting? I admit that it is a difficult thing to get a postal vote. I would make it easier to get a postal vote, under strict regulations; but the honorable senator is going to do away even with the facilities which people have at present to vote by post. If there is a justice of the peace or a schoolmaster in a district, he can witness the papers, and the residents can vote by post. Under the proposal in the Bill, no matter whether there is a schoolmaster or a justice of the peace in a district, the people will not be able to get postal votes at all. I know the honorable senator does not intend that; and I hope that, with his assistance, some scheme may be devised by this Parliament whereby the people in sparsely-populated districts, who are remote from polling booths, will not be disfranchised.

Senator BARKER (Victoria) [4.5].—I did not intend to speak on this Bill; but, as a matter has been mentioned in the debate with which I am perfectly well acquainted, and in connexion with which I took a very active part, I cannot allow the occasion to pass without giving my reasons for objecting to postal voting. I have been a magistrate for some nineteen years, and during that period I have been called upon, in the exercise of my duty, to witness a very large number of postal ballot-papers. The Leader of the Opposition quoted the case of the McEacharn election petition. That was the election in the Melbourne electorate. I had nothing to do with the first election for that seat, but in connexion with the second election, I was the honorary secretary of Dr. Maloney's committee. All the matters connected with that election therefore came under my purview. There was great activity displayed on both sides in the desire to secure the seat, but the activity on one side was counterbalanced by the activity on the other. There were certain honorary magistrates who went round to the various houses in Lonsdale-street, and Little Lonsdale-street, and the lanes in the vicinity to induce the women of easy virtue to apply for postal votes. These were not women for whom the postal voting provisions were intended. They were not about to be confined, nor were they sick and incapable of attending the poll on the day of the election. They were persons who were healthy and quite capable of going to the polling booths. I myself attended on one occasion and witnessed a signature, for which I was afterwards brought up, and fined £10. In that case a woman desired a postal vote. She was an invalid, and when I attended at her house, I was assured by her daughter that the woman wanted some assistance. I said, "What is the assistance required?" and I was told that it was to steady the woman's hand. I said to the daughter, "Very well; hold your mother's hand if you desire to do so, and help her to make her signature." The daughter did so. It was afterwards found that the mother could neither read nor write. The magistrates who had issued the applications for the postal votes had signed blanks, and they were taken out, and distributed. The name of that woman was forged. When the two applications for postal votes came before Mr. Hunt, the electoral officer dealing with the matter, he found variations in the signatures, and he took the necessary steps to bring me, and the other man, before the magistrates. We have an honorable senator asking where corruption takes place, and saying that to ask a person for whom he is going to vote would merit condign punishment.

Senator MILLEN.—Do you think there are many bad cases like that?

Senator BARKER.—I am only mentioning those cases I know of. Honorable senators opposite are very virtuous. They say that nothing of this kind is possible. They are perfectly oblivious of anything of the kind of which I have spoken. The Arcadian simplicity of it strikes me as evidence that they must know that it takes place. In one case I know of, a woman was induced to apply for a postal vote. She did so, and got it. A magistrate went to her house, and said to her, "Have you got your postal ballot-paper?" She replied that she had. He said, "Show it to me. I will fix it up for you." She brought it out, and he said, "Of course, you are going to vote for McEacharn?" She said, "No; I am going to vote for Dr. Maloney." The magistrate replied, "I will see you damned first," and took the paper, and tore it across. I am not going to mention the name of that magistrate, but that actually occurred.

Senator MILLEN.—Was he fined £10?

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Senator BARKER.—No.

Senator MILLEN.—The only cases I take notice of are those which are proved.

Senator BARKER.—The honorable senator knows as well as I do the difficulty of getting proof. If a person gets possession of a postal ballot-paper, and that paper is signed in the ordinary way, how are you going to prove that the person making use of it does not come under the provisions entitling him or her to a postal vote? When I was cited before the City Court, and fined by Mr. Panton for having witnessed a postal vote in an improper way, some thirteen other cases were brought forward, and it was proved that in fourteen instances, magistrates had signed blank forms, allowed them to be taken out, and names of electors had been forged on them. In my case, there was an appeal, and the higher Court immediately quashed the conviction because there was no evidence to show that I had done anything derogatory to my position as a magistrate. At the time I made the declaration I did not know that the woman was an illiterate woman. I was not told about that. So far as the Labour party are concerned, I have never known them, no matter how high excitement may be at election time, to get a vote by corrupt means.

Senator MILLEN.—Three representatives of your side were fined in New South Wales the other day.

Senator BARKER.—That may be. I am telling honorable senators what I know of the possibilities of corrupt voting under the postal voting system. I desire that every one should have the opportunity of voting, but of the two evils which exist, we must choose the lesser, and I say it would be wise to abolish a system which has been used so corruptly, and which has wrought so much harm as has the system of voting by post. I was a scrutineer for the postal votes recorded at the election of Sir M. McEacharn. The result could not turn on the number of these votes, because of the large number of the other votes recorded. We went through the 600 postal votes, and I am certain that 50 per cent. of the persons who availed themselves of this system were not entitled to do so. I was aware that persons had been going up and down the streets urging electors to secure postal ballot-papers, because if they did they would not have to go to the polling booth. This statement was commonly made, "You do not need to go to the polling booth; all you have to do is to apply for a postal ballot-paper."

Senator ST. LEDGER.—What of those persons who do need postal voting now?

Senator BARKER.—The harm which will be done to a small number of persons will be more than compensated for by the benefit which will be secured to the country. There is a number of persons who, under every law, must be placed at a disadvantage. In this case I hold that lesser evil will be done by abolishing a greater evil. During the course of the election to which I referred, and in which I took an active part, as I desired to see Dr. Maloney returned, I witnessed much abuse of the postal voting system by reason of the fact that any amount of money was available, and the persons who were engaged for the other side were not particular as to what they did, as their only desire was to secure votes. From the facts which came under my notice at the time, I was quite convinced that postal voting was used corruptly with the intent to defeat the opposing candidate by means other than fair and clean. To my knowledge the Labour party have always desired to have elections conducted, as far as practicable, in a clean, fair, and open way. In view of the fact that we cannot possibly get all people to record their votes, we are justified in abolishing postal voting, and I trust that the Bill will be carried almost unanimously.

Senator RAE (New South Wales) [4.20].—So much has been said on the question of abolishing postal voting that there is no need, I think, for me to reiterate the arguments which have been used in that respect. The continual cry of members of the Opposition for safeguards against the corrupt practices alleged to occur under the system is an empty one, for the simple reason that, as they know very well, there are many things against which it is impossible to guard, and very much can be done under certain conditions which it is impossible to prove.

Senator SAYERS.—What about the ballot system? Are not many things done, such as taking out clean papers, which ought not to be done?

Senator RAE.—There are so many things which can be done, so many ways in which postal voting can be abused—ways against which it is impossible to guard as far as I know—that it is the duty of those who object to the abolition of the system to show where or how a safer method can

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be devised, and how it can be so safeguarded as to prevent corruption being commonly exercised. I know that the other provisions of the secret ballot system may in certain directions be abused, but that is no argument why we should increase the opportunities for abuses to arise.

Senator SAYERS.—We do not abolish it, though.

Senator RAE.—While we cannot abolish everything, yet, where one section of the law has been found to be practically unworkable on account of the abuses which have arisen thereunder, there is no course open to us, so far as I can see, but to abolish it. The system of postal voting has, of course, its genuine uses. We all know that there are instances where *bonâ fide* electors have voted under the system who otherwise would not have been able to vote. Therefore, we admit that by abolishing the system a certain number of the electors will inevitably be deprived of the opportunity to record their votes. But it is notorious, and it is idle for honorable senators on the other side to pretend that they do not know anything about the matter, that the use of postal voting has led, not merely to one or two cases, but to a tremendous amount of abuse, and the parrot cry of "Prove it!" "Prove it!" is an idle one, because a system of that kind lends itself to abuses which, in the very nature of things, are beyond proof in the majority of instances. The abuses which arose under this system when it was a part of the Queensland law were so numerous and so flagrant that, by the common consent of all parties, it was abolished after a short trial. I defy any senator from Queensland to deny the statement that, by practically common consent, postal voting in that State was abolished because all sides had to admit that the abuses which were rampant under its operation were intolerable, and must not be repeated at a subsequent election. There is no difference between State and Commonwealth in the carrying out of an electoral law. Consequently a system which was found unworkable in Queensland, under a State law, must be equally unworkable under the Federal law. The cases which were proved only the other day in New South Wales do not show that the law can be maintained in its purity, but they show clearly enough that for one case which is susceptible of proof there are hundreds, possibly thousands, of cases in which proof would be impossible. I am aware that similar evils arise under the secret ballot system, but none so widespread as those which exist under postal voting. I freely confess that if there was any way in which postal voting could be amply safeguarded, or as completely safeguarded as other provisions of the electoral law, I would be only too glad to see it operative. I can well believe that, in certain circumstances, postal voting might be established. I hope that if we adopt a system of elective members in the Territory of Papua we shall adopt the system of postal voting. No principle is involved. It is simply an expedient. In fact, the whole of the electoral machinery is simply a series of expedients for carrying the popular will into effect in the best way. And if any better method can be found for one country than would suit another, there is no inconsistency in adopting in one place that which would be wholly inapplicable in another. Therefore, I do not go on any question of principle in regard to the matter, but postal voting has been found to be inexpedient, because of the way in which it lends itself to corruption to a greater extent than do any of the other provisions of the secret ballot system. While I intend, most reluctantly I confess, to vote for the abolition of postal voting, because I believe that whatever evil may be inflicted by the disfranchisement in this way of a few, will be more than compensated for by the greater purity of the elections generally; if it could be shown that there was some certain and safe way of guarding the system against abuse, then neither I nor any one else would, for a moment, I think, ask for its abolition.

Senator VARDON.—Is it not possible?

Senator RAE.—I have not heard or found any method by which postal voting could be better safeguarded on paper than it is now. At present, on paper, there are ample safeguards, but the trouble is to render them effective.

Senator VARDON.—Safer than the system which you are going to adopt?

Senator RAE.—There is so much left to persons other than the would-be voters, and the various agencies which come into play in postal voting are so numerous, that many openings for abuse are left, and as fast as you attempt to close them up in one way, cunning and designing persons can open them in another way. Nothing which the Opposition have advanced so far has caused me to in any way alter my opinion. I desire to say a few words regarding one

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or two of the other leading principles of the Bill. I admit that the provision for compulsory enrolment is purely experimental. I do not know that any great good is going to be effected.

Senator VARDON.—The President pulled me up for referring to compulsory enrolment. He told me to talk about the amendment only.

The PRESIDENT.—Order! Senator Vardon had previously spoken to the main question, and was speaking to the amendment when I directed him to confine his remarks to the amendment, whereas Senator Rae has not spoken to the main question at all until now.

Senator VARDON.—I beg your pardon, sir. I thought that he had.

Senator RAE.—While I hold that compulsory enrolment is on a very different footing from compulsory voting, yet I, for one, am not enamoured of it I frankly admit. It seems to me that if eighty persons out of every 100 take sufficient interest in the politics of the day to go and record their votes they are the proper persons to govern the country, so far as votes can do, and that if there are 20 per cent. of the voting population who do not take that interest in public affairs that is their funeral. Proportionately it gives greater power to those who are more competent to use power. I take it that, broadly speaking, the electors who take a sufficient interest in politics to vote are those who have the most intelligent understanding of the questions at issue, and if we are to dragoon the remaining 20 per cent. into enrolling, and follow them round the country to see that their names are always on the roll, well, there is too much spoon-feeding about the system to me to recommend it altogether. I think that if they will not take the trouble to enrol no party is any the worse off from the fact that they do not take the trouble to vote or cannot vote when they desire to do so.

Senator McDOUGALL.—The trouble is that some persons think that they are enrolled when they are not.

Senator RAE.—The man who thinks in that way is guilty of carelessness that experience shows can be avoided with a little effort.

Senator McDOUGALL.—Not always.

Senator HENDERSON.—You are on the wrong track.

Senator RAE.—That is a matter of opinion. I examine the electoral roll a few weeks before an election.

Senator GIVENS.—That is of no use. You should do it a couple of months before.

Senator RAE.—I examine the roll pretty frequently.

Senator McDOUGALL.—Some men have not a chance to do that.

Senator RAE.—Give them the chance to do so. There are few persons who cannot either go to a post-office or write to find out whether they are on the roll. If they take a keen interest in elections, they will certainly do one or the other. I know people who have been resident in one constituency for thirty or forty years, who have voted at every election, and who, nevertheless, have found that, for some unexplained reason, their names have been omitted from the roll. These accidents do not occur only in connexion with supporters of the Labour party. I have known people in the highest circles of society to get their names left off the roll through the bungling of those who were responsible for its compilation. But if people took reasonable precautions, such mistakes would seldom happen. Certainly, they would rarely be disfranchised from that cause. I generally look at the roll myself, or, if I am unable to do so, write home to my people, and ask them to see to it that our names are all there. If we were to follow up the cases of those who, through indifference or carelessness, had their names left off a roll, or failed to transfer, we should give rise to an endless amount of trouble to attain no great amount of good.

Senator LONG.—Suppose names are left off in compilation?

Senator RAE.—Then why not adopt the system used in New South Wales? There the person who enters up the name of an elector has to hand to him a receipt. In such a case, you can prove who was responsible for a mistake.

Senator HENDERSON.—But proving a mistake would not give the elector a vote.

Senator RAE.—But it would make bungling much rarer in future than it has been in the past. My opinion is that when names have been left off the roll, it has been impossible to sheet the bungling home to any particular person. That is the reason mistakes occur year after year. If the man who committed the error was sacked or punished by having his own

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name left off the roll for a given period, such mistakes would not occur so often.

Senator GIVENS.—Why should he not get seven days "without the option"?

Senator RAE.—I would give him seven weeks. If the name of a voter which should be on the roll is left off, it is a disgrace to the compilers. I am personally aware that the late Mr. Donald MacDonell, Chief Secretary of New South Wales, handed in his name at the proper time. It was left off the original roll, and also off the supplementary roll. Similar instances have occurred time after time where the elector has taken every precaution, and yet has found his name omitted. Mistakes of that kind would, in my opinion, be remedied by a system of receipts, by which the official who received the name of a voter, and failed to see that it was put on the roll, was punished for his neglect. Furthermore, I would enable a person having a receipt to vote with it just as if his name were on the roll. But while I would take these precautions to enable people to be enrolled and vote, I do not see why we should compel persons to be enrolled or to vote against their will. We are told that it is the duty of every citizen to vote. But does he injure his fellow-citizens by failing to carry out that duty? I do not think so. I say that every man who is opposed to my opinions, and who fails to vote, makes my vote of greater value. Therefore, I rejoice—I certainly do not resent it—when my opponents fail to vote. Other proposals in the Bill which have met with a great deal of adverse criticism, are calculated to do valuable work. I refer particularly to the proposal to limit the influence of money power when it is used unscrupulously, as we know it has been in the past. So far as penalties are attached to unfair actions on the part of an inspired press, or of those employed as paid canvassers, the provisions of the Bill meet with my hearty approval. The Leader of the Opposition dwelt at great length on the Labour press as compared with the daily press of Sydney, Melbourne, and other large centres. He devoted particular attention to that excellent little weekly paper, *The Worker*—or, rather, to the two *Workers* published in Sydney and Brisbane. The honorable senator sought to show that the Labour press is subsidized. I know that my honorable friend is an adept at mental gymnastics, and can make a thing appear very different from what it really is. Therefore, I was not surprised at the warmth that he threw into this portion of his speech. But, as a matter of fact, *The Worker* does not receive any subsidy in the true sense of the term. It is quite correct that—as shown by the rule quoted by Senator Millen—a certain amount is deducted from each annual subscription of a member of the Australian Workers Union and devoted to the purpose of running these newspapers. The honorable senator was wrong in the case of Queensland, where the subscription is very much less than is the case in New South Wales. The principle is, however, the same. But it is not a subsidy in the ordinary acceptation of the term. It is not a bounty given to encourage the production of the newspapers. These journals are the property of the unions which devote a portion of their funds to running them. In addition, every member of the union is entitled to have a free copy of *The Worker* sent post free to any address in the Commonwealth.

Senator GIVENS.—As a matter of fact, the payment is really a subscription.

Senator RAE.—It is really a subscription.

Senator VARDON.—That is the way the honorable senator gets over it, is it?

Senator RAE.—I am not attempting to quibble in any way whatever; but I say again that this payment is not a subsidy in the sense that, for instance, the Commonwealth subsidizes certain industries, in order to get them established.

Senator MILLEN.—"A rose by any other name would smell as sweet."

Senator RAE.—Just so; and the honorable senator's argument, couched in any other way, would be just as fallacious. His argument was that, because a newspaper is owned by a particular organization, and is, therefore, naturally run in the interest of that organization, and advocates its policy, it is a "hireling" journal.

Senator LONG.—Instead of being hired, *The Worker* is owned by the Australian Workers Union.

Senator RAE.—*The Worker*, instead of being on the same footing as that portion of the press which expresses opinions according to the money power behind it, is, as a matter of fact, in an entirely different situation. If any individual, by merely giving a big fat advertisement to a newspaper, can secure that his opinions will be more fully expressed in its columns, more favorably criticised and commented upon, than would otherwise be the case, then that news-

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paper comes within the category which may fairly entitle it to be called a "hireling" journal. But to say that a newspaper which is openly and avowedly the property of a union, can be called a "hireling" because it advocates the principles for which it was established, is to subvert the whole meaning of the term as ordinarily employed. But I challenge Senator Millen to prove even what he alleged about *The Worker*. He said that that newspaper had no option but to advocate the claims of every Labour man.

Senator MILLEN.—No; not as individuals.

Senator RAE.—Not the individuals, but the actions of the individuals—whatever they did. I say, however, that, time after time, both the Queensland and the Sydney *Worker*—and I have read both of them for twenty years—have been the severest critics of members of their own party when it was considered that they were not carrying out their duties properly. Members of the Labour party have been criticised for their sins of omission and of commission. These newspapers have even advocated the expulsion of certain members of the party on occasion. They have, in every way, given a kind of criticism which the daily press never gives. The daily press booms up a Labour man whenever it is suspected that he is weakening on his principles. If he does anything in the nature of what we call "ratting," they praise him as a man of moderate views and clear intellect—as a man marked out to lead—as a man who is clear-sighted, honest, and able above his fellows.

Senator MILLEN.—Or as a man qualified to go to America?

Senator RAE.—I have never been to America.

Senator MILLEN.—Mr. Neilsen is on the road now, I believe.

Senator RAE.—I know no more about that than the man in the street does. But while this Labour press is frankly owned and conducted in the interests of the Labour party, I say that it is a pure misuse of terms to compare it with a newspaper press which, in response to, or in return for, big advertisements, colours its news or its comments. To what extent the big dailies of this country are open to purchase in respect of their opinions I do not know. I have never had either the means or the inclination to test the point. But I do say that we find a curious case to awaken suspicion in the Melbourne *Age*. That newspaper last year continuously advocated those proposals which the Labour party submitted to the electors at the referenda. For weeks and weeks we read in the *Age* leading articles in which every argument brought forward in the other Chamber by the Leaders of the Opposition—Mr. Deakin and Mr. Joseph Cook—were trenchantly exposed, and all their fallacies blown to the winds. Everything that could be said was said to knock those arguments to pieces, and that policy was maintained until the close of the session.

Senator FINDLEY.—That was "the *Age* of reason."

Senator RAE.—But then, suddenly—within the twinkling of an eye—the position was reversed entirely. The *Age* "'bouted ship," and nothing that could be said was too bad to say about our proposals.

Senator FINDLEY.—Some say that Senator Simon Fraser went down to the *Age* office in the meantime.

Senator RAE.—Every honorable senator knows very well that there must have been a cause for this change. The men who conduct the *Age* are not inexperienced, callow youths. They did not, for the first time after the close of the session, consider the arguments in favour of our proposals. We know very well that there must have been big and powerful reasons behind to cause the change; and it is fair to assume that those reasons were mostly financial. Unless we are furnished with a full and comprehensive explanation, it is not unfair to assume that financial considerations were at the back of such a sudden change of front. But that is not the only case. The Sydney *Daily Telegraph* has occasionally published articles, day after day, and week after week, advocating principles with a distinctly democratic tinge. But this line of advocacy suddenly stopped when we came within reach of a decision upon a given question, and, in spite of all previous professions, the *Daily Telegraph* turned round and advocated the opposite course. That kind of thing goes on to such an extent that it is time, as far as the law can enable us, to know what forces there are behind these articles and alleged letters that appear in the daily newspapers at election times. If the provisions of this Bill will do anything to blow out the false prestige which surrounds the great editorial "We," and inform people that it is only some fallible mortal, whose word is worth no more than that of the next man, they may

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meet, it will clear the political atmosphere, and enable the electors to estimate at their true value letters from correspondents which probably have been written in the office of the newspaper in which they appear. There is a kind of superstitious reverence paid by many persons to views expressed by the newspaper press.

Senator DE LARGIE.—Not nowadays.

Senator RAE.—It is passing away, to some extent, no doubt; but there are still tens of thousands of people who believe a thing if they see it stated in a newspaper, or, at any rate, believe that there is a foundation of fact for it. If by compelling articles on election matters to be written in the first person, and signed by the author, we can assist to do away with the false prestige attaching to newspaper articles, we shall have done some good, since people will be then in a position to estimate them at their true value. For these and other reasons I welcome this measure, but I trust that, in Committee, the Minister in charge of it will permit amendments calculated to strengthen the efforts made in that direction. I trust there will be no insistence on every word and clause of the Bill, because, in some respects, we might make it stronger and we might eliminate some of the provisions. There is certainly ample reason for imposing penalties upon the misrepresentation which now so frequently appears in the daily press, for enforcing the signing of articles appearing during an election campaign, and for penalizing the efforts made by means of money to unfairly obtain votes. In connexion with the matter of canvassing, Senator Millen made a great point of the ability of trade unions to employ men as organizers for industrial purposes, and at the same time use them for political work. There is no objection on my part, and I think I can speak for others on this side also, to making the clauses dealing with that matter apply as fully to one organization as to another. I take, for instance, the case of the Australian Workers Union, a body that employs a number of organizers in each of the States. What does it amount to after all? There may be twenty men employed in this way for three or four months during the shearing season in a State like New South Wales. These men are for fully nine evenings out of every ten engaged in visiting sheds where the vast majority of the men they meet are Labourites, and need no canvassing whatever. The holding of meetings in towns at which to act the part of political organizers is beyond, not their ability, but their powers, because they have too much other work to do.

Senator MILLEN.—But the honorable senator found time for it.

Senator RAE.—During every shearing season an organizer may be going for weeks without ever entering a town. If he does enter one it may be only for a few hours, when he is off again to the next station. There is a great deal of difference between canvassing and general organizing work. I take it that if Senator Millen took the platform on behalf of a political party, though he might not be engaged in organizing work, he would not be canvassing in the ordinary sense in which the word is used. He would put the principles he believes in before his audience, and ask them, if they agreed with them, to vote for the candidates who would represent those principles. That is not what is generally understood by canvassing, which I take to mean the visiting of individual electors and asking them to pledge their votes for particular candidates.

Senator HENDERSON.—And telling them a lot of lies to induce them to do so.

Senator RAE.—I should say so judging by the literature they circulate.

Senator DE LARGIE.—They are not as bad as their literature.

Senator RAE.—No; God forbid! I contend that general organizing work will not be interfered with in any way by this Bill, nor will one side be penalized as compared with another. If I, as an organizer for the Australian Workers Union, visited a town and held a meeting, I should be doing nothing which could be prohibited under this Bill. I could do no more in that respect than Senator Millen or those associated with him might do in similar circumstances. No one would ever dream of asking individual shearers which way they were going to vote. He would take it for granted that the majority were on his side. Those who were not would not be worth questioning, because they would probably lie, anyhow, over the matter.

Senator VARDON.—I could give the honorable senator a few specimens of lies from his own side, if he wants them.

Senator RAE.—I do not require any, I have already so many from the other side. I do not for a moment wish to make out that all the people on our side are any more angelic than are those on the opposite side.

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Senator WALKER.—I understand that the honorable senator's side is the humanitarian side.

Senator RAE.—I certainly think that the principles we advocate are very much better than those advocated by honorable senators opposite. I have never contended that human nature differs very much in individuals, no matter on which side they may be. But principles do differ very widely; and I should not be on this side if I did not believe that ours are immeasurably superior to those mythical affairs which are called principles on the other side. The fact remains that. so far as canvassing is concerned, this Bill will not penalize one side more than another. If in Committee it can be shown that anything can be done to make that more clear than it is as expressed in the Bill at the present time, I shall be only too pleased to vote for any amendment which will put the matter beyond doubt. We have not been very much in the habit of canvassing for money, and I trust we shall not do very much in that way, because I do not think the results are satisfactory. The temptation to either side in such a case is undoubted. We should have no more compulsory legislation than can be avoided; but we should make it easy to do right and difficult to do wrong; and that is why I think it is absolutely necessary to abolish postal voting. I shall defer any further remarks I have to make upon the Bill until we get into Committee.

Question—That the words proposed to be left out be left out—put. The Senate divided.

Ayes	...	...	9
Noes	...	...	21
Majority	...	...	12

AYES.

Cameron, Lt.-Colonel	Sayers, R. J.
Chataway, T. D.	St. Ledger, A. J.
Keating, J. H.	Vardon, J.
McColl, J. H.	*Teller.*
Millen, E. D.	Walker, J. T.

NOES.

Barker, S.	Needham, E.
Blakey, A. E. H.	O'Keefe, D. J.
Buzacott, R.	Pearce, G. F.
de Largie, H.	Rae, A.
Findley, E.	Ready, R. K.
Gardiner, A.	Russell, E. J.
Givens, T.	Russell, W.
Long, J. J.	Story, W. H.
Lynch, P. J.	Turley, H.
McDougall, A.	*Teller:*
McGregor, G.	Henderson, G.

Question so resolved in the negative.

Amendment negatived.

Original question resolved in the affirmative.

Bill read a second time.

In Committee:

Clauses 1 and 2 agreed to.

Clause 3—

Section 2 of the Principal Act is amended by omitting therefrom the words "Part X.—Voting by Post."

Senator MILLEN (New South Wales) [5.2].—I would like to suggest to those who, like myself, are entirely opposed to the nullification of the voting by post provisions, that, should any further discussion be desired upon that point, it should be left over until the latter portion of the Bill, though it will be noticed that this clause strikes out of the interpretation section of the principal Act the words "Voting by Post."

Senator VARDON.—Better have the discussion now.

Senator MILLEN.—It is immaterial whether we take the division on this clause or later on. I merely wish to avoid having a double discussion on the matter. I have no desire to add anything further to the discussion. All I wish to say is that I shall invite the Committee to divide on one of the clauses dealing with the abolition of voting by post. I think it would be better if we were to have the debate on any subsequent clause which specifically strikes out the voting by post provisions.

Senator McCOLL (Victoria) [5.4].—After the vote taken this afternoon, of course any attempt to test the question of the abolition of voting by post again would be futile. At the same time, I would like to call attention to the speech of the Minister in charge of the Bill this afternoon, which to my mind was somewhat extraordinary. It was not a political speech. It was an obstetric speech. He dealt with a phase of this question which grated on my ears in the way it was elaborated. According to the Minister's own showing, reducing it to its narrowest limits, he is disfranchising from 8,000 to 10,000 electors by eliminating voting by post.

Senator FINDLEY.—I did not narrow it down like that.

Senator McCOLL.—It was narrowed down in that way by the Minister. There is a certain time in a woman's life, and if there is any time that ought to appeal to whatever is chivalrous or manly in man it is that time. To assume for a moment that a woman could go to the polling booth during those three or four weeks,

or, it might be, three or four months, is assuming something which is extremely unfair, and is not to be expected. I was shocked at the Minister's speech. Nothing we can say will change the minds of the Ministry; but even looking at the effect of the abolition of voting by post from the narrowest stand-point—narrowing it down to the women in the condition referred to, without considering people living at a distance from a polling booth, and people who are infirm, or who are unable to get to a polling booth owing to many other reasons —on the Minister's own figures he is disfranchising from 8,000 to 10,000 people in the Commonwealth. I think this provision striking out voting by post is unjust.

Senator ST. LEDGER (Queensland) [5.7].—One would have thought that the Minister straight away, after the expressions of some of his own supporters, would have been convinced that this clause should be postponed. One of his own supporters has pointed out the fact—and not a single member on the Minister's own side, or the Minister himself, has disputed it, because it could not be disputed—that, in a particular case—a case which is sufficiently familiar to us—a large number of women are going to be disfranchised. The Minister takes up the position now of saying, "Let them be disfranchised." That is the position which is being taken up by a Government which pretends to be democratic, and which pretends that Parliament should be elected by adult suffrage.

Senator FINDLEY.—You are hardly doing justice to me, because honorable members on your own side of the Chamber made that point, and I endeavoured to show how many women would be affected.

Senator ST. LEDGER.—One of the Minister's own supporters gave a strong reason why, in particular cases, the postal vote should be retained; but the Minister has not even had the courtesy to say to the Committee whether or not he will consider such a provision as will enable the people concerned—in this case women—to vote by post. Notwithstanding the fact, which he cannot repudiate or minimize, that a certain class of adults in the community will be disfranchised, he says that voting by post must be abolished. Have we had from the Minister, or from a single Ministerial supporter, a complete explanation as to why it is impossible to provide for those cases? We might provide that every woman in that position should be entitled to go before an officer, make a declaration as to her condition about which there could be no dispute whatever, and become entitled to a postal vote. Such a woman, of all the people in the community, is entitled to have that facility extended to her. Does the Minister mean to say that he cannot frame conditions to provide for that? Does he say that a woman in the condition which has been mentioned should not, if she goes before a medical officer in conjunction with a justice of the peace, and complies with such strict conditions as I have indicated, be allowed to vote by post? There is silence on the other side. The thing is so unblushingly unjust that, from the Minister down, there is no one who is capable of defending that position.

Senator READY.—The honorable senator is making enough noise.

Senator ST. LEDGER.—Why not? What is the good of Parliament, if, when an injustice of this kind is about to be perpetrated, there are not men in it who will make a noise about it? I am not going to apologize for the noise which I am making, if the honorable senator likes to call it noise, nor do I apologize for the length of time I am taking, because the statement of the Minister this afternoon proved that this proposal, root and branch, is unfair and indefensible, and is striking a blow at adult suffrage.

Senator W. RUSSELL.—Are you in favour of adult suffrage?

Senator ST. LEDGER.—The honorable senator cannot defend the position which the Government have taken up. They say that if they allow the privilege of voting by post in the case which has been mentioned, it will have to be allowed in other cases, and that abuses will occur. If you admit that argument, there is not a single institution, from this Senate down, that you cannot abolish.

Senator W. RUSSELL.—You say we are going to disfranchise thousands of women. Were you in favour of women suffrage?

Senator ST. LEDGER.—That has got nothing to do with the position in front of us. The position is that an injustice is being done, by depriving of their franchise certain women, who are honorably entitled to vote. That is proved by the Minister's own statement. Let me point out that not a single word has been said on the other side as to the steps that might be taken, to enable these women to exercise the franchise by means of postal voting. It is the greatest humbug to say that the Minister or the officers of the

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Electoral Branch cannot provide a form to meet cases of this kind. In every town throughout the Commonwealth medical officers could be appointed to deal with the matter. The medical officer, as a State or a Federal official, would take the responsibility of the statement which he would make in each case. We can easily make provision for the class of women in question to vote by post. It is simply an insult to our intelligence to say that the privilege of voting by post cannot be retained for these women. There are other considerations which arise in connexion with the clause. After a division has been taken in which the overwhelming strength of the Government has been shown, of course, the Minister and his supporters may say, "We will vote down the Opposition." Is that worthy of a democratic Government? Is it worthy of a Government which professes to exercise and to base their parliamentary rights and privileges upon adult suffrage. Is that a decent attitude to take? Will a single senator, on the other side, say that if he were allowed a quarter of an hour for the purpose he could not frame a schedule by which the persons to whom reference has been made so often would be protected? Not one of them. There is not a senator opposite who would insult his intelligence or the Government by saying that it could not be done within the time. Without allowing the Opposition, or even his own supporters, an opportunity to frame a provision, however strict or stringent it might be does not matter, the Minister wants to rush the Bill through Committee, although many senators on his side have expressed sympathy with our desire to retain postal voting for a certain class. He declines to afford to any honorable senator an opportunity to frame an amendment which would meet that particular case.

Senator LYNCH.—This is an awful waste of fireworks.

Senator ST. LEDGER.—Of course, the honorable senator thinks that anything which concerns adult franchise is fireworks.

Senator MILLEN.—What he meant to say was that, inasmuch as this matter has been decided elsewhere, it is useless to discuss it here.

Senator ST. LEDGER.—Exactly. The political death-warrant of a certain class of women has been decided upon, not by Parliament, but by the Caucus. If honorable senators on the other side had any real sympathy with that which they have expressed here, they would join with us in asking for time to see that those persons shall not be disfranchised; in other words, to see that effect is given to the speech of the Minister in charge of the measure. In a deliberative assembly proper reasons should be given for a proposal of this kind. There is no reason why a single senator on this side should not continue the battle on behalf of a class of women, and, indeed, of others, who live in the country. Ours is a reasonable request, but I hope that we shall not be thrown back on a parliamentary practice by which, sometimes, if we cannot get effect given to a reasonable request, we can show the Government the consequences of resisting our appeal.

Senator PEARCE.—Are you alluding to a "stonewall"?

Senator ST. LEDGER.—No; that is, I may remind the Minister, an unparliamentary expression.

Senator PEARCE.—I did not understand your vague allusion.

Senator ST. LEDGER.—It was not so vague that its intent was not understood. The Government and their supporters know that they are about to do an injustice.

Senator W. RUSSELL.—No.

Senator ST. LEDGER.—I would not insult the honorable senator's intelligence, however little or great it may be, by saying that he does not know that an injustice to a particular class is going to be perpetrated by the Government. "O, franchise! how many crimes are committed in thy name." Honorable senators opposite will not even tell us that, after consultation with the officials, they have found out that they cannot draw up forms to prevent this injustice to a class of women. They know that if the Minister, or an official, said they could not draft a schedule to meet this class of cases, they would say a thing which was not correct. No official dare to make such a statement.

Senator W. RUSSELL.—What about the lawyers?

Senator ST. LEDGER.—There is not a lawyer worth a cent. who could not, within ten minutes, frame a clause and a schedule which would enable this injustice to be averted——

Senator FINDLEY.—That is why the measures of the last Government, composed mainly of lawyers, have been thrown out by the High Court?

Senator ST. LEDGER.—That has nothing to do with this question. The last

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Government never attempted to take away the franchise from women, as this Government is doing.

Senator RAE.—If you feel this alleged injustice so keenly, how is it you have not framed a clause?

Senator MILLEN.—Our suggestion is to leave the law as it stands.

Senator ST. LEDGER.—What was the object of my amendment to the motion for the second reading but to secure to the House a further opportunity of considering the matter? The supporters of the measure on the other side admitted the injustice of disfranchising this class of citizens, and the Minister accentuated it. Naturally, one would have thought that a Minister or a supporter would have had an amendment prepared. If an amendment is in the mind of the Minister, or a supporter, what harm will be done by postponing the clause? I would remind honorable senators that men in outlying districts will be struck at by this clause just as severely as women will be. The very argument which is being used on behalf of women applies with added force to adults who are aged and infirm. It is absolutely unnecessary to say that there are men and women who are not so aged and infirm that, on polling day, if they are more than 5 miles away, they cannot exercise their votes. This clause is, so to speak, the political death-warrant, so far as voting is concerned, to a considerable portion of the community. Apart from women, and a particular condition relating to them, every honorable senator opposite knows that there are other men and women to whom it is a physical impossibility to vote except by post.

Senator READY.—The poor widow!

Senator ST. LEDGER.—Every time the honorable senator goes on the hustings he has the poor man, and the poor widow, too, on his lips; but when an argument is turned against him, he holds the poor or infirm man, or somebody else, up to derision. Never have I based an argument on class distinction, rich or poor, married or single. I have always tried to discuss a measure on bed-rock principles. There are many persons, women as well as men, who, by reason of distance, and age, and infirmity, cannot go to the polling booth, and these are the very persons who have not abused postal voting, if it has been abused at all. There are in the Commonwealth thousands of women who cannot get to the polling booth, and who can only exercise the suffrage by means of the post. It is not contended that settlers in the back-blocks have abused the privilege. If there is anything in the criticism from the other side, it is that citizens, male and female, in the towns have abused postal voting. When I asked for proof of their statement there was no sufficient proof forthcoming. How can we ask a woman or a man, old and possibly suffering from infirmity, which would not be technically designated as illness, to go 40 or 50 miles to a polling booth? In Queensland, I have known persons who were never able to exercise their right to vote, even for their particular district, by reason of distance, although, for the purpose of State elections, polling booths were amply provided. It was not until the Federal Parliament adopted the postal voting system that they were able to exercise their privileges at all. Have the Government any realization of the difficulties which confront settlers in the back-blocks? I have known a man who, not having facilities for postal voting, travelled with his wife and daughters a distance of 80 or 100 miles in order to exercise the franchise. As postal facilities are extended—and we are spending thousands of pounds to extend them—the benefits which can be conferred upon the people by their means should be extended also. What benefit to the people is more substantial than a means of exercising a voice in the government of the country? Not a single atom of proof has been cited in justification of the abolition of postal voting as exercised in the back-blocks districts. No abuse or corruption has been hinted at. I hope that the Minister will give us some information as to whether he is going to drive this proposal right through, or whether he will afford facilities for preparing a modification in accordance with which the aged, the infirm, and women may be enabled to vote by post.

Senator LONG.—The honorable senator has had the whole of last week in which to prepare an amendment.

Senator ST. LEDGER.—I have something else to do than put Government Bills right. It is the Minister's business to do that.

Senator LONG.—Cannot the honorable senator frame his own amendments?

Senator RAE.—If the Government are satisfied with their Bill they cannot be expected to frame amendments.

Senator ST. LEDGER.—If a little time were allowed, I believe that I should be able to prepare an amendment which

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would meet the case. But what is the use of doing so if the proposals of the Government are to be pushed through despite evidence and argument?

Senator READY (Tasmania) [5.24].—I did not intend to speak again, but the irascible and excitable speech of an honorable senator opposite has brought me to my feet. He demands proof that improper practices have occurred in connexion with postal voting. I have already quoted a case that occurred in my own State.

Senator MILLEN.—The honorable senator has made statements, but he has given no proof.

Senator READY. —I quoted the report of a Police Court case in which a man was fined for a breach of the law in connexion with postal voting. But that does not satisfy honorable senators opposite. They say they want evidence from the back-blocks. I will quote a case in point. If this does not satisfy them, I shall have to be content with applying the old proverb, "There are none so blind as those who will not see." This case is reported in the *North-western Advocate and Emu Bay Times*—the leading Liberal newspaper of the north-west coast of Tasmania. It was published on 24th April, 1910, and is headed "Referendum Notes."

PATRIOTIC WORKERS.

If Liberalism does not gain success on Wednesday it will earn it. Everywhere throughout Tasmania Liberals are organizing to secure the defeat of the referenda as never was the case before. Not only will thousands of vehicles be employed in the Liberal interests on Wednesday, but Liberal workers have been for days past devoting their attention to securing postal votes.

Not the least energetic of workers in the Emu Bay district is Cr. J. Bramich. Mr. Bramich has undertaken to organize the postal votes in Oonah and Hampshire, and probably some thirty votes against the referenda will be in this way recorded that would not have been cast at all. Mr. Bramich, as a justice of the peace, is an authorized witness, and therefore his undertaking the work of canvassing and collecting ballot-papers is peculiarly effective. Four hard days' work are being put in by this enthusiastic Liberal, two days in securing applications for the postal votes and two more days in getting the papers marked and collecting them. Oonah and Hampshire districts are more than five miles from a polling place, therefore residents are entitled to vote by post. It is found that the average settler is in strong opposition to the Labour party and their pet referenda schemes. So are many farm labourers and those who are not so easily converted. Mr. Bramich has made a number of such converts. The 8s. per day arguments is the most effective for the settler and farmer.

"Did you want to pay 8s. per day, wet and dry"? is the query. The answer of the settler and the farmer is not hard to guess. Of course, they cannot afford it.

But how does the argument affect the farm labourer? It is explained in his case that what affects his employer affects him. That the payment of a higher wage will mean a higher price for necessaries, with a lessened chance of employment. If farmers cannot afford to employ men to-day, what will happen when the wage is 8s. per day, "wet or fine," for any and every sort of farm labour—and without any variation? That is 8s. for the best man 8s. for the worst. The argument tells. Throughout the district named there will be practically a unanimous no to the referenda proposals.

Senator MILLEN.—What is there startling about that statement? It is simply a newspaper comment.

Senator READY.—It is an admission that a justice of the peace, empowered to witness postal votes, acted as a party canvasser for the purposes of promoting voting by post in the interests of a party.

Senator MILLEN.—Votes that would not have been cast at all except for the postal voting provisions.

Senator READY.—That does not follow.

Senator MILLEN.—Did not justices of the peace on the honorable senator's own side act in precisely the same way?

Senator READY.—Undoubtedly not—not in Tasmania.

Senator MILLEN.—I hope the honorable senator will take a friendly suggestion—that he should attend a political kindergarten for a little while—if he believes things of that kind.

Senator READY.—The Government in Tasmania took precious good care that members of my party were not made justices of the peace. Any unbiased person will admit that this instance shows that there was gross misapplication of the privilege of postal voting. If there were no other instance than this, I should feel justified in voting for the abolition of the system. I wish to inform the Senate that if postal voting is done away with the result will be to disfranchise one of my own parents, who will be unable to go to the poll. I quite admit that many persons will be unable to vote. But in view of the abuses that have occurred, I can see nothing for it but to abolish the system, believing that this policy will be to the advantage of Australia generally.

Senator VARDON (South Australia) [5.41].—The extraordinary statement which Senator Ready has read furnished no reason whatever why postal voting should be abolished. It simply showed that a justice of the peace went round a certain district in Tasmania and witnessed applications for postal votes.

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Senator READY.—That is not all. He canvassed for a political party while witnessing signatures.

Senator VARDON.—I never listened to a more cold-blooded statement than that made by the Minister with regard to the voting of women in maternity cases. I suppose he was speaking from a statement which had been prepared for him. The figures were worked down to the lowest possible minimum. But even so they showed that a great number of women will be unable to vote if postal voting be discontinued. I have no objection to polling places being established at destitute asylums and homes for incurables; but while honorable members opposite are prepared to take the ballot-box to the bedside of a person whose usefulness as a member of the community is ended, they are prepared to say that the delicate woman who is about to become, or has become, a mother, shall not vote. That is a plain statement of what is intended.

Senator FINDLEY.—We say to everybody, "You cannot vote by post."

Senator VARDON.—If we put the number of these women at the lowest figure quoted by the Minister to-day, I ask what right has he to take their votes away? How can any man with any sense of justice say to these women, "Because you are not in a fit state to go to the poll, you shall not have a vote at all." What about those who are prevented by any form of serious illness from voting in the ordinary way? Why should they be robbed of their votes? Why should the infirm, who are unable to go to the poll, be robbed of their votes?

Senator McGREGOR.—That is a very different argument from those which the honorable senator used to make use of in opposing adult suffrage for the South Australian Legislative Council.

Senator VARDON.—Do not let us get on to side tracks.

Senator McGREGOR.—That is where the honorable senator has been so often that he does not like it.

Senator VARDON.—At the right time and place I will argue that matter with the Vice-President, or anybody else. This is not the time to do it; and I imagine that, if I attempted to do so now, the Chairman would call me to order. At the right time I will argue that with anybody.

Senator W. RUSSELL.—I will take the honorable senator up.

Senator VARDON.—Oh; I will argue with somebody who is intelligent and respectable. I will make that qualification.

Senator W. RUSSELL.—I ask if that is in order? I object to such a statement—that I am not respectable or intelligent.

Senator MILLEN.—On the point of order, might I say that I understood Senator Vardon's statement to be that he would argue with anybody who was intelligent or respectable. If Senator W. Russell claims to be intelligent and respectable, Senator Vardon has expressed his willingness to argue even with that honorable senator.

Senator FINDLEY.—No matter what our feelings may be in regard to any question under discussion, I hope such remarks will not be allowed to be made without the Chairman calling upon the honorable senator who makes them to withdraw. Unless my hearing has deceived me, Senator Vardon said that he would argue with one who is intelligent and respectable.

Senator MILLEN.—Any one.

Senator FINDLEY.—The inference was that Senator W. Russell was neither intelligent nor respectable.

Senator RAE.—On the point of order, I think my hearing is as keen as that of Senator Millen. When Senator W. Russell interjected that he would argue with Senator Vardon, the latter said, "No, I will argue it with any one who is intelligent or respectable."

Senator VARDON.—I did not use the word "No."

The CHAIRMAN.—When Senator Vardon was speaking about arguing something that was outside the scope of the Bill, Senator Russell interjected, and Senator Vardon then said, "I will argue that question with any one who is intelligent and respectable." I was immediately about to ask him to withdraw the statement, when Senator W. Russell rose to a point of order. I now ask Senator Vardon to withdraw the statement, as Senator W. Russell has stated that it is objectionable to him.

Senator MILLEN.—Does not Senator W. Russell think that he is intelligent and respectable?

Senator W. RUSSELL.—I ask that Senator Millen be requested to withdraw that statement, too.

The CHAIRMAN.—Order! Will Senator Vardon withdraw the remark he made?

Senator VARDON.—I said I would argue with anybody who is intelligent and

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respectable. I repeat it. I did not say that I would argue with anybody who is not intelligent, nor do I say that any person is not intelligent.

The CHAIRMAN.—Senator W. Russell stated that the remark was objectionable to him. It appeared to me to be objectionable, and I ask the honorable senator now to withdraw the remark.

Senator VARDON.—I made no reference to Senator W. Russell.

The CHAIRMAN.—Will Senator Vardon withdraw the remark? Senator W. Russell has stated that it is objectionable to him. In my opinion, it was objectionable; and I now ask the honorable senator to withdraw it.

Senator VARDON.—I do not see how I can withdraw an innocent remark like that.

Senator RAE.—That is absolutely hypocritical.

Senator VARDON.—I said I would argue with anybody who is intelligent and respectable. There is nothing disorderly about that.

The CHAIRMAN.—I have stated that, in my opinion, the remark was disorderly. I may be wrong, but I ask Senator Vardon now to withdraw it.

Senator VARDON.—Will you say, sir, in what sense I am to withdraw it? Just say what I am to withdraw.

The CHAIRMAN.—I ask the honorable senator to withdraw the remark he made in reply to the interjection of Senator W. Russell.

Senator VARDON.—I did not mention any honorable senator.

The CHAIRMAN.—The honorable senator made an objectionable remark, and I ask him if he intends to withdraw it?

Senator RAE.—Withdraw, and no shuffling.

Senator VARDON.—No; I will not withdraw.

In the Senate:

The CHAIRMAN OF COMMITTEES.—I have to report that, in Committee, in discussing clause 7 of the Bill, Senator Vardon was speaking, and Senator W. Russell interjected that he would debate with the honorable senator a question which was outside the scope of the clause before the Committee. Senator Vardon immediately stated, "No, I will debate that question with any one who is intelligent and respectable."

Senator MILLEN.—When the honorable senator was in the Chair he did not use the word "No."

The CHAIRMAN OF COMMITTEES.—Senator Vardon immediately said, "No, I will debate that question with any one who is intelligent and respectable."

Senator VARDON.—I did not.

The CHAIRMAN OF COMMITTEES.—Senator W. Russell immediately took exception to the words, and asked that they be withdrawn. I asked Senator Vardon to withdraw them, and he refused to do so.

The PRESIDENT.—Under standing order 433, it has been reported by the Chairman of Committees that Senator Vardon wilfully disregarded the authority of the Chair. Under standing order 435, I call upon Senator Vardon to make an explanation to the Senate, and offer an apology.

Senator VARDON.—I was discussing the proposal to do away with the postal vote. In the course of the discussion I was claiming that it was intended to deprive mothers of the vote. The Vice-President of the Executive Council interjected something about my having denied people votes in connexion with the South Australian Legislative Council. I do not remember his exact words; but I said that that did not refer to the present question, but that I would be prepared to argue that question in the right time and place. I think Senator W. Russell said, "I will argue it," and I said. "I will argue that with any intelligent and respectable person." I did not use the word "No."

Senator RAE.—I can swear that the honorable senator did.

Senator MILLEN.—No, the Chairman of Committees has put that word in since.

Senator VARDON.—That is the whole position. I said "I will argue the question with any intelligent and respectable person."

Senator MILLEN.—I should like, first of all, to invite Senator O'Keefe to correct an error into which I am convinced he has fallen. I believe the honorable senator will recognise that himself when I direct his attention to it. He says now that the words used by Senator Vardon, and to which exception was taken, were "No, I will debate that matter with any intelligent and respectable person." I invite Senator O'Keefe to recall the fact that, when he was in the chair, he did not use the word "No." The words which he asked Senator Vardon to withdraw were, "I will debate that question with any intelligent and respectable person." The word "No" was never introduced until

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Senator Rae declared that he heard it, and Senator O'Keefe, when in the chair, in stating the matter to the Committee, did not use that word at all. Honorable senators will see that everything depends on whether that word was used or not.

Senator RAE.—I can swear that I heard Senator Vardon use it.

Senator MILLEN.—I did not hear it used. Senator Rae says that he heard the word. But my point is that the Chairman of Committees did not use the word "No" at all in quoting in Committee what he alleged had been said by Senator Vardon. I point out that the objection to the words, if any, must rest upon the use of the word "No." If, when Senator W. Russell interjected, Senator Vardon had replied, and had used the word "No," he would have stated practically, "I am not willing to discuss the matter with you, but with any intelligent and respectable person.

Senator W. RUSSELL.—That is what the honorable senator meant, and Senator Millen knows it.

Senator MILLEN.—The whole point is in the introduction of the word "No." The use or failure to use that word "No" makes all the difference. So certain am I that it does make all the difference that I am prepared to suggest to Senator Vardon now that, if he has the slightest recollection of having used the word "No," his words were offensive, and they ought to be withdrawn. I did not hear the word "No" used by the honorable senator, though I was sitting just in front of him. I say that the words that were actually used by Senator Vardon could not be taken in the objectionable way in which, in the heat of the moment, they were taken by honorable senators opposite.

Senator RAE.—I quite admit that the use or failure to use the word "No" does, as Senator Millen has said, make all the difference. I distinctly heard Senator Vardon use the word "No," and then add, "I will discuss it with any one who is intelligent and respectable." The honorable senator may not recollect using the word "No," but I can also appeal to the tone of his utterance to show that the implication was that Senator W. Russell was neither intelligent nor respectable. No one could fail to tell from the tone of Senator Vardon's voice that that was what he intended to convey.

Senator MILLEN.—I tell the honorable senator honestly that I did put that interpretation upon it.

Senator SAYERS.—I was sitting here all the time Senator Vardon was speaking. The Vice-President of the Executive Council referred to something which he said Senator Vardon did not do when he was in the Legislative Council of South Australia. Senator Vardon replied that if he entered into a discussion of that question then he would be out of order, and that the Chairman would pull him up. Then he said he was prepared to discuss the matter with "the honorable gentleman," meaning the Vice-President of the Executive Council, at any time. Senator Russell said, "I will take that up." Senator Vardon answered, "I am prepared to discuss it with any intelligent or respectable person." Although the word "No" was interjected both by Senator Rae and the Honorary Minister, I think the Chairman will bear me out in saying that when he put the question from the Chair, he did not mention the word "No" at all. The word "No" came from an interjection on the other side of the chamber. The Chairman put the phrase before the Committee without the word "No." Now, sir, on that, Senator Vardon said he had not said anything that he thought was objectionable to any person. It is now put before you by the Chairman that Senator Vardon used the word "No." I think the Chairman will bear me out in saying that when he put the phrase from the Chair, he did not use the word "No." When he put the phrase to you, sir, he used the word "No," and that word makes a great difference. I do not like to hear any strong personalities. I did not take it from Senator Vardon's manner that he meant anything offensive to Senator W. Russell. He was slightly irritated, perhaps, at the interjection of the Vice-President of the Executive Council, but I do not think he meant any offence to any person. If the word "No" was not prefixed to the phrase used by Senator Vardon, I do not think any member of the Senate could take any exception to his remark.

Senator MCGREGOR.—The question is very easily decided. Senator Vardon was making an appeal for women in a certain condition to be allowed to vote by post. I said that he was in a very different mood to what he was when women, and men, too, were clamouring for votes for the Legislative Council of South Australia. He said my interjection was out of place, and I admit that it was, but it was only made to show his inconsistency. He then said he would debate that question with the

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Vice-President of the Executive Council, or any one else, at the proper time. Then Senator W. Russell said, "I will debate it with you." I distinctly understood Senator Vardon to reply, "No; I will discuss it with any respectable or intelligent person." The question is easily settled. Senator Vardon is prepared to discuss the question referred to with any person who is reasonable, intelligent, and respectable, and all that sort of thing. Now, if he did not mean to say "No," when he replied to Senator W. Russell, he is, I take it, prepared to discuss the question with Senator Russell.

Senator MILLEN.—He said so.

Senator MCGREGOR.—Then that settles it. If Senator Vardon is prepared to say now that he will discuss the question referred to with Senator Russell, Senator Russell can appoint a time and a place. Let us see if Senator Vardon will do it. That is exactly the position. I distinctly understood Senator Vardon to say "No," and to point out why he would not do it. No honorable senator who paid particular attention to the matter when it arose could understand anything from Senator Vardon's remarks, but that Senator Russell was not intelligent and respectable enough to discuss the question with Senator Vardon.

Senator FINDLEY.—I only wish to say one or two words before you give your decision, Mr. President. What difference will it make whether Senator Vardon admits making use of the word "No," or denies making use of the word? The facts of the case are that Senator Vardon was making a speech, and the Vice-President of the Executive Council made an interjection which was not *apropos* to the remarks Senator Vardon was making. Senator Vardon said he would discuss the matter with the Vice-President of the Executive Council, and Senator Russell said he would discuss the matter with Senator Vardon. I want to ask what difference it can make whether Senator Vardon said, "I will discuss it with an intelligent or respectable person"——

Senator MCCOLL.—He said with "any intelligent or respectable person."

Senator FINDLEY.—Senator Vardon said, "I will discuss it with any intelligent or respectable person." Does it make any material difference whether the word "No" was used or not? If Senator Russell had not challenged Senator Vardon to discuss a question with him, the remark of Senator Vardon that he would discuss the question with an intelligent or respectable person would not have been made. What difference does it make whether the word "No" was used or not? If it were left to a jury of a thousand men, would not nine hundred and ninety-nine say that the man who made that statement intended that it should have application to the man who interjected?

Senator DE LARGIE.—I think that the whole position is quite clear.

Senator MILLEN.—The Chairman of Committees is prepared to speak.

Senator DE LARGIE.—The honorable senator was not here when the point arose.

Senator MILLEN.—I was here, but you were not.

Senator DE LARGIE.—The honorable senator will admit that I am in just as good a position as he is to discuss the matter, because he has said that he did not hear the words used.

Senator MILLEN.—You were not in the chamber, and why should you try to persuade the President that you were?

Senator DE LARGIE.—I know as much as the honorable senator about what occurred. It is charged that insulting and offensive words were used to Senator W. Russell, and the customary course, when a remark is taken exception to, is for the senator who has made it, to withdraw. If the senator who has used words to which exception is taken says that he did not mean them in an offensive sense his statement is accepted, but the words are always withdrawn, whether they were meant to be offensive or not. It does not matter whether the word "No" preceded the phrase used by Senator Vardon or not. The implication was as plain as the nose on one's face. We all know full well the feeling that exists between Senator Vardon and Senator W. Russell. Senator Vardon would have acted much more fairly if he had withdrawn the statement when the Chairman called on him to do so, than by having a wrangle when every one in the chamber knows what is at the bottom of the whole affair.

Senator MILLEN.—We are having a moral lecture.

Senator DE LARGIE.—If I were as often on my feet lecturing the Senate as is the honorable senator, I might pose as lecturer-in-chief of the Senate. The honorable senator arrived in the train to-day in a very bad mood, and has not got out of it yet. The words used by Senator Vardon having been taken exception to, the Chairman was perfectly right in asking that they be withdrawn.

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The CHAIRMAN OF COMMITTEES.—I have been asked by the Leader of the Opposition to again state the exact words as I heard them used by Senator Vardon. Before referring to that, let me say that the reason why I left the chair, and submitted the matter to you, sir, was that I gave a ruling that Senator Vardon, in my opinion, should withdraw the words. I asked him, I suppose half-a-dozen times, in the ordinary courteous way in which any Chairman of Committees speaks to a senator, to withdraw the words, and Senator Vardon, after apparently hesitating for some time, stated definitely, "No, I will not withdraw." According to my reading of the Standing Orders, if any senator disputes a ruling of the Chairman of Committees he has only one course to pursue, and that is immediately to put in writing his reason for disputing the ruling. Senator Vardon did not propose to take that course at all. He definitely refused to obey the ruling, and therefore I thought that, in the interests of the proper conduct of business, I should bring the matter before you, Mr. President. I submit that if the Chairman's ruling is neither to be obeyed nor the proper course to be taken, of putting in writing the reasons for disputing the ruling, the conduct of business will be considerably hampered. Every honorable senator knows—as does Senator Vardon—that there is only one course for an honorable senator to take who disputes the Chairman's ruling. I know of no feeling between Senator Vardon and Senator W. Russell, or between honorable senators and myself; but, in my opinion, Senator Vardon having disputed my ruling, should have taken the proper course of putting in writing the reasons for disputing it.

Senator MILLEN.—You did not give him an opportunity.

The CHAIRMAN OF COMMITTEES.—I think Senator Vardon will admit he had ample opportunity of doing it, but he refused to do so, and I took the only proper course. As regards the use of the word "No," it seems to me that it is quite immaterial whether it was used or not. I admit right away that in first putting the question I did not use the word "No." The word "No," or a word like it, certainly was used by Senator Vardon so far as my hearing served me. It did not appear to me that that had the slightest material bearing on the question.

Senator MILLEN.—Now you are stating the case for the guidance of the President. Whether the word "No" has any bearing on the question or not is for him to state.

The CHAIRMAN OF COMMITTEES.—In stating the question in the first place, it appeared to me to be absolutely immaterial to the point at issue—that Senator Vardon should withdraw the statement regarded as objectionable—whether the word "No" was used, so much so that I did not use that word in putting the question. Quite a number of honorable senators have asserted that the word "No" was used, and so far as my hearing served me the word "No," or a word very much like it, was used. After all, is there anything in the point as to whether that word was used or not? What we have to decide is not any dispute between myself and Senator Vardon, or any other honorable senator, but a question affecting the conduct of the business of the Senate. The point is whether the Chairman's ruling should be obeyed, or if there is a reason for not obeying it, whether the proper course should not be taken by the honorable senator disputing the ruling, of putting in writing his reasons for objecting to it.

Senator Lt.-Colonel CAMERON.—I was not in the chamber when the incident under discussion took place. I think that the simplest plan will be for Senator Vardon to state, without any question of withdrawing the words he used, that they were not meant to refer to Senator W. Russell. I feel quite sure that if he will make a simple statement before a decision is given from the Chair honorable senators generally will be satisfied.

Senator W. RUSSELL.—I do not intend to say more than a few words. When Senator McGregor interjected to Senator Vardon the latter said that he would argue the point with the former or any one else at the proper time. I can swear that after I interjected that I would meet Senator Vardon and argue the question with him, he said "No." I will swear that anywhere as what I believe.

Senator MILLEN.—You are hardly an impartial judge in this matter.

Senator W. RUSSELL.—I want to know if Senator Millen is more impartial than I am. I do not believe that he is; but I am not here to discuss that matter. My honour is at stake. What have I done politically, morally, or otherwise, or what have I said in the Senate or elsewhere, which would justify an honorable senator on the other side in saying that I was neither intelligent

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nor respectable? Is the Senate going to brand me in that way? What evil have I done? These words come from a man who has been for twelve years president of the Young Men's Christian Association. Could hypocrisy go further?

The PRESIDENT.—Order! The honorable senator must withdraw that word.

Senator W. RUSSELL.—I withdraw it, sir. I do not want to be insulting, but it is terrible to have one's word doubted. Where is the man, in South Australia or elsewhere, who can brand me as immoral or charge me with anything pertaining to immorality, or say that I am a fool, as Senator Vardon, and Senator Millen, too, would like to do for party purposes alone? I leave my case in the hands of the Senate. I want justice; I want a withdrawal of the language complained of.

Senator CHATAWAY.—You want mercy, too, I think.

Senator W. RUSSELL.—No. There is the honorable senator again saying "mercy." I challenge any one to bring anything against my moral character. I am not going to bet, but I will give to a hospital which is in need of funds £20 if any member of the Senate can prove to me that I have in any instance branded myself as an immoral man or a fool, as Senator Vardon would like to paint me. I do object to such remarks coming from any man in the circumstances. I know, if I dare go back into history, what is at the bottom of this business! At the Coronation in England, Senator Vardon's claim was overlooked. He expected probably to be Sir Joseph to-day.

The PRESIDENT.—The Chairman of Committees has reported to the effect that Senator Vardon made a statement which he regarded as being out of order. Under the Standing Orders the Chairman of Committees has the same power as the President to take exception to a statement, and to demand the withdrawal of any words if considered to be out of order. There is another aspect of this matter, and that is that when a member of the Senate makes a statement which is considered by another senator to be applicable to himself personally, and to be offensive, it has been the custom in the Senate for the former to withdraw the statement. I think that Senator Vardon should withdraw the statement which he made. There is evidently an impression amongst a large number of honorable senators that the words which he uttered did apply specifically to Senator W. Russell, and I think that the only action which can be taken by Senator Vardon to maintain the dignity of the Senate is to withdraw the remarks which have been objected to, and which are considered by Senator W. Russell to be personally applicable to himself.

Senator VARDON.—Mr. President, at your request I withdraw the words—simply and solely at your request.

Senator LONG.—Is it competent, sir, for an honorable senator to make a withdrawal of words in that form?

Senator CHATAWAY.—At the request of the President.

Senator LONG.—I think that something more than that is due to the Senate.

The PRESIDENT.—It is unusual for an honorable senator to withdraw words objected to in that manner. He may say, "At the request of the President I withdraw the statement." To add other words seems to me to be as bad as the offence itself.

Senator VARDON.—At the request of the President I withdraw the statement.

In Committee:

Senator WALKER (New South Wales) [6.24].—I ask the Government to consider whether it would not be well to adopt the electors' right system, which I believe would provide a way out of this difficulty. In New South Wales, electors' rights were only issued to men. The signature of an elector was obtained on the butt of an elector's right before the right was issued. Suppose that we adopted the system, but with the elector's signature on the right, it is quite evident that wherever a man might go he would have to produce an elector's right. The officer could ask the man to sign his name, and if the signature did not agree with that on the elector's right, the elector could not vote. With such a system in use, we should be able to retain the postal voting system, and so get over the difficulty with which we are faced. As regards the case of persons who are ill and cannot attend personally, surely an arrangement could be made by which a person could send his electoral right to the returning officer and get from him a postal ballot-paper. We must all admit, I think, that it is very undesirable that innocent persons should be punished because others have been guilty of wrong-doing. There is no doubt that this clause, if passed, will deprive thousands of innocent persons of a right, because certain other persons have behaved dishonorably. I do not think that

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that is in accord with British ideas of justice. We should see that we do no harm to well-behaved, honorable people because others act dishonorably. I am surprised that this point has apparently not been considered by the Government. Even if only 100 innocent persons were concerned, they should not be punished because others have done wrong. I beg the Government to reconsider the matter, and to postpone the clause.

Senator SAYERS (Queensland) [6.27].—This clause calls for a little more discussion. We ought to let the people understand the part of the electoral machinery which the Government seek to do away with. What makes me feel very sore is that no remedy is proposed for the defect that will be created. Nothing is proposed to take the place of section 109, which reads—

> 1. An elector who—
>
> (*a*) has reason to believe that he will not during the hours of polling on polling day be within five miles of any polling-place for the division for which he is enrolled; or
>
> (*b*) being a woman, will on account of ill-health be unable to attend the polling-place on polling day to vote; or
>
> (*c*) will be prevented by serious illness or infirmity from attending the polling-place on polling day to vote,
>
> may make application for a postal vote certificate and postal ballot-paper.

These are the persons who are to be disqualified from voting by this measure.

Senator HENDERSON.—Oh, rot!

Senator SAYERS.—The honorable senator is all rot. Is it not a fact that these persons will be deprived of the privilege of postal voting? Here are the Act and the Bill.

Senator HENDERSON.—These are just the persons who never have voted.

Senator SAYERS.—I take it that the honorable senator is misinformed.

Senator HENDERSON.—I am correctly informed.

Senator SAYERS.—Either the honorable senator does not know what he is speaking of, or he is misinformed.

Senator HENDERSON.—I am correctly informed.

Senator SAYERS.—These, the honorable senator says, are the only people who have never voted. I think, sir, that when I am making a speech no honorable senator has a right to tell me that I am wrong. If he is man enough, let him get up afterwards and tell me where I am wrong, and not sit there yapping like a dog which has lost a bone. With all due deference to the honorable senator, I assert that the people mentioned in section 109 of the Act have voted. I have known them to vote. I have witnessed postal ballot-papers for them to vote, and I think that my statement will be taken as true. I do not say that Senator Henderson has never met with any of these people, but I have. I am quite prepared to call in any witnesses whom he thinks necessary to prove my statement. Why should these persons be disfranchised? Certainly, if they have not voted, it has been through their own fault; but this clause will deprive them of a facility to vote.

Sitting suspended from 6.30 to 8 p.m.

Senator SAYERS.—During the second-reading debate a great many excuses were made for the abolition of postal voting. I think I shall be able to show that there was no foundation for many of them. The existing law prescribes that a form shall be signed by a person who desires to vote by post, and his signature has to be witnessed by an authorized person. Before the referenda in April last, I applied for a postal ballot-paper, as I was leaving Australia for England and found that my ship would reach Fremantle on the 25th April and sail on the same day. Had I not been able to vote by post, I could not have taken part in the referenda. I should not be entitled to do so in similar circumstances under this Bill.

Senator PEARCE.—Yes; a person between ports could vote.

Senator SAYERS.—A similar privilege should be accorded to every person who is unable to go to a polling booth. Allegations have been made as to the improper use of postal voting; but no evidence has been adduced. If improper practices occurred, why was not the penalty of £50 enforced? Surely we should not abolish a great convenience simply because it is alleged that it has been misused on some occasions. We do not abolish a law simply because some persons break it. There is a law against thieving and murder. Nevertheless, those crimes are committed, and nobody proposes to abolish the law which is intended to restrain them. Because certain individuals have done wrong under the postal voting provisions of the Electoral Act, that is no reason for depriving of this privilege persons who may be sick, or too distant from a polling place to vote by ballot. I recently received a letter

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from a lady who has accepted an engagement to teach in a private family in a distant part of the country. She pointed out that, under the Bill now before the Senate, she would be deprived of her vote on election day because her home is 50 miles from the nearest polling place. She said, "I have always taken a great interest in elections, and I feel sure that there is no man in the Federal Parliament who would take the vote away from a woman who is trying to earn her livelihood."

Senator ST. LEDGER.—She did not know enough.

Senator SAYERS.—She will find out later. It must be remembered that only certain persons are authorized to witness signatures to applications for postal ballot-papers. The authorized witnesses are—All Commonwealth electoral officers, returning officers and registrars; all postmasters, postmistresses or persons in charge of post-offices; all police, stipendiary or special magistrates; all justices of the peace; all head teachers in the employment of a State Education Department; all officers of Trade and Customs; all members of a police force; all mining wardens and mining wardens' clerks in the Public Service of a State; all legally qualified medical practitioners; all officers in charge of quarantine stations and lighthouses; all pilots, telegraph line repairers, railway station-masters and night officers in charge, who are permanently employed in the Railway Department of any State; all superintendents of mercantile marine and their deputies; and all persons employed in the Public Service of the Commonwealth or of a State who are authorized by proclamation. I point out that the authorization to police officers and line repairers is particularly useful to persons living in far distant parts of the country. There may be police patrols going from station to station, and line repairers in isolated districts often visit stations for supplies. It is a great convenience for such persons to witness an application. There are large numbers of persons employed in the mercantile marine trading around our coasts, and provision should be made for them.

Senator PEARCE.—They can vote under the present Bill.

Senator SAYERS.—I very much doubt whether they can.

Senator LONG.—Does not the honorable senator think that it would be a good idea to read the Bill before criticising it? Look at clause 39.

Senator SAYERS.—I know that there is a clause in the Bill entitling a person to vote at any polling place in the Commonwealth, no matter whether it be in his own electorate or not. That is to say, a person temporarily in Melbourne can vote as if he were in an electorate in Tasmania or Western Australia. But that does not touch the point with which I am dealing. There is no clause in the Bill entitling a person to vote unless he can reach a polling place. It is useless to say to a man who lives 50 miles from a polling place that, if he were in Melbourne, he could vote as if he were in the Kennedy electorate in Queensland. I wish to extend facilities for voting, not to restrict them. At Dunwich, in Queensland, there are from 1,200 to 1,500 people, many of whom are very old and infirm. I suppose that some of them can hardly discriminate between one party and another. Dunwich is made a polling place, and the whole of those people can vote. Yet other people who are young and take a keen interest in political affairs will be debarred from voting under this Bill. Some honorable senators opposite have urged that the Opposition should draft a clause to meet such cases as I have instanced. What are the Crown Law Officers for if they cannot draft a clause for the purpose? I do not think that the officials are such dunderheads as to be unable to draw up a simple provision like that.

Senator HENDERSON.—Nobody wants such a clause except the honorable senator himself.

Senator SAYERS.—I am glad to hear the admission that nobody on the Ministerial side wants to have a clause entitling a sick woman, or a person resident 50 miles from a polling place, to record a vote.

Senator HENDERSON.—That is not the point at all.

Senator SAYERS.—This Bill has been drafted, not to give facilities to people to vote, but to prevent them from voting. If it were entitled "A Bill to prevent certain people from voting," I could understand it. The various persons who, under the existing law, are authorized to witness applications for postal ballot-papers and postal votes, are liable to a penalty if any abuse of the system has been due to their action. We have heard that the system has been

abused, and I ask why no penalty has been enforced. One swallow does not make a summer; but with all the outcry about the abuse of the system, honorable senators opposite should have been able to produce two or three cases of the kind. If the postal voting system is to be abolished on the ground that it has been abused, the ballot system should be done away with for the same reason. I have known a case in which a man, on being given a ballot-paper, retired into the box to vote, came out, put a dummy paper into the ballot-box, which I afterwards found there when counting the votes, and took the clean ballot-paper out of the polling booth to the committee conducting the election for a particular party. That clean ballot-paper was then marked by the secretary of the committee looking after a particular candidate's interests, and the next voter took it into the booth, received another paper, went into the box, came back again, put the marked paper into the ballot-box, and brought out the new ballot-paper given to him, in order that it might be marked in the same way.

Senator McGREGOR.—The honorable senator has had great experience.

Senator SAYERS.—Senator McGregor has also had experience, and I should say is as good at the business as anybody I know of.

Senator MILLEN.—That is why the honorable senator is here.

Senator SAYERS.—If that is so, then God help us! People were punished for the abuse of the ballot system to which I have referred, but we did not, on that account, hear any clamour to do away with the system of voting by ballot.

Senator FINDLEY.—I should like the honorable senator to mention the case in which he says this was done, because the ballot-paper has a special water-mark.

Senator GIVENS.—It was in the days before there was a Labour party.

Senator SAYERS.—Senator Givens knows all about it. I speak of what happened in my own district of Charters Towers. There were thousands of voters polling there, especially at the change of shifts, and it was a very difficult thing for any scrutineer to watch every man who was voting. In the case to which I have referred, a man was detected by a policeman, he was brought back to the booth, and a clean ballot-paper with the water-mark was taken out of his pocket.

Senator HENDERSON.—That was a very long time ago.

Senator SAYERS.—It was at the first Federal elections. No law can be passed which some one will not be able to abuse. A case referred to in connexion with the postal voting system was that of a postal ballot-paper being signed by a voter while another held his hand. In such a case, the voter should have been questioned and asked to make a declaration. The signature of a person upon an application for a postal ballot-paper could be compared with the signature on the ballot-paper itself, and it would be easy to detect whether they were the same. If a man misuses a postal ballot-paper which he has witnessed, it should be very easy to find it out.

Senator LONG.—Who is to find it out?

Senator SAYERS. — The Returning Officer.

Senator LONG.—Is that his business?

Senator SAYERS.—Decidedly it is. It is his business to compare the signature on the ballot-paper with the signature on the application form. If the existing Act were properly administered, no very great abuse of the postal voting system could occur. I have counted postal ballot-papers in the presence of the honorable member for Kennedy, and I know that no great amount of abuse could arise in connexion with the system. The best man might pass one or two irregular votes, but if there is any outcry about an abuse of the system the officials will be careful to see that the signatures on the postal ballot-papers and on the application forms are alike. However, if honorable senators opposite have made up there minds to disfranchise people, no matter what is said on this side, we cannot help it. They are strong enough to carry any proposal in spite of us, but it is our duty to make the best fight we can in the interests of the people who will be disfranchised if the postal voting provisions of the existing Act are repealed. The Minister has only to turn his head around to the electoral official behind him to discover that there are many other ways in which the abuse of the system, if any, might be dealt with. If the Returning Officers and Divisional Returning Officers did their duty under the existing system there could be no great cause for complaint. A case was alluded to which arose in connexion with an election in South Australia four and a half years ago, in which an electoral official said that certain ballot-papers had been burnt, or otherwise destroyed, though

many months afterwards they were found. No law that we could pass would entirely prevent that kind of thing. Though there have been abuses of the ballot system, involving thousands of votes, we hear nothing about them, but in connexion with alleged abuses of the postal voting provisions we have hearsay evidence that some one told some one else that there had been something wrong with the operation of the system. I ask the Government to retain the system, and see that the Act is enforced, and if any fraud is perpetrated let them double the existing penalties and make the term of imprisonment three months instead of one. The people who will have to suffer under the Government proposal are the last people on God's earth who should be deprived of the privilege they have under the existing law, and, in the circumstances, I ask the Government to hesitate before they decide to abolish the postal voting system.

Senator HENDERSON.—He who hesitates is lost.

Senator SAYERS.—When people become tyrants they also are lost, and if honorable senators opposite carry this proposal to take votes away from people they will have to pay the penalty eventually as all tyrants are brought down in the long run.

Senator LONG (Tasmania) [8.26].—We can understand the virtuous indignation of our friends opposite, because we know that they realize that a system is about to be repealed from which they have derived great political benefit in the past. I wish to say that the only political party responsible for the introduction of this measure is the party represented by our honorable friends opposite. If the supporters of that party had not abused the postal voting provisions to the extent to which every one knows they have been abused, there would have been no call for this amending Bill.

Senator SAYERS.—Let the honorable senator prove it.

Senator LONG.—Senator Sayers occupied several hours of our time to-day in proving nothing, but, if he will give me five minutes, I shall endeavour to prove something. Ever since I was able to appreciate the operation of the postal voting system, that is to say, since the elections of 1906, I determined that if ever I got the opportunity—and thank Heaven it has arrived—I would do my best to bring about the repeal of a system which has lent itself to so much abuse in the past.

Senator ST. LEDGER.—Anybody can destroy; we want some building up.

Senator LONG.—I make an assertion which can be backed up by reference to official documents. During the election of 1906, for the division of Denison, this system of postal voting was abused to an extent unequalled in any other part of the Commonwealth. It is no exaggeration to say that several hundred postal ballot-papers were sent under cover to one address, and people were induced to make application for these postal ballot-papers through a certain individual. The people who applied for them never saw them. They were used by the individual in question, and sent on to the Divisional Returning Officer. A senator on the other side of the chamber said that the Returning Officer's duty is to compare the signatures on the counterfoils with the applications. Now, although that is part of the Returning Officer's duty, none of the officers is an expert in handwriting, and it is not a very difficult matter to closely imitate the signature of an applicant.

Senator VARDON.—To imitate several hundreds?

Senator LONG.—I say that several hundreds were imitated. In the Denison election in 1906, out of a total of 10,700 votes recorded, there were, roughly, 650 postal votes. I will not offer the figures, because I am not quite sure of their accuracy, but the margin between the male vote and the female vote was very small. There was a small army of paid individuals touring the town with the object of inducing people to make application through them for postal ballot-papers. When an application was signed, the Divisional Returning Officer was requested to send the ballot-paper to care of Mr. Jones, and it is a well known fact that at least 300 of these ballot-papers reached that individual.

Senator VARDON.—One-half of them?

Senator LONG.—Yes. In all conscience, one-half is bad enough. It came under our notice, in a number of instances, that people who in good faith sent in applications for ballot-papers did not receive ballot-papers. Consequently, they attended the polling booth with the object of casting their votes. Their names were checked, and they were told that, having voted previously by postal ballot-papers, they could not vote again. Of course, those people were very indignant, and a number of them complained to me. Several of them were men, and at least a dozen were ladies. Of

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course, their postal ballot-papers had been used. Honorable senators opposite have time and again asked, "Why was not action taken against the people offending?" Let me tell them that the best advice that could be obtained in Hobart was obtained in connexion with these matters, and we were advised that no case would stand, because there was no absolute proof of intention to commit a fraud.

Senator MILLEN.—Though your own lawyers advised that there was no proof, you advance this as proof.

Senator LONG.—The honorable senator is an artist in splitting straws. As a lawyer, he knows very well what I mean. He understands and appreciates my argument.

Senator MILLEN.—I do. When your own lawyer, whose tendency would be to advise you to go ahead, told you you had not a case, then you had not a case.

Senator LONG.—We got the best advice we could in Hobart. My colleague, Senator Ready, this afternoon gave a striking instance of the manner in which postal voting is abused in one part of Tasmania. It is quite a common occurrence to have complaints from different parts of the island, north, south, east, and west—particularly south—where certain people travel about weeks and weeks before an election, and not only get hold of postal ballot-papers, but absolutely intimidate people into making application for postal ballot-papers.

Senator MILLEN.—Where is the evidence of intimidation?

Senator LONG.—I may tell the honorable senator that there has been so much discussion, assertion, and denial during the last few days about these cases, that to-morrow I intend to move that all papers be laid on the table of the Senate which have any bearing upon these matters, or upon questions of this character, which have been brought under the notice of the Government. I am confident that those papers will make very interesting reading. Senator Sayers appealed to the Government a few minutes ago to delay dealing with this electoral reform. I appeal to the Government not to delay it for one minute more than is necessary, because, if there is one electoral reform that is more sought after, more desired, and which will be more commendable to the people of Australia than any other, it is the reform indicated in this proposed amendment of the electoral law. Senator Sayers, a few moments ago, stated that some people at sea would be prevented from exercising the franchise. I interjected that he ought to read the Bill before he criticised it, and if he had looked at proposed new section 139, which is to take the place of old section 139, he would have seen that provision is made there for people to record their votes immediately after the writs for elections have been issued.

Senator VARDON.—That is if they will not be in the Commonwealth.

Senator LONG.—A man cannot be in the Commonwealth if he is at sea outside the territorial limit. If those honorable senators who wish the passage of the Bill postponed are alive to their responsibilities as representatives of the people, and are satisfied that the Bill calls for radical amendment, then it is their duty to present an amendment to take the place of the section which it is proposed to amend. I sincerely hope the Government will not listen to the pleading of honorable senators opposite to delay the passage of the Bill, and that it will not be delayed one moment more than is necessary.

Senator McCOLL (Victoria) [8.38].—The honorable senator who has just resumed his seat has made some wild and whirling statements as to some very nefarious doings in some constituency in Tasmania, and he has not brought forward one atom of proof.

Senator GIVENS.—Could you find any legal proof that the sun will rise to-morrow?

Senator McCOLL.—Senator Long started off by saying that he would bring before the Senate proof as to the way in which postal votes had been manipulated, but he has not brought forward any proof.

Senator LONG.—The honorable senator has been overwhelmed with proof, but it has been wasted on him.

Senator McCOLL.—We have had no proof at all. The honorable senator said that some hundreds of postal ballot-papers were signed, and were sent to the Divisional Returning Officer, but that they had not been signed by the persons by whom they purported to have been signed. He said that those people went to the poll, not having received their postal ballot-papers, and found that their postal ballot-papers had been voted on, and that, their names having been struck off, they were unable to record their votes. Is not that the statement of the honorable senator?

Senator LONG.—Yes.

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Senator McCOLL.—It is an extraordinary statement, and it is an extraordinary thing that the whole Commonwealth did not ring with such a doing as that.

Senator LONG.—It was not my fault that it did not.

Senator McCOLL.—It is the fault of some one that the Commonwealth did not ring with it, and the fault of some one that the people who acted in that way were not punished.

Senator LONG.—It was the fault of the defective system, for which the honorable senator is in a measure responsible.

Senator McCOLL.—I do not say there is any defective system. We have in the Act the most stringent regulations for the conduct of elections in regard to voting by post, and very severe penalties can be imposed. The honorable senator says that legal advice was taken, and the opinion was given that no case would stand. Is not that a proof that there was no case, and that what he has been telling us to-night is really not correct? We find that there is a proper mode of procedure by which the postal votes can be checked. It is provided in the Act that an authorized witness shall not witness the signature of any applicant for a postal voting ballot-paper unless, first of all, he has satisfied himself as to the identity of the applicant, has seen the applicant sign the application in his own handwriting, and is personally acquainted with the facts, or has satisfied himself by inquiry from the applicant that the statements contained in the application are true. Under that provision, there is a penalty of £50, or one month's imprisonment. Does the honorable senator mean to say that no effort was made to sheet the charges home and to endeavour to trace who had signed these papers and witnessed the signatures? It is also provided that—

> All applications for postal votes certificates and postal ballot-papers received by a returning officer shall be kept by him, and shall be open to public inspection at all convenient times during office hours until the election can be no longer questioned.

Was not that done in the case the honorable senator mentioned? Was there no one on the honorable senator's side checking, and looking after these things? The applications and certificates have to be numbered, and the Returning Officer has to testify as to the number issued. Explicit directions are also given as to the manner in which an elector must record his vote. What the honorable senator has told us is astonishing to me, and I can hardly believe it to be true.

Senator LONG.—It is true, none the less.

Senator McCOLL.—Then some one should have been brought to book and severely punished. I shall be pleased if the honorable senator moves that all the papers be laid before the Senate, in order that we may find out if these practices have been going on. If they have, I, for one, will join in putting a stop to such a state of affairs.

Senator WALKER (New South Wales) [8.45].—I propose to move two short amendments, not to do away with voting by post, but to so amend the clause as to make it read—

> Section 2 of the Principal Act is altered so that "Part X.—Voting by Post" shall read "Voting by Post with the use of electoral rights."

In the first place, I move—

> That the words "amended by omitting therefrom the words" be left out, with a view to insert in lieu thereof the words "altered so that."

I am quite aware that in days gone by in New South Wales many persons mislaid or lost their electoral rights. That, I understand, was one of the commonest objections to the system. When a person got an electoral right he had to sign his signature on the butt retained in the office, but not on the right itself. The consequence was that manipulations of electoral rights took place. If a man's autograph were on the butt of the electoral right he could vote, but, if asked, he would have to write his signature to show that he was the person entitled to vote, and it could be compared there and then with the signature on the right. The electoral right, if the signature were, evidently, a forgery, could be retained and the man's name taken down, and no doubt he would be prosecuted. With regard to persons who were situated at a great distance, or who were ill, we could surely regulate the voting by post so that they could send in their electoral rights some days before polling day, the returning officer could keep the documents in his possession, and send them voting papers in such a manner that no one but the persons entitled to them would be able to use them. How that could be done I shall explain. In the election of the directors of an institution I belong to the voting paper is sent out in an envelope, and attached to that is the person's signature, which can be detached. If my proposal were adopted for electoral purposes the

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signature of an elector could, if necessary, be compared, and persons who could not attend, through sickness or by reason of distance, would be able to vote by post. I know that there is a great prejudice against the use of electoral rights, because, in days gone by, in New South Wales, persons often made a wrong use of them. Under my suggestion we would have a great check on the misuse of the documents. I have no wish to press the matter, if the Government say that they are willing to postpone the clause and to consider my suggestion. I feel quite sure that public feeling will grow very greatly against a Government which brings in a Bill to make the innocent suffer for the guilty, and certainly that is what will take place under this measure, if it is not amended in some such manner as I suggest. Thousands of persons, both men and women, will be unable, through illness, to vote. Why? Because other persons have misused their opportunities, and the witnesses, whoever they were, presumably lent themselves to what was very much like roguery. I do not think that in any circumstances we ought to punish the innocent for the faults of the guilty. After what we have heard from Senator Sayers and others, it is quite evident to me that there has been a great lapse or ignorance on the part of persons witnessing postal ballot-papers. I have no wish to inconvenience the Committee, but I feel very strongly on this subject. I feel persuaded that public feeling will rise in indignation, and very rightly so, against the innocent being made to suffer for the guilty.

Senator HENDERSON (Western Australia) [8.50].—I recognise that voting by post has proved itself a most deplorable failure so far as the purity of elections is concerned, but I think that if we were to adopt the proposal of Senator Walker, we should find ourselves in a more deplorable position than we would were postal voting retained as it is. I have had some experience of the glorified system which he is endeavouring to import into this measure. I am satisfied that he is perfectly honest, and would never traffic with electors' rights as persons in New South Wales have been guilty of doing. The elector's right bore on its face all kinds of things. It was tried in all shapes and forms, and it was usually bought on polling day at any price from 1s. to £1, and used to advance party interests. I sincerely hope that the system will not be introduced into this Bill. I quite understand the position taken up by the Opposition, and sympathize with them. I recognise that, from the commencement of Australian history, politicians of a like creed have had the framing of the electoral laws, and consequently this is the first time when they find themselves unable to put one impress on the electoral law of the Commonwealth. In these circumstances I can sympathize with honorable senators on the other side, inasmuch as previously they always took good care so to frame the law that it would serve their purposes.

Senator MILLEN.—That is what you are doing in this Bill.

Senator HENDERSON.—That is what the Opposition tried to do before, and that is what they did. Whether they are satisfied with the evidence that has been produced is a matter of no consideration, because if we were to bring forward evidence which was so clear that at the judgment-seat every man who had assisted in building it up would be condemned, still they would not be satisfied. They are satisfied that so long as the provisions for postal voting remain as they are in the Act, so long will they be utilized by their side in politics, and so long will that side be in a position to utilize them very effectively. Consequently they are not likely to give very much support to the clause, but rather to do as they are doing, that is, fight as long as ever fight is left in them, to cling to a weapon which they know has served them very effectively. In his usual bluff manner, Senator Sayers lamented over the men who are 50 or 60 miles away from a polling place. That is a thing over which we have no right to lament. Every member of the Opposition ought to endeavour with me to see that no person shall be 50 or 60 miles away from a polling booth where there are voters in any number.

Senator MILLEN.—Any number?

Senator HENDERSON.—Yes. I recognised, when the party of which the honorable senator is an honoured member were in power, that they took good care to fix the polling places in such positions that they would get the greatest number of votes for themselves in nineteen cases out of twenty.

Senator MILLEN.—You have not the slightest justification for making that statement.

Senator HENDERSON.—I have ample justification.

Senator MILLEN.—No, it is a most reckless statement.

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Senator HENDERSON.—What we want to do is to make the polling booths serviceable to the electors, wherever there is a number of them, and not to do as the other side have done. We ought not to say, "Unless you have one hundred voters in the locality you shall not have a polling booth. If there are only eighty voters there you will have to go 65 miles to record your votes at the nearest polling place."

Senator MILLEN.—We left them the system of postal voting.

Senator HENDERSON.—No, we do not want that system.

Senator MILLEN.—We had it then.

Senator HENDERSON.—It was not the persons I am speaking of who used the postal voting system, but the people in the main streets in the big cities, residing close to a polling booth, and many of them having three or four polling booths within a quarter of an hour's walk. It was these persons who utilized the system, while sixty or seventy persons who were at a place 50 or 60 miles away from a polling booth had no facilities given to them to vote. I hope that we shall take care to provide such facilities as will enable persons in outlying places to cast their votes in a polling booth. Senator Sayers made a most pitiful appeal concerning the number of persons who were likely to be disfranchised by this Bill, and Senator Walker is making an effort to save them. I want to charge the Opposition with exactly the position with which they have charged us. They have not shown one vestige of evidence that we shall disfranchise any one. Senator McColl tried to show that 29,000 persons would be disfranchised by this alteration of the law, half of whom reside in Victoria. But he did not observe that the probabilities are that a large percentage of those who voted by post at the last election were servant girls in Toorak, whose employers induced them to vote by post in the interests of the honorable senator and his party.

Senator ST. LEDGER.—What evidence is there of that?

Senator HENDERSON.—There is the self-same evidence for it as honorable senators opposite have given for their charges as to the people we are going to disfranchise. The number of votes recorded by post at the last election is no kind of criterion as to the number of people likely to be disfranchised by wiping out this deplorable system. I sincerely hope that the Committee will stand faithfully by the proposal of the Government, and that everything possible will be done to purify our electoral system.

Senator MILLEN (New South Wales) [9.1].—I wish to direct attention to certain statements made by the honorable senator who has just resumed his seat—statements which, disguise them as you may, amounted to a charge of absolute corruption against the late Administration. That charge was to the effect that the previous Government had, for purely party purposes, created certain polling places where it suited them, and had withheld polling facilities where they ought to have been granted. I invite the Government either to prove or to disprove that charge. In fairness to those whose honour has been reflected upon, they ought to do the one thing or the other. If the charge be true, every man in the late Administration ought to be branded throughout Australia as absolutely unfitted to occupy any place in the public life of the country; but if the charge be not true—if there be no justification for it—I have no hesitation in saying that the man who made it ought to be drummed out of public life.

Senator LONG.—What an exhibition of heroics!

Senator MILLEN.—I have no doubt that, finding that there is no evidence whatever to justify such a charge, the honorable senator would like to make it appear to be a subject for jocularity. But I challenge honorable senators opposite, here and now, to make good their allegation. The Minister who was responsible for this particular work in the late Government did exactly what was done by all previous Administrations, and followed the only course that was open to an honest administrator. That was to leave the matter entirely in the hands of the responsible officers. No Minister in the last Administration, nor, I believe, in any previous Administration, who had charge of this Department, attempted to dictate to the officers as to where polling places should be established. There is a member of this Senate, who was the Minister who initiated the policy which has been followed by all of his successors. He will be able to say whether what I am stating is not the truth. Let me point out, further, that if the charge made by Senator Henderson were true, and polling places were arranged in the manner he has described, it was his duty to make a statement to that effect at

the time. But there is not the slightest evidence in support of what he has said. He has been entirely actuated by a desire to vilify his political opponents. I invite Ministers to search the records of the Electoral Office, and to see if there is anything whatever to justify what Senator Henderson has said. I think I am warranted in saying that no action whatever was taken by the official head of the Department with reference to the country officials under his control, except in so far as he was acting upon the advice of his responsible officers. I say, moreover—repeating my invitation to the Government—that they ought to search the records of the Department, and bring forward proof, if they can find any, in support of the charges to which we have listened.

Senator LONG.—What is the use of going into the past offences of the Opposition? They have been punished for them.

Senator MILLEN.—Why did not Senator Long make his protest against this resurrection when Senator Henderson was making his libellous statements? But no protest came from the honorable senator then. He never said a word.

Senator LONG.—Senator Henderson was able to justify his statements, as he always is.

Senator MILLEN.—Here, again, we have a member of the Ministerial party reaffirming the same libel. I say, once more, to the Government, that in fairness to their political opponents they ought to search the records of the Department, and tell the Senate whether there is the slightest justification for it.

Senator LONG.—Come to the rescue of the Opposition?

Senator MILLEN.—Come to the rescue of honesty in public life—a thing of which the honorable senator appears to have no conception, or he would not be making these interjections now. It is becoming a deplorable state of affairs when honorable senators opposite are prepared to get up and make a charge of political corruption against their opponents without having the manliness to produce a tittle of evidence when challenged to do so.

Senator LONG.—I warn the honorable senator not to push his request too far.

Senator MILLEN.—I am pushing it right home. I repeat my statement that if it can be shown that the late Ministry, for purposes of party or for self—for that is what it amounted to—were guilty of such a breach of political honesty as Senator Henderson has alleged, they ought to be drummed out of public life. But if, on the other hand, the charge cannot be proved, the Government, in fairness to those who have preceded them, ought to tell us frankly that there is no foundation for it. Turning to Senator Walker's amendment, I have to say that, however strong his desire may be to revive a system which I personally hope has disappeared for ever from Australia—namely, the electoral rights system—I cannot give him any support. I saw too many bundles of these documents in the hands of my political opponents to make me feel comfortable about the system. More than that, I suggest that the clause under consideration is hardly the proper place for the discussion of the subject. This is merely an index clause; it is not even an interpretation clause. Whether the words proposed are added or not, the term "Voting by Post" should be complete as a reference in itself.

Senator Lt.-Colonel CAMERON (Tasmania) [9.10].—I should like to ask the Government whether it has been absolutely decided by them that no opportunity whatever shall be afforded to women, or to persons who are indisposed, to vote unless they go to a polling booth? Do I understand that that is absolutely the position taken up? I suggest that the Government have power by regulation to bring in a system that would enable two classes of persons who are in every way entitled to our respect to have their rights regarded, no matter what party may sit upon the Government benches.

Senator FINDLEY (Victoria—Honorary Minister) [9.11].—One would really think, judging by the amount of heat evoked during the discussion in respect to the provision for the abolition of postal voting, that thousands of men and women will be disfranchised if the Bill becomes law. But everybody who has read the measure knows that little, if any, inconvenience will be caused. Rightly or wrongly, the Government believe that there will be considerable additions to the electoral rolls under this Bill. We believe that a larger percentage of votes will be recorded, and that there will be more facilities for recording votes under this Bill than exist under the present law. It is true that voting by post will not be permissible. Reasons have already been given why the Government are anxious to abolish that system. I have no doubt that Senator Walker is actuated by a desire to do his best for the electors, but

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nobody who has had any experience of electoral rights can be anxious to have that system restored. Undoubtedly, they were used as they were never intended to be used.

Senator WALKER.—Is it not a fact that the signatures of the electors appeared on the rights?

Senator FINDLEY.—Whether the rights were signed by the electors or not, improper practices were resorted to. It was known to be a common boast that, by means of the electoral rights system, certain persons could control 50 or 100 votes at any election.

Senator WALKER.—If my system were adopted persons could only do that by committing forgery.

Senator FINDLEY.—We say that there are the strongest objections to the system of voting by post, and I believe similar evils would spring up under Senator Walker's proposal. Therefore, the Government cannot entertain the amendment.

Senator ST. LEDGER (Queensland) [9.14].—A distinct question was put to the Minister by Senator Cameron. To a certain extent it has been answered by the statement that postal voting is going to be abolished. But the Minister has not answered the statement that under the system proposed numbers of electors will be excluded from the exercise of the franchise. I do not think that at any time in the history of the development of the franchise, until now, in the Commonwealth, where we have absolute adult suffrage, any community has gone back on the progress made. The present Government are the first to ask Parliament to go back. These points were raised on the second reading, and have been emphasized in Committee; and, although the supporters of the Government are aware that it is intended by this Bill to deprive people of votes, by reason of their age and infirmity, they still persist with the proposal. The Minister in charge of the Bill has heard the reply of the Leader of the Opposition to a charge of corruption on the part of a previous Administration, and he has not a word to say.

Senator MILLEN.—The Minister of Defence can laugh.

Senator ST. LEDGER.—Entrenched behind the numbers opposite, the Minister of Defence can continue to smile all the time. But to-day is for honorable senators opposite, and to-morrow, possibly, for honorable senators on this side. I have not had much parliamentary experience, but within my reading and experience of parliamentary usage and practice I never heard of a charge of corruption against a previous Administration, refuted by a Leader of the Opposition with a challenge to the Government to say how true it was, being left unanswered by Ministers. The Minister in charge of this Bill has resumed his seat without a single word in reply to the speech of the Leader of the Opposition; and his colleague, the Minister of Defence, smiles at the position.

Senator PEARCE.—I was not smiling at that, but at the honorable senator's tragic gestures.

Senator ST. LEDGER.—There is something to be indignant about.

Senator FINDLEY.—I did not make any charge against the Leader of the Opposition.

Senator ST. LEDGER.—The Minister introduced this Bill with a knowledge of past administration of the electoral law.

Senator FINDLEY.—I do not carry the Electoral Office about in my pocket.

Senator ST. LEDGER.—Of what use is it for the honorable senator to try to get out of the difficulty in that way? He has introduced an amending Bill, founded, it is to be presumed, on alleged defects of past administration. One of his supporters made a charge against a past Government of administering the Act corruptly. The Leader of the Opposition, who was a member of that Government, asks that that charge shall be substantiated.

Senator FINDLEY.—According to the honorable senator, whether the charge was correct or incorrect, I am responsible for it.

Senator ST. LEDGER.—Again the honorable senator is trying to evade the point. He has introduced an amending Bill, with a knowledge of past administration; a charge of corruption in past administration has been made, and he has not a single word to say about it; though he can reply to an honorable senator who made a charge from this side. The position, I should say, is unprecedented.

Senator FINDLEY.—The attitude the honorable senator is taking up towards me is unprecedented.

Senator ST. LEDGER.—It may be that, in the heat of debate, the honorable senator overlooked the strong charge made by Senator Millen.

Senator FINDLEY.—I did not overlook anything. I did not make a charge, and I am in no way responsible for the charge

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that was made, whether the previous Administration was corrupt or incorrupt.

Senator ST. LEDGER.—The charge was made by one of the honorable senator's supporters.

Senator McCOLL.—And it was made as a justification for the introduction of this Bill.

Senator FINDLEY.—By whom; not the Government?

Senator ST. LEDGER.—By the honorable senator's colleague.

Senator FINDLEY.—I am not responsible for everything my colleague says. The Leader of the Opposition is not responsible for everything which an honorable senator opposite says.

Senator ST. LEDGER.—May I remind the Minister of the old proverb, "Silence gives consent"? He has consented by his silence to the charge. He will not, or cannot, refute it, and he will not even go so far in connexion with a matter affecting parliamentary honour, as well as the honour of the Government, as to say that he will look into it. If this is the way in which the franchise is to be handled, and criticism from this side is to be met, deliberation in Parliament becomes a farce.

Senator FINDLEY.—I think the honorable senator might leave the Leader of the Opposition to defend himself. He is quite capable of doing so.

Senator ST. LEDGER.—With all respect for the Minister and Senator Millen, whether either or both can look after themselves, I have my case to look after. This matter, which should be conducted entirely free from party considerations, is being made the strongest of party issues. During the debate, the grossest charges of personal, as well as Ministerial corruption, are made, abuse of the postal voting system is alleged, and when no notice is taken of criticism, we have a right to ask whether Parliament is to be a deliberative assembly or a place in which, when the word goes forth from those who have the numbers behind them, a measure is to go through whether it is right or wrong, just or unjust. This is putting the franchise as it used to be put before—practically at the point of the bayonet.

Senator W. RUSSELL.—But without the gag, as the party opposite used to give it to us.

Senator MILLEN.—It was the honorable senator's party who introduced the gag.

Senator PEARCE.—But we never used it.

Senator MILLEN.—No; honorable senators opposite were not game to use it.

Senator ST. LEDGER.—Are we to take these references to the gag as a hint that it is to be applied to those who are venturing to criticise this measure?

Senator PEARCE.—The honorable senator wishes to become a martyr.

Senator ST. LEDGER.—I hope that no one is trying to make a fool of himself. There is one thing which stands out very prominently in the discussion on this Bill. In Queensland, and probably also in the other States, it is the practice to proclaim polling booths in certain State institutions in which the aged and infirm are gathered together, so that by walking only a few yards, they may be able to record their votes. That practice is adopted at Dunwich, in Queensland, where there are, perhaps, over 1,000 aged and infirm people. Similar facilities should continue to be given to such people. It ought not to be a crime in the eyes of the State to be poor, and it ought not to be a cause of punishment that one is infirm. If we give 1,000 or 10,000 aged and infirm persons gathered together in public institutions facilities for recording their votes by providing polling booths at their very doors, surely we should extend a similar privilege to the aged and infirm who are not gathered in such institutions. The Minister will not take the trouble himself, nor will he give us the necessary time, to consider some amendment which, in the face of the alleged abuses of the postal voting system, would provide necessary facilities for such persons to record their votes.

Senator FINDLEY.—The Bill has been before the Senate for two or three weeks. Honorable senators opposite evidently require a good deal of time to work out their suggestions.

Senator ST. LEDGER.—As the Minister will not do what is desired, we must conclude that if we had time to prepare suitable amendments, he would turn them down in just the same way as he has ignored our criticism of the Bill, no matter what arguments we might use in support of them. One might speak with the tongues of men and angels, but it would be of no use.

Senator FINDLEY.—If I were in the honorable senator's position, I should suggest an amendment, and not talk about it.

Senator ST. LEDGER.—Then in a deliberative assembly, those in power should speak, and those whose duty it is to criticise should not talk at all. The fiat has gone forth in this matter of postal voting, and the Minister refuses by one word to

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meet the challenge thrown out by the Opposition. In this particular case where a charge has been made he will not say he thinks that it is unfounded, or that he will inquire into it. It is characteristic of the method in which this thing is being bludgeoned through. It may be said that it is futile to speak, as it is impossible to get the Ministry to alter their decision, but still one must persist, because some of what is said will leak out, and some of it will be considered by the people outside. Apart from the injustice that the Government are doing knowingly, and without a shadow of defence for their shameful act, not one scintilla of evidence has come from the Ministerial side to support the charges that have been made.

The TEMPORARY CHAIRMAN (Senator GIVENS).—I think the honorable senator has referred to that matter very frequently.

Senator ST. LEDGER.—I will now proceed with another point. I have sometimes complained to the Department officially with regard to its administration of some portions of the Electoral Acts. I think the centralized administration which has prevailed for such a number of years has made the officials, and sometimes the Ministers, unable to appreciate the vast difficulties people in the back-blocks have to overcome in order to exercise the franchise. We have in our country as large a territory as Great Britain, France, Spain, and Portugal, with some other place thrown in, and only one small portion is settled. Settlement is going slowly but surely into the back-blocks, and it is an absolute impossibility, without spending hundreds of thousands of pounds, to provide polling places in those parts into which settlement is gradually going. Under the present Act a person residing over 5 miles from a polling booth is able to vote by post. Is there any one in his senses who is prepared to say that that is not exactly what ought to be done? Here is a rather extraordinary position. The Ministry have provided that every adult person in Australia who is away from his or her division on polling day, if strong enough to get to any polling booth anywhere in the Commonwealth, shall be allowed to vote. At first sight that is a generous application of further voting facilities. I have no objection to that under proper safeguards. The Ministry give to persons who are strong and healthy, who may be thousands of miles away from the division in which they are enrolled, the opportunity to vote; whereas persons who are in their division, but who are 30 or 40 miles away from a polling booth, are being deprived of an opportunity of voting. It frequently happens that a man and his wife have a farm 5 or 6 miles away from a polling booth. It is absolutely impossible for the woman to leave her children and go with her husband to vote. Either the man or his wife must stay at home for the purpose of looking after the household, and because of that, one of them is deprived of the opportunity of voting. On the other hand, able-bodied men and women who are travelling are to be allowed to vote at any polling booth. These people may be about to shake the dust of Australia off their feet, and they may be able to vote just before departing, whereas thousands of people in Australia who are bound to their little farms or holdings, will not be able to vote. In those cases either the wife or the husband must stay away from the polling booth to look after the household. If we disfranchise only a dozen people we do an injustice to that dozen people. We know that it is a physical impossibility for hundreds of men and women to get to the polling booths. The Ministry practically say to those people, "If we concede to you the privilege of using a postal vote properly, and of using it without the slightest undue influence, other persons will abuse it or use it corruptly." To take away the right of a man or a woman to vote is to inflict the greatest political or social injustice that can be inflicted on that man or woman. It is utterly ridiculous for the Ministry to pretend that in this Bill they are acting in consonance with the spirit of Democracy or the spirit of the Constitution. Time after time we have asked, "Give us specific instances of abuses under the postal voting system." If the Ministry were to give those specific instances of abuse, the Committee might be able to devise some conditions by which those abuses would be guarded against. We have asked for specific instances, and we have had charge after charge made, and those charges have broken down. Then the last refuge is the suggestion of personal corruption — first, through one's self; second, through one's party; and finally and most dastardly, through the Government which we supported. Surely the

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Minister has some reason for his action in introducing this proposal. Apparently he is going to bludgeon it through in the face of this criticism. Let us take it that there are 30,000 postal votes exercised at an election. By passing this clause we will actually disfranchise a number of electors equal to a large constituency. The average constituency has under 30,000 electors. In connexion with the representation of the back-blocks electorates, which is most important to us, not a shadow of proof of any charge of abuse has been put forward. It is at the people in those electorates that this clause strikes. By this clause settlers in the back-blocks, and especially the small ones, with 300 or 400 acres, who are some distance away from a polling booth, will be deprived of the opportunity of voting.

Senator PEARCE.—More postal votes are exercised in the big towns than in the country.

Senator ST. LEDGER.—Is that any reason why the people in sparsely-populated districts should be deprived of the privilege of postal voting? It does not matter whether or not the people in centres of population have abused the postal voting provisions, we ought to give every facility to the people in the back-blocks to record their votes. Abuses of the postal voting provisions may have been perpetrated in Melbourne or other places, but is that any reason why we should flog the backs, politically speaking, of the settlers in the back-blocks? That is the statement of the Minister of Defence now. Say there had been three or four, or a dozen, elections upset in large centres of population owing to corrupt practices in connexion with the postal voting system, does the honorable senator say that that is a reason why people elsewhere should be punished? Is not that a Chinese method of dealing out punishment? In China, if something goes wrong in the Customs at Hankow, they cut off the head of a man at Canton. What is the burden of the song of the Minister in charge of the Bill? He said that something went wrong in Melbourne, and because of that he is going to punish the people in the country districts. Even at this late hour I ask the Government to withdraw the clause, and give us time to consider the matter, if the amendment of Senator Walker is not acceptable to them. Their attitude towards the Opposition shows a spirit of almost Cæsarism. I feel sure that the public will recognise that we on this side are standing by the franchise as it was laid down in the Constitution. I have not imported any political or party issues into the debate, I have charged no Government with corruption or failure to administer the Act, but I have pointed out that this measure will do a gross injustice to many persons. What have we got from the other side? Only smiles. There was a time when people had to fight for the franchise, and when it was obtained it was so used as to make our Empire what it is. But this is the first time in the history of a constitutionally-governed country, either within or without the Empire, where the Government have sought to curtail a franchise based on adult suffrage, and to curtail it on such grounds as would be scorned and laughed out anywhere outside, say, of China, which has its own method of doing justice.

Senator LYNCH (Western Australia) [9.48].—I confess that a serious pass has been reached when I have to recognise that after a trial of nearly nine years this method of enabling absent voters to record their votes on polling day has broken down. I can well remember, and it is not many years ago, when it was the dream of very many progressive spirits in this country that a time would come when a method for enabling those who could not attend on polling day to vote would be devised by the Legislature. I can well remember that the Labour party in those days looked forward to a time when shearers and seamen would be accommodated with a means to vote, and that the privilege would be extended to those who, by reason of sickness or other disability, could not attend on polling day to record their votes. I think I can fairly claim that the Electoral Act of 1902 was passed largely, if not exclusively, by the assistance of the Labour party, and that a prominent object of that measure was to give an opportunity to vote to those who could not conveniently attend on polling day. I am sure that the most violent partisan, either here or outside, will not say that the great party which has possession of the Treasury bench to-day would have suddenly turned their backs on a policy which they had advocated for a long time, and hoped would work a lot of benefit without having some very good ground for their decision. Not only did this proposal to give a fuller and freer franchise to the people originate with the Labour party, but it was advocated by them in season and out of season.

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Senator KEATING.—In Tasmania it was in force before the Commonwealth was established.

Senator LYNCH.—To what extent?

Senator KEATING.—More largely than here.

Senator McCOLL.—It was in force in Victoria, too.

Senator LYNCH.—I know that in South Australia the late Mr. Kingston was first associated with the real endeavour to give absent voters a chance to record their votes.

Senator McCOLL.—In 1896.

Senator LYNCH.—I can well remember when we were looking forward in New South Wales to the chance of a voter who went to sea, or was engaged in shearing, being allowed to record his vote. It was not possible in that State in those days, and as a member of the Labour party I looked forward with ardent hope to the time when it would be possible. As the idea grew in popularity the Labour party continued to give an unfailing support to its enactment. Is it not strange, then, that we should suddenly have turned our backs on a proposal with which we were so long associated, and from which we expected so much public benefit to flow?

Senator MILLEN.—In the first instance, and as far as I know right through the history of the Federal Parliament, the Labour party has been opposed to postal voting.

Senator PEARCE.—That is not so.

Senator LYNCH.—If that is so, I entirely misunderstand the position.

Senator MILLEN.—If the Minister of Defence says it is not so, I have been under a wrong impression.

Senator LYNCH.—The Electoral Act of 1902 was passed by a Government which perhaps to a very great extent owed its existence to the support of the Labour party, and it contained the provisions for postal voting.

Senator McCOLL.—It was passed at the instance of Sir William Lyne.

Senator LYNCH.—The Act was passed over nine years ago with the full concurrence of the Labour party; it has been tested, and I have been forced to the conclusion that the system of voting by post has been greatly abused time and again.

Senator WALKER.—You propose to punish the innocent for the faults of the guilty?

Senator LYNCH.—We do not propose to do anything of the kind, but suppose that under the law as it stands ten persons have, through the facilities for absent voting, been able to record their votes in a legitimate way, and that in opposition to them ten persons have been intimidated, or caused to cast their votes in a direction against their consciences, then the ten whose interests the honorable senator wants to safeguard have had their votes neutralized by the fact of the other ten votes having been cast against the will of their owners.

Senator VARDON.—That does not answer the interjection.

Senator LYNCH.—It answers the point, I think, fairly well. If it has been possible in the past to enable ten persons to cast their votes by reason of a legitimate disability, and at the same time ten votes have been recorded which should not have been recorded, the ten voters whom Senator Walker wants to safeguard have been disfranchised. The Opposition have been asking all along the line for proofs of abuse of postal voting. When the system was in full blast in Western Australia one vote was recorded in the name of a person who was an inmate of a gaol. At the same election votes were recorded for persons who had not been heard of for years, and persons who it was known were residing in South Africa. Senator Buzacott can confirm my statement that the scrutineers burst into a fit of laughter at the votes coming forward with the alleged signatures of these persons.

Senator WALKER.—Why did they not punish the men who recorded the votes?

Senator LYNCH.—Because, as has been stated, of the impossibility of getting sufficient proof.

Senator MILLEN.—What difficulty was there in getting hold of the authorized witnesses?

Senator LYNCH.—It was not pushed to the extreme.

Senator MILLEN.—You did not try to get proof.

Senator LYNCH.—The candidate who attempted to procure these postal votes was one of the most rabid opponents of the Labour party. On that occasion he received about three postal votes to every two received by the Labour nominee. In fact, a person in the western State has only to recall the practice of postal voting in any division to be quite satisfied that an overwhelming majority of postal votes have been obtained by opponents of the Labour party.

Senator MILLEN.—That is the trouble.

Senator LYNCH.—I do not object to that. What I complain of is that postal

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voting has been associated with gross injustice for which there was no warrant. Persons have been employed to go round as postal vote officers, and as justices of the peace, to collect the votes of those who were not entitled to vote, and at the same time have used every possible means to win votes to their side. We know that undue influence has been exercised over and over again by those who were sent out to collect votes. It was because of this practice that the Labour party came to the conclusion that, in the interests of a pure and clean system of politics, postal voting should be wiped out once and for all. I want to draw the attention of Senator Walker to the fact that so long as he helps to maintain a system under which votes can be cast in a direction which the owner does not intend, so long will he be a party to a system which will to some extent disfranchise those who would have their votes cast in a legitimate way. Hitherto the Labour party have been very staunch supporters of this system, from which they expected great benefits to flow. It has had a trial for nine years, and one unfailing result has been that it has been associated with practices of a most questionable kind. While I recognise that there will be hardships inflicted under this clause, still we shall secure that greater benefit of a purer, a cleaner, and a more systematic recording of votes in the future than has been our experience in the past. I was once a believer in postal voting; but as one who has watched its operation and noted its results, although we could not get positive evidence of abuse and misuse, I feel perfectly satisfied in my mind that it is a system which ought to be abolished, and which must go.

Progress reported.

CONCILIATION AND ARBITRATION BILL.

Bill received from House of Representatives, and (on motion by Senator McGregor) read a first time.

LIGHTHOUSES BILL.

Bill returned from House of Representatives with a message intimating that it had agreed to the Bill with amendments.

Ordered—

That the message be taken into consideration in Committee to-morrow.

ADJOURNMENT.

Electoral Administration.

Motion (by Senator McGregor) proposed—

That the Senate do now adjourn.

Senator MILLEN (New South Wales) [10.4].—I desire to submit a matter for the consideration of the Vice-President of the Executive Council. During his absence, when the Senate was in Committee, Senator Henderson made a statement, which was an accusation against the past Administration, of having appointed polling places, or withheld the appointment of such places, merely to suit its own party purposes. I then stigmatized that as a charge of corruption against the late Administration, and invited Ministers to take the necessary steps to put them into a position either to affirm the statement officially or to deny it. Neither of the Ministers then present responded to that invitation. I now invite the Vice-President of the Executive Council, as the merest piece of fairness which the Government can extend to their political opponents, to make inquiries in the Department, to search its records, and to take whatever steps they like to probe the matter to its depths, and say whether there is the slightest justification for this gross imputation upon the honour of their predecessors?

Senator HENDERSON (Western Australia) [10.5].—Senator Millen seems to be so agitated that one would almost be compelled to think that there was something new in the statement that I made in Committee in regard to the polling facilities offered to the electors. What I said then I still maintain. I say that the electoral laws have up to the present time been absolutely ineffective in regard to the provision of facilities to vote for electors residing in many parts of Australia. I speak particularly in regard to my own State, where I know that polling facilities have not been granted in anything like the proportion that they ought to have been, if people were to have such opportunities of voting as were enjoyed by those who reside in the large centres. I know of large numbers of men, living in the bush, timber-hewing and following the usual avocations of bushmen, who have been denied those facilities for voting simply because their numbers, in the eyes of the administrators of the electoral law, were not sufficient to justify the establishment of poll-

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ing booths at which they could exercise the franchise.

Senator MILLEN.—The honorable senator said that this was done for party purposes.

Senator HENDERSON.—I say now that the whole of our electoral machinery up to the present moment——

Senator McCOLL.—The honorable senator made a personal charge.

Senator HENDERSON.—My statement concerned the administration of the electoral law from the beginning of Federation up to the present moment; and it is only now—I repeat the statement—when honorable senators opposite see the impossibility of being able to make their own impression upon the electoral law, so as to cause it to work out to their own advantage, as it has hitherto done, that they resent the action taken by this party.

Senator McCOLL (Victoria) [10.7].—Senator Henderson has now tried to wriggle out of the charge which he made some time ago. He certainly spoke about the electoral laws, and complained that they had been administered to the advantage of parties opposed to his own. But he also said that polling places had been established, or had not been established, for the special purpose of obtaining votes for the party to which he is opposed, and of depriving the opposite party of voting facilities. It is a personal charge made against a previous Administration. That was taken up by the Leader of the Opposition. I hope that the matter will be cleared up, and that the Government will extend this measure of fair play to their political opponents. Senator Henderson has tried to crayfish out of his previous statements, but he cannot be allowed to do so.

Senator GIVENS.—Is the honorable senator in order in attributing to Senator Henderson a desire to crayfish out of anything?

The PRESIDENT.—I did not hear the statement made, but if it is considered offensive it should be withdrawn.

Senator McCOLL.—I withdraw the word if it is objected to, but I point out that what Senator Henderson is doing is what the crayfish always does. I trust that the Government will investigate this matter, because it is not only the honour of a previous Administration that is at stake, but the honour of the officers of the Commonwealth Electoral Department. Honorable senators know that polling places are fixed on the recommendation of the returning officers, after being submitted to the Chief Electoral Officer, and that these officers, and not the political head, are responsible. The political head of the Department really knows nothing whatever about it.

Senator ST. LEDGER (Queensland) [10.10].—I also hope that the Vice-President of the Executive Council will look into the matter raised by Senator Millen. A definite charge of maladministration has been made against those who happen today to be sitting in opposition. I join with my Leader in asking that that charge shall be fairly met and investigated, and that we shall hear from Ministers an official statement either in refutation or confirmation of the allegations of Senator Henderson.

Senator DE LARGIE (Western Australia) [10.11].—I hope that the Government will not undertake any such gigantic task as to clear up charges made by people against the late Administration.

Senator MILLEN.—A specific charge of maladministration.

Senator DE LARGIE.—If all the charges of maladministration made against the late Administration are to be investigated we shall be occupied with nothing else throughout the present session. Nothing is more common than for charges of this kind to be made by one political party against the other. It is because honorable senators opposite for the first time find the Labour party in power and able to take a hand in framing the electoral laws of the country that we have been treated to this display of feeling.

Senator McGREGOR (South Australia —Vice-President of the Executive Council) [10.13].—I have listened to all that has been said on this subject. I was not absent from the Chamber when the statements were made by Senator Henderson. I heard them. I recognise them as being similar to statements that have been made for the last twenty years. I am sure that there is no section of the people of Australia who would ask the present Government to be the guardians of the virtues and the graces of the Conservative section of the community, who had the government of this country under their own control for so long. A task

of that kind would be far beyond our limited capacity. Senator Henderson, in his original statement, said nothing more than he has repeated.

Senator MILLEN.—Yes, he said a great deal more.

Senator McGREGOR.—He said nothing more than I have said a dozen times, and he has said nothing half so bad as the Leader of the Opposition said when speaking on the second reading of the Electoral Bill.

Senator MILLEN.—I never charged the present Government with corrupt administration.

Senator McGREGOR.—The honorable senator distinctly stated that the present Government were abolishing the postal voting provisions of the existing Act because, as a rule, the postal votes were cast against them, and consequently they were doing it for party purposes.

Senator MILLEN.—Does the honorable senator draw no distinction between legislation and administration?

Senator FINDLEY.—Senator Millen, in regard to electoral rights, this evening charged us with having bundles of them up our sleeves.

Senator MILLEN.—Nonsense.

Senator McGREGOR.—I am not concerned with rambling statements made by members of our own party, or by honorable senators opposite. Senator Henderson made it as clear as the noonday when he was speaking, that past rulers of the country made and administered the electoral laws to suit themselves, and, as for referring directly to any special Government, the honorable senator did nothing of the kind.

Senator MILLEN.—He specially mentioned the last Administration.

Senator McGREGOR.—He made a general statement, and if Senator Millen finds that the cap fits himself rather neatly, of course he can take the blame, and try to defend the administration of the Government of which he was a member, but I do not think there is any obligation on the present Government to do anything of the kind.

Senator MILLEN.—Will the honorable senator, before he sits down, answer a question?

Question resolved in the affirmative.

Senate adjourned at 10.18 p.m.

House of Representatives.

Wednesday, 1 November, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

POSTMASTER-GENERAL'S DEPARTMENT.

FALLING TELEGRAPH POLES: COMPENSATION.—WIRELESS STATION AT CAPE BORDA.

Mr. W. ELLIOT JOHNSON.—I desire to know whether the Prime Minister, following the precedent which has been established, will have inquiry made into the circumstances of the families of persons who have been killed by the falling of telegraph poles, with a view to putting a sum on the Supplementary Estimates to meet necessitous cases?

Mr. FISHER.—Whether the families referred to are or are not in necessitous circumstances, the Government will favorably consider claims for compensation. Ministers have a policy on this subject which I hope will soon be brought before Parliament.

Mr. ARCHIBALD.—Is it the intention of the Government to erect a wireless telegraph station at Cape Borda, or in the locality?

Mr. FRAZER.—The whole question of wireless stations round the coast of Australia is now engaging attention, and the site suggested by the honorable member will be considered with others.

MEDICAL APPOINTMENTS.

Dr. MALONEY.—Has the attention of the Minister of Home Affairs been drawn to the following paragraph, which appeared in the *Herald* of 30th October—

> The Federal Public Service Commissioner is advertising for applicants for the positions of Commonwealth Medical Officers at Echuca (V.), Warwick (Q.), and Port Pirie (S.A.). The fees payable to the Medical Officers are set out as follows:—Each new entrant to the Public Service will be required to pay at the time of examination a fee of 10s. 6d. In the case of officers referred by Commonwealth Departments for examination the fee payable by the Department will be 10s. 6d. if the officer attends at the consulting rooms and £1 1s. should the medical officer be requested to visit the officer at his residence. If required to travel a greater distance than two miles, the fee payable will be a matter of arrangement between the Medical Officer and the Department. Applications close on November 11.

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In view of the great dissatisfaction felt at the manner in which medical appointments were being made some time ago, when a deputation of representatives of all branches of the medical fraternity waited on the Minister, I wish to know whether, since then, appointments have been made without advertising, thus preventing every medical man and medical woman in Australia from having a fair opportunity to compete?

Mr. KING O'MALLEY.—I gave instructions on the occasion referred to that appointments were not to be made until the vacancies had been advertised, and I think that those instructions have been carried out.

Dr. MALONEY.—Will the Minister let us know the names of the newspapers in which the advertisements appeared?

Mr. KING O'MALLEY.—Yes.

SUGAR COMMISSION.

Mr. GREENE asked the Minister of Trade and Customs, *upon notice*—

1. Whether the following contains the full scope of the inquiry into the Sugar Industry to be covered by the recently appointed Commission, as gazetted :—
   (*a*) Growers of sugar cane and beet;
   (*b*) Manufacturers of raw and refined sugar;
   (*c*) Workers employed in the Sugar Industry;
   (*d*) Purchasers and consumers of sugar; and
   (*e*) Costs, profits, wages, and prices?
2. Has the Minister issued any memoranda to the Commission, other than the above, on the matters to be inquired into?
3. Can any such memoranda extend, alter, or curtail the scope of the inquiry as gazetted?
4. If not, what was the object of issuing such memoranda?

Mr. ROBERTS.—The answers to the honorable member's questions are—

1. Yes.
2. Yes.
3. No.
4. The memoranda in question are merely indicative of the probable scope and extent of inquiry. They cannot in any way limit or extend the powers of the Commissioners, which are expressed by the terms of the Commission as gazetted.

WHARF LABOURERS' STRIKE.

Mr. McWILLIAMS asked the Attorney-General, *upon notice*—

1. Whether an Industrial Agreement, to which the Sydney Wharf Labourers Union and the Shipowners Federation are parties, has been filed under section 76 of the Commonwealth Conciliation and Arbitration Act 1904-10?
2. Whether facts have come to his knowledge indicating that a breach of the said Agreement has been committed by a party thereto. If yes, whether he intends to proceed against such party for recovery of the penalties as provided by section 78 of the Act?

Mr. HUGHES.—I have not been able to make inquiries as to whether this has been done, but assume that it has been done. There has been a breach, and I am considering what action, if any, shall be taken.

WHEAT QUOTATIONS.

Mr. THOMAS BROWN asked the Minister of External Affairs, *upon notice*—

1. Has his attention been directed to an article in the Sydney *Bulletin*, of the 19th October last, entitled, "F.A.Q. Wheat and those who grow it," from which the following excerpt is taken :—

> "Another trouble, which is no fault of the farmers, is that the cabled London quotations for wheat, as published in the Australian press, don't correspond with those of even dates given by the *Mark Lane Express*, the standard trade journal, and in most cases the cabled prices are lower than the journal's figures"?

2. In view of the importance of correct Mark Lane quotations to the Australian wheat farmers, will he consider the advisableness of having the wheat quotations of the *Mark Lane Express* cabled to Australia and made available for public information?

Mr. THOMAS.—The answers to the honorable member's questions are—

1. Yes.
2. I fear the figures from the *Mark Lane Express*, which is a weekly non-official journal, would not be satisfactory.

There are many difficulties, owing to different grades of wheat, in ascertaining the actual prices realized; but the High Commissioner is being asked to look into the matter with a view to furnishing, if possible, a daily record of prices realized for Australian wheat.

CONCILIATION AND ARBITRATION BILL.

Bill read a third time.

LIGHTHOUSES BILL.

THIRD READING.

Motion (by Mr. HUGHES) proposed—

That this Bill be now read a third time.

Mr. GROOM (Darling Downs) [2.38].—Late last night the following clause was inserted in the Bill—

> An action or other proceeding shall not be maintainable against the Commonwealth, or the Minister, or any officer of the Commonwealth by reason of any act, default, error, or omission, whether negligent or otherwise, in relation to any lighthouse or marine mark.

The Minister of Trade and Customs, who was in charge of the measure, was unable to inform the Committee as to the law elsewhere respecting liability for negligence in the control of lighthouses, beacons, and buoys. I have not had time to look into the matter closely, but in the article

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"Lighthouse," in vol. VII. of the *Encyclopædia of the Laws of England*, p. 456, it is stated that—

A general lighthouses authority, such as the Trinity House, is liable to an action for negligence in the performance of its duties causing damage to another person, *e.g.*, leaving the stump of a beacon under water with which a ship collided.

The statement is based on the case of *Gilbert* v. *Trinity House*, 1886, 17 Q.B.D. 795. Turning to that report, I find it laid down that—

By the Merchant Shipping Act 1854, the superintendence and management of all lighthouses and beacons in England and the adjacent seas are vested in the Trinity House, subject to the existing jurisdiction of local lighthouse authorities.

We have not had time to look into the whole question, but would the Attorney-General look further into these authorities, and consider carefully the question of the policy underlying the clause which was inserted in the Bill last night? It is a very important provision, and certainly capable of a good deal of argument on both sides. The Commonwealth, by this Bill, is taking charge of marine marks, buoys, beacons, and lighthouses, and the honorable member for Hindmarsh last night made an appeal to the Minister of Trade and Customs as to whether he knew of any existing Statute of such a nature as the provision which the Minister proposed to enact. The honorable member dwelt upon the seriousness of removing responsibility. Honorable members can see as regards beacons and buoys what a serious thing it might be.

Sir JOHN FORREST.—Not lighthouses.

Mr. GROOM.—The only case mentioned in this authority is with regard to beacons and buoys.

Mr. HUGHES.—What is provided in the present State laws?

Mr. GROOM.—I have not had an opportunity of ascertaining that.

Mr. HUGHES.—I shall see what is done by the States, and what the authorities say.

Mr. BRUCE SMITH (Parkes) [2.43].—I should like the Attorney-General, whilst looking into the question, to see the case of *Nipper* v. *Watson*, reported in the third volume of the New South Wales Law Reports. In that case the Government had handed over to the Marine Board the management of all the buoys and beacons in the Clarence River, New South Wales, and the Marine Board officers had taken up a buoy to paint it, and had placed it inside instead of outside the reef. One of the northern river steamers did considerable damage to herself on the reef, the owners brought an action against the Marine Board, and the Court held that the Marine Board were not liable, but that if—I speak from memory—the management of the beacons and buoys had been left in the hands of the Government the Government would probably have been liable for the injury resulting from the negligence of the Government officer. Other cases are quoted in that report.

Mr. HUGHES.—I shall look that case up also.

Mr. McWILLIAMS (Franklin) [2.44].—The position requires a good deal of consideration. Under the present law the captain of a ship is compelled to leave the bridge and hand the ship over to a pilot.

Mr. FINLAYSON.—Not to leave the bridge.

Mr. McWILLIAMS.—Leave charge of the bridge. He is at any rate compelled by law to hand over absolute charge of the ship to the pilot, and if the pilot piles her up on the rocks the captain and owner have no redress. We are asked now to pass a law to provide that no matter what negligence the officers of the Commonwealth are guilty of—and I have given a case where a ship can be wrecked through the absolute negligence of our officials—a vessel belonging to men who have put every shilling they own into it, and are running it themselves, may be lost, and we shall be utterly irresponsible, the owners having to bear the whole loss.

Mr. ARCHIBALD.—There are not many ships like that nowadays.

Mr. McWILLIAMS.—A case happened in Tasmanian waters where the vessel was largely owned by the captain and chief officer, who were cousins. The vessel had to be handed over to the charge of a pilot for which the owners were charged very heavy pilotage fees. The vessel was wrecked.

Mr. ARCHIBALD.—What was her tonnage—about 50 tons?

Mr. McWILLIAMS.—No; it was at least 400 tons. She is a coal hulk now. Those men were absolutely ruined, and had no redress whatever. It is a very serious thing if we are going to legislate that, no matter how careless or negligent our officers may be, even if vessels or lives are lost——

Sir JOHN FORREST.—Who is to pay? The country?

Mr. McWILLIAMS.—The country should be held responsible for the acts of

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its officers, just as any private employer would be. A man is compelled now to surrender his ship to a pilot. Are we to say that our officers may allow buoys and beacons marking dangerous reefs to be put out of gear or placed anywhere they like, and that if a ship is wrecked we are to be wholly irresponsible, and that neither shipowners, officers, nor crew, nor passengers, are to have the slightest redress? I think we are going too far. If deliberate negligence can be proved, the Commonwealth, like all other employers, should bear the full and complete responsibility for the actions of its officers.

Mr. GLYNN (Angas) [2.46].—I drew attention to this point last night. The clause was really intended to give an immunity to the Crown for any accident that might occur through misdirection —that is, that if the lighthouse indicated that a port was safe when it really was not safe, there would be no liability. I believe that at the present time the Crown is not responsible if a vessel under the assumed direction given by a lighthouse, goes into a certain place and is injured, because there is no contractual obligation. But in expressing that in clause 8B, in order to remove any doubt, I think the draftsman went beyond what was required, because he did the very thing that the case quoted said cannot be done. He gave immunity for negligence in putting something under water that damaged a ship. That was the very illustration which I gave as a supposititious case last night, and which seemed to be the basis of the action in the case cited by the honorable member for Darling Downs. I would not accept the authority of that case as conclusive on the point. It is doubtful whether at common law there is really any liability if a person puts something under water that damages a ship. This case turned upon the obligations imposed upon a public authority, but if there is a liability it would be bad if, in endeavouring to prevent the Crown from being liable for misdirection through a lighthouse or beacon, we exempted the Crown from liability in the case of the ordinary action for negligence.

Mr. HUGHES.—In this case it is the Crown direct.

Mr. GLYNN.—Of course the Crown would be liable here, because in the Constitution we are given a right of action within the limits of the judicial power. Assuming that there would be a right of action against a subject of the Crown, I think you could have a right of action for tort against the Crown in consequence of the legislation we have passed under the Constitution. No right of action, however, can be had against the Crown for tort or negligence unless a similar right would hold against a citizen offending, apart from any obligation imposed by Statute. I mention this because, in endeavouring to remove the doubt as to liability for implied contract through the lighthouses, we appear to have really given an immunity for negligence which evidently was not intended. The reason why there is a section in the Post Office Act declaring that the Postmaster-General is not to be responsible in any action for omission or negligence in the transmission of mail matter, is because there is a contract implied from the fact of a charge being made, and otherwise the Crown would be liable. But the Crown or the Postmaster-General does not get an immunity from actions for tort or negligence, and that is the distinction which the Attorney-General ought to see is made in a redrafting of the clause.

Mr. RILEY (South Sydney) [2.50].—I hope the Attorney-General will not yield to the pressure of honorable members opposite, because we are here to protect the interests of the public and of the taxpayer. As a Government we do not derive any benefit from erecting lighthouses, the work being done to assist the maritime and commercial traffic; and to say that we are to be responsible for damages in case of a wreck is going too far. Master mariners ought to keep well out on their course, and not take any risks. I believe in assisting to protect life and property; but it is another matter to say that we should be responsible for damages if a lighthouse is not placed, for instance, at a certain place.

Mr. GLYNN.—That is right; the Government should not be held responsible in that case.

Mr. MCWILLIAMS.—But if there is deliberate negligence?

Mr. RILEY.—Who is to decide that point? If we chose to put a lighthouse in a certain place in preference to another, it might be urged that there was neglect on our part.

Sir JOHN FORREST (Swan) [2.52].—I have had some experience of actions against Governments of a State in regard to what was considered negligence; and I quite agree with the honorable member for South Sydney that lights and beacons are to assist shipping and to protect those who

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travel on the sea. To say that a State should be liable for damages by reason of alleged negligence under such circumstances as have been indicated seems to me to be going altogether too far. It would be better for a State to refrain from erecting lighthouses or beacons, and thus avoid all liability, rather than to do its best to protect life and property, only to find itself open to actions at law. It is impossible for a Government to be always sure that every officer does his duty; and to say that a small State like Tasmania, for instance, should be liable for, perhaps, £1,000,000 damages on account of some alleged mistake, would only have the effect of inducing States to withhold all protection of the kind which they are so anxious to render under existing circumstances. I do not know anything of the stump or block under the water referred to by some honorable members, but I understand that, so far as lighthouses are concerned, the British Government are not liable in the case of any mischance. In a case in Western Australia which I have in my mind, the reason why the State Government was thought to be probably liable, was that in the Public Works Act there was a section providing for damages in case of negligence; and it was held that a lighthouse was a public work. That case, I may say, was settled out of Court for, I think, £1,500. Of course, I do not wish to go too far in the other direction; but the Government ought to be protected. The Government of South Australia, I believe, protect themselves, in so far as they provide that no persons shall receive more than £1,000 damages in the case of a railway accident.

Dr. MALONEY.—The sum is fixed at £2.000 in Victoria.

Sir JOHN FORREST.—At any rate, that principle is adopted by some of the States, and I believe there can be no action against the Postmaster-General for any negligence in the delivering of a letter, however adversely persons may have been affected.

Mr. JOSEPH COOK.—If there is a good case the Postmaster-General will pay.

Sir JOHN FORREST.—But he is not bound to pay. I have not in my mind the extraordinary instance referred to of a beacon being moved from one side of a reef to the other; but my desire is to have the country protected in regard to lighthouses particularly. I feel sure the Attorney-General will take the matter into consideration, and I hope he will not leave the clause in a form which may expose the Government to all sorts of actions.

Mr. ARCHIBALD (Hindmarsh) [2.56].—I strongly appeal to the Government, as I did last night, to look carefully into this matter. It is of small concern whether the precaution is taken here, so long as it is taken before the Bill finally becomes law. In my opinion, it would have been much better if we had omitted from the Bill any reference to this matter. As a layman, I am under the impression that the Crown is not liable where accident occurs by reason of any defect in the lighting of the coast; in fact, I do not think there is any doubt on the point. Not many years ago, at Port Phillip Heads, one of the finest steamers in the mail service at that time became a total wreck; and the fact that the owners of the vessel, who, we may be sure, are shrewd business men, did not attempt to recover any compensation, is a pretty good indication of the state of the law. It is highly desirable that we should not raise any doubt as to our legal position, as we shall do by inserting a provision of this sort. It may be that we are indebted to the experience of the right honorable member for Swan for this proposal; but it does not follow that a domestic law under which a State is liable to pay compensation is sound according to recognised principles. I am inclined to think that if the Western Australian Government had appealed it would have been held that they were not liable. We ought to be very careful in a matter of this sort, because, if the recognised principle of international and maritime law is that sovereign States are not liable under such circumstances, it would be a great mistake to make any alteration.

Mr. MCWILLIAMS.—Are Governments not responsible for accidents on the railways?

Mr. ARCHIBALD.—As I say, I am not a lawyer; but I do not think that Governments are liable. Even if a State Government passed a law declaring that it should not be liable for damages exceeding £1,000, I am inclined to think that a question would arise as to what were the rights of an aggrieved citizen at common law.

Mr. W. H. IRVINE.—We have such an Act in Victoria.

Sir ROBERT BEST.—The Statute law would prevail.

Mr. ARCHIBALD.—The point I was raising was whether such a Statute law would override the rights of any subject

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of the King at common law. I should not have spoken strongly on this question this afternoon but that I think the Government should have the best legal knowledge available on the subject, and that we should not try to make our position either better or worse than is the position under the British and the recognised international law.

Mr. JOSEPH COOK (Parramatta) [3.3].—I do not know much of the legal side of this question; but when I read last night the provision under consideration, it seemed to affront my sense of elementary justice. This morning I caused inquiries to be made as to whether there was any such provision in the Statutes of other countries; and, after a search had been made, I was told that no such provision as this was to be found in the laws of New Zealand, Canada, or the United States of America.

Mr. TUDOR.—Was the British law examined?

Mr. JOSEPH COOK.—We have had cited to-day a case showing that the British Government recognise their obligations in this regard. This Bill is of a very one-sided character. There is no reciprocity under it. Sub-clause 3 of clause 16 provides that where any damage to any lighthouses or marine mark is caused by any ship, the damage shall be charged on the ship, which may be detained by any officer of Customs until the amount of the damage is paid. Thus, we propose to come down very swiftly on any one who happens to do damage to Government property. A ship that injures a lighthouse or mark is to be put into pawn, so to speak, until it has been redeemed by payment of the penalty imposed. On the other hand, we claim that, no matter how negligent our officers may be—even if their negligence causes the loss of a ship and the loss of lives—the Commonweatlh is not to be responsible to the extent of a brass farthing.

Mr. W. ELLIOT JOHNSON.—It is about the meanest thing that could be proposed.

Mr. TUDOR.—The provision emanated from a member of the Opposition.

Mr. JOSEPH COOK.—Did the right honorable member for Swan draft it?

Mr. TUDOR.—He did.

Mr. AUSTIN CHAPMAN.—Why try to make this a party question?

Mr. JOSEPH COOK.—The Minister for Trade and Customs cannot speak for two minutes without dragging in the question of party. I agree with the honorable member for Hindmarsh that it would have been better to leave this matter outside the Bill altogether, and to allow the international law, whatever it may be, to prevail. It seems to me to be very harsh to provide that if our workmen, in removing, say, a lighthouse, negligently leave obstacles against which a vessel collides, with the result that it is completely destroyed, no compensation shall be payable. I do not see how we can break down the complete analogy that appears to exist between the rule of the railways and the rule of the sea. If a Government signalman sets a signal against an oncoming train, and that signal is disregarded, with the result that a man is injured, that man receives compensation for his injury. In such circumstances, I believe that he could enforce a claim for compensation in any Court of the realm. What is the difference between a lighthouse and a railway signal? The respective Departments charge fees and fares for anything they do for the travelling public. Fees are charged for the upkeep of lighthouses, and for the maintenance of the pilot service, whilst fares are charged for the carriage of passengers over our railways, and the insurement of their safety. If an accident occurs on a railway, a traveller injured by that accident claims damages and gets them; but if a man happened to be travelling on the water and suffered injury, owing to a lighthouse being negligently operated, under this measure he would have no redress. We ought not to put in a Bill a proposition like this, which proclaims to the world that our officers may be negligent without rendering the Government in any way liable for their negligence.

Mr. MATHEWS.—Does not the honorable member think that it is rather to prevent the bringing of unfair actions against the Government?

Mr. JOSEPH COOK.—I can only say, in reply to the honorable member, that I believe it is a fact that if the Postmaster-General's Department discovers that a man has lost money, or has been damaged in any way, by some gross dereliction of duty on the part of a postal employé, it is not uncommon to make him some compensation.

Mr. THOMAS.—I do not think any compensation exceeding £2 is granted.

Mr. AUSTIN CHAPMAN. — The honorable member for Parramatta, when Postmaster-General of New South Wales, fixed 40s. as the limit.

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Mr. JOSEPH COOK.—My impression is that when Postmaster-General of New South Wales I paid far more than 40s. by way of compensation. The honorable member is entirely wrong.

Mr. THOMAS.—I think that the maximum of £2 is a matter of international arrangement.

Mr. JOSEPH COOK.—At all events there is an obligation to pay something for the non-transmission of a letter if some one is thereby injured.

Mr. MATHEWS.—The honorable member himself set the parsimonious precedent.

Mr. JOSEPH COOK.—I do not know that I did. It is quite competent for any jackdaw to have a peck at my cloth, and when honorable members go back fifteen or sixteen years, it is just as difficult for me to correct them as it is for them to substantiate what they say. I repeat that, as Postmaster-General of New South Wales, I paid very much more than 40s. for dereliction of duty on the part of postal officials. It is not uncommon for a Government to recognise its moral responsibility even where there is no legal responsibility.

Sir JOHN FORREST.—And that can be done notwithstanding the clause to which the honorable member objects.

Mr. JOSEPH COOK.—No doubt; but I think the Government would be more likely to recognise its moral responsibility if there were no such provision in the Bill. I am not suggesting that we ought to be liable for every case, but I do not think that we ought to proclaim to the world that no matter how negligent our officials may be, the Commonwealth cannot be held responsible. While we exact from shipmasters and others the utmost vigilance, and demand from them the last farthing of compensation for damage, we, on our side, are not recognising the slightest obligation, moral or otherwise, for loss of life or property due to the negligence of those whom we employ.

Mr. FINLAYSON (Brisbane) [3.11].—The speech of the honorable member for Franklin seemed to me to prove a strong argument in favour of the retention of the clause. He pointed out that, although a ship has to take a pilot, whether the captain wishes for his assistance or not, and full control has to be handed over to the pilot, the captain still retains his responsibility, and no claim can be made against the State for compensation for loss caused by the pilot's negligence. If responsibility is not taken by the State in the matter of pilots, there is a stronger reason for refusing to accept it in the matter of lighthouses. Negligence might be alleged on the ground that a lighthouse, beacon, or buoy which was wanted had not been provided. The claim in the case of a railway accident is not against the State, but against the Railway Department, it being only an accident that the State is the carrier in that instance. The State does not guarantee safe navigation, or accept responsibility in respect to navigation. It merely endeavours to assist, as far as possible, in insuring safety. The honorable member for Parramatta spoke of the Postmaster-General's Department, but the honorable member for Capricornia showed last week that, although the postal officials had cashed a money order when it was presented by the wrong man, and admitted that a mistake had been made, they yet refused to pay compensation to the person damaged.

Mr. JOSEPH COOK.—That does not prove that what was done was right.

Mr. FINLAYSON.—The principle underlying all our laws is that the King can do no wrong. The State provides efficient pilots, and a proper service of light and buoys, but accepts no responsibility. All we undertake is, as far as possible, to assist navigators, and I could imagine no more fruitful source of litigation than a law making the Government liable for accidents alleged to be due to negligence in the administration of the Department controlling lighthouses, beacons and buoys. Accidents at sea are more often due to careless navigation than to faults of management in regard to lights and buoys.

Mr. W. ELLIOT JOHNSON (Lang) [3.17].—I do not agree with the views of the honorable members for Brisbane, Hindmarsh, and South Sydney. The clause is the quintessence of meanness. What would honorable members opposite say if a similar provision were proposed for the protection of employers? Under the Employers Liability Act, employers are responsible for damage caused by accidents, whether those accidents are due to negligence or not. It is the moral, apart from the legal, aspect of this case with which I am concerned. The most severe penalties are imposed if damage is caused by accident, or in any other way, to Commonwealth property, but the Commonwealth in return evades responsibility by exempting itself from liability under all circumstances.

Mr. FINLAYSON. — What contract is broken?

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Mr. W. ELLIOT JOHNSON.—There is an implied contract of service to the shipping, and clauses 11 to 13 prevent the evasion of dues payable for it. Those who require to use this service should be guaranteed efficiency, and compensated for loss in the event of negligence or error in the management or placing of lights and buoys. The lights and beacons are provided ostensibly to minimize risks, and insure greater safety in navigation. If, instead, they are negligently put in positions involving danger to navigation, those who have to pay and suffer the consequences of the Government's negligence, or that of its servants, should be entitled to compensation. Honorable members say that the public must be protected, which, of course, is right, but we must also protect those whom we undertake to serve. When a legitimate claim lies against the Government, it should be bound to honour it.

Mr. ARCHIBALD.—What about protecting the taxpayers?

Mr. W. ELLIOT JOHNSON.—It is to libel them to say that they wish to sneak out of their obligations. As has been pointed out, the Railway Department pays compensation in connexion with accidents. What difference is there between the responsibility for the mistake of a signalman in altering, or neglecting to alter, a light, and that of a lighthouse-keeper in neglecting to keep a light burning, or another officer negligently placing lights or beacons in wrong positions? Sailing masters are bound to follow certain directions laid down for their guidance, and are heavily fined when accidents occur by reason of their neglect to do so. If they are misled by negligence or mistake on the part of Commonwealth officials, they should be entitled to compensation. If a sailing master is instructed to steer by a certain light or buoy, and that light or buoy is in a wrong position, and thus causes a wreck and the loss of lives and property, should not compensation be paid by the Government to those who have suffered? Honorable members will appear to have little regard for the safety of life and property at sea if they exempt the Commonwealth Government from responsibility under these circumstances. When a ship is in charge of a pilot, the captain still retains responsibility, and may, under some circumstances, interfere should he think the pilot in error, but he has no redress if the pilot puts his ship on the rocks. I would protect the taxpayer from unfair attempts to get at the public purse, but where damage has been caused by the neglect, default, or omission of Commonwealth officers, justice and morality demand that compensation commensurate with it should be given to the injured party. I hope that the clause will be struck out.

Sir ROBERT BEST (Kooyong) [3.25].—The honorable member for Parramatta and the honorable member for Lang are under somewhat of a misapprehension as to the principle underlying clause 8B. They seek to draw a parallel between the position of the Government and the position of a private individual; but that parallel is by no means exact. It is an acknowledged fundamental principle underlying, not only the common law, but also our Statute law, and chiefly promulgated in connexion with our municipal law, that where a Government is acting in the general good, even if its action does result in private injury, the injury to the private individual must be suffered. So it is in this case. The Commonwealth has cast upon it by the Constitution the responsibility of providing lighthouses to assist in the safe navigation of the waters around our shores. It exercises every possible care in the location of those lighthouses, because it must be taken for granted that the only anxiety of the Commonwealth is to act in the public interest. Further, the Commonwealth says, "We shall provide you with highly-qualified pilots for navigation purposes." Therefore, having exercised every care in the location of lighthouses, and having provided specially qualified persons for the pilotage of ships, the responsibility of the Commonwealth is at an end. If the objections taken to clause 8B could be upheld, the Government would naturally be very reluctant to provide lighthouses at all, because it would know that every lighthouse provided by it might be a source of increased litigation. No matter what care is exercised, the possibility will still exist of something being overlooked. Every care was exercised in the location of the particular lighthouse that was supposed to overlook the rock on which the *Pericles* was wrecked, yet the existence of that rock was unknown.

Mr. TUDOR.—And that happened in broad daylight.

Sir ROBERT BEST.—How much greater then is the difficulty in connexion with navigation at night time! If the Government takes every care in the way I have indicated, it has done all that may reasonably be expected of it.

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Mr. JOSEPH COOK.—Does the honorable member suggest that in the absence of this clause the Government will be responsible for every sunken rock?

Sir ROBERT BEST.—The inference to be drawn from the arguments put forward against the clause is that the Government ought to be liable in the event of any damage or injury occurring by reason of an undiscovered rock. The object of the clause is to protect the Commonwealth against actions of that kind. The contention of the honorable member for Parramatta and others seems to be that if there happens to be a hidden rock within the range of a lighthouse, the Government which established the lighthouse must be responsible for damage or injury caused by that rock.

Mr. JOSEPH COOK.—No, that is not negligence.

Sir ROBERT BEST.—If the Government did not protect themselves in this way, every location of a lighthouse could be challenged, because negligence is a matter of opinion. Whenever a lighthouse was erected, it could be contended that it was a guarantee of absolute safety of navigation within its radius. This clause has been most rightly inserted so as not to give an invitation to proceed against the Government for negligence in case of accident within that radius. Whether the Government would be really liable or not for damages, it would be liable to be challenged, to suffer the risks of action, and to run the risk of the inability of the plaintiff to pay in the event of his losing his suit. This clause gives some security to the Government that, when lighthouses are fixed in particular positions, even if loss or injury does occur by reason of the position of a lighthouse, the Government shall not be proceeded against for damages. My honorable friends have urged that in the event of negligence on the part of the railway authorities, or on the part of the Post Office, the Government is liable for damages. I do not think the parallel is sound. A railway is carrying on an industrial operation in the same way as a private individual. As a rule, in order to place them apart from the Government, our railways are vested in separate Commissioners or corporations, who virtually carry on an industrial concern, such as is frequently carried on by private individuals, and therefore they suffer the same liabilities as private individuals. A case of this kind, however, is quite different. The Government seeks to provide for the safety of navigation around our shores, and if it exercises every reasonable care in locating the lighthouses, and in providing qualified pilots, it does all that may be reasonably expected of it. I do not agree with the honorable member who suggested that it was the quintessence of meanness to protect the Government from actions by one clause, and by another clause to provide that, where any damage is done to a lighthouse or marine mark by a ship, the damage may be charged on the ship, and the ship detained by any Customs officer until the amount is paid. Those provisions are in complete harmony with the fundamental principles of government as we know it at the present time. Where the public interest is concerned, matters which may be more or less injurious to private interests may be done, but where, on the other hand, as between private individuals injury is suffered, the private individual who causes it is naturally liable. The two clauses which have been contrasted are, I contend, reasonably consistent with those fundamental principles. The clause to which exception has been taken is sound and good, and should remain in the Bill as a reasonable protection to the Government, and also as an encouragement to the Government to proceed with the erection of lighthouses with all reasonable care.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [3.36].—The Attorney-General has asked me to intimate to the House that, in view of the objections raised, and statements made by a number of honorable members, he will make full inquiries as to how the law stands in different countries. The Government will then give careful consideration to the authorities bearing on the subject, and if it is found necessary, they will have the clause altered in another place.

Question resolved in the affirmative.

Bill read a third time.

COMMONWEALTH BANK BILL.

Bill presented and (on motion by Mr. FISHER) read a first time.

PAPER.

Mr. TUDOR laid on the table the following paper:—

Customs Act—Regulation *re* Maximum Weight of Packages of Wheat, &c., for Inter-State Transfer—Statutory Rules 1911, No. 168.

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ESTIMATES.

ADDITIONS, NEW WORKS, AND BUILDINGS.

In Committee of Supply:

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.38].—The understanding, of course, is that the general Estimates be postponed until after the consideration of the Works and Buildings Estimates, and that the general Budget debate shall take place after these have been dealt with. I am not here to ask honorable members to restrict their speeches generally to the items, and to refrain from dealing at this stage with matters of policy, but I hope they will do so as far as possible.

Mr. GROOM.—The Works and Buildings Estimates involve a number of questions of policy.

Mr. FISHER.—I quite understand that. I move—

That the consideration of the General Estimates be postponed until after the consideration of the Estimates for additions, new works, buildings, &c.

Sir JOHN FORREST (Swan) [3.40].—The Government are now adopting a course that has been followed for the last year or two. The custom was, I think, inaugurated in 1907, but it was then insisted by Sir George Turner, who was in Opposition, or, at any rate, not in the Government, that the debate on the Budget should be concluded before we proceeded with the Works Estimates. The year before last, however, even that practice was altered, because we were all anxious that there should be no delay in passing the Works Estimates, so that the works might be put in hand at once. The Government are, I think, to blame somewhat for accentuating the position by reason of the late period at which the Budget has been submitted this year. I have less hesitation in saying that, because I remember so well how very unreasonable the present Treasurer was, when in Opposition, in demanding that the Estimates should be submitted long before it was really possible. Since he came into office, however, a change has come over him; and that which he then thought easy he now finds to be difficult. In fact, the right honorable gentleman has been a greater sinner than any previous Treasurer in regard to submitting the Estimates at a late period of the session. In 1909 the Government of which I was Treasurer came into office, and twenty-seven days later, on the 29th June, the present Treasurer, who was then in Opposition, said—

I do not know of any difficulties in the way of the Treasurer making his Budget statement before the end of July, ...

For honorable members to be called upon to sacrifice two valuable months after the Ministry have had one month in which to consider the financial position is altogether out of keeping with my ideas of responsible government.

Then, on the 30th June, the present Treasurer said—

If the right honorable member made up his mind to apply himself to the task he should have no difficulty in submitting the Budget before the end of July.

That was one month after the close of the financial year. I say, without hesitation, that if the information hitherto supplied to the House in the shape of a full statement of the expenditure of the last year and the Budget-papers, continues to be supplied, it is scarcely possible to have the Estimates on the table before the end of July. On the 12th August, 1909, the Estimates were introduced—that is, about six weeks after the end of the financial year. The Budget was debated from the 12th August to the 25th August, when we undertook, as we are doing to-day, to deal with the Works Estimates, and these were passed in two days. The debate on the Budget was resumed on the 31st August, only a day or two afterwards; in fact, it was the first business after the Works Estimates had been disposed of. That, I understand, is the course which the Treasurer proposes to follow this year, but which was not followed last year. It was the 7th September, or ten weeks after the end of the financial year, before the Estimates were submitted last year, and on the very day the Budget was introduced the Works Estimates were passed. I do not know how we managed to do that.

Mr. WISE.—We were kept here all night!

Sir JOHN FORREST.—I remember, now, that we finished dealing with the Works Estimates on the following morning. But what happened then? Eleven weeks elapsed, and it was not until the 25th November that we had a chance to discuss the Budget itself. It is, I think, altogether beyond what is reasonable or right that there should be no discussion on the financial proposals of the Government for so long a period after the introduction of the Budget. In fairness to the Treasurer, I must say he was not here last year; but still members of his Govern-

ment were here, and the proceeding was certainly most improper. This year, of course, the late meeting of Parliament is, doubtless, the reason for the late submission of the Budget. We did not meet until the 5th September—more than two months later than usual—and it is now seventeen weeks since the end of the financial year, and eight weeks since the meeting of Parliament; yet we have not had an opportunity to discuss the financial proposals of the Government. I do not think that that is the way the business of the country should be carried on; and I am inclined to adopt the words of the right honorable gentleman last year, and say that this is altogether out of keeping with my ideas of responsible government. I hope that the Treasurer, in the future, will see that the Estimates are introduced as soon as possible. I know that it is the desire of all Treasurers to have the financial proposals laid before Parliament at as early a date as can be arranged; but it is impossible, so long as we retain our present system, to have the Estimates much before the middle of August. If the financial year ended a couple of months before Parliament met, and there was statutory authority to cover the two months' expenditure, it would be quite possible to have the Estimates on the table when Parliament assembled; and this would be a plan most satisfactory to honorable members and all concerned. But so long as the financial year ends at the same time as we meet, so long must there be six weeks' delay before it is possible to place the financial information before honorable members.

Mr. PAGE.—Why not have the end of the financial year earlier?

Sir JOHN FORREST.—That is a matter for consideration. If we continue to meet on the 1st July, or near that date, I should be in favour of ending the financial year two months earlier, with, as I say, statutory power to cover the expenditure for two months. We have, however, always been halting between two opinions; and we do not know what is the most convenient time to meet. Some of us have, or had, an idea that, when the Federal Capital is established in a colder part of the country, it will be convenient to meet in the summer; but, until we have made up our minds in that respect, matters had better remain as they are. I have no objection to the proposal now before the Committee.

Mr. KELLY (Wentworth) [3.52].—I hope that next year the Treasurer will not be so late in submitting the Works Estimates. I admit that this year there has been some difficulty owing to the Coronation; but it is most inadvisable that public works should be held up for four or five months because we cannot vote the money. I absolve the Prime Minister in this respect, because I do not think he is the only offender. I seem to remember, in the dim mists of antiquity, some knowledge of previous distinguished Treasurers behaving very much in the same way. It seems to be a habit of Treasurers to try to keep back the Estimates as long as possible.

Mr. PAGE.—Is that so, Sir John?

Sir JOHN FORREST.—No.

Mr. KELLY.—I remind my right honorable friend that I was referring to distinguished ex-Treasurers. There is, for instance, the honorable member for Hume, who, for a number of years, distinguished that high office, and was invariably late with his Estimates. I should be the very last to suggest that the right honorable member for Swan had any faults at all when he occupied the post of Treasurer. I sincerely hope the Prime Minister will not repeat the mistake, but will give the public services of the Commonwealth a decent chance to construct works, by having the money voted as early as possible in the financial year.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [3.59].—I make no complaint of the criticism on the ground of the lateness of the Budget. The Leader of the Opposition, and honorable members opposite, are quite right to protest; but if I have the pleasure and honour to introduce the Budget next year, I shall be surprised if it is not done in the month of July.

Question resolved in the affirmative.

Divisions 1 to 5 (*Home Affairs*), £824,915.

Sir JOHN FORREST (Swan) [3.55].—We are all anxious to have these Estimates passed, and, speaking for myself, I shall assist the Treasurer to dispose of them as quickly as possible, in view of the fact that the financial year is far advanced, and it is necessary that the works should be put in hand. The expenditure is immense, amounting to £4,306,365. Unless everything is in readiness for the various works, it will be impossible to spend all this money within the remaining eight months of the financial year. The Government ought to take into consideration the question of fixing a convenient time for the presentation of the Budget. The present arrangement is about as bad as it could be. It is un-

satisfactory also from the point of view of the Treasury. The books of the Department cannot be entered up properly; the officers do not know what the votes of Parliament are going to be, and the accounts have to be so kept as to allow of adjustments being readily made.

Mr. FISHER.—There is no even running.

Sir JOHN FORREST.—That is so. Sometimes the end of the calendar year is reached before the Treasury knows what are the exact votes of the Parliament. If we could make up our minds as to the most convenient time of the year for Parliament to assemble, and arrange for the financial year to close a couple of months earlier, so that the Estimates could be placed on the table when Parliament met, a great deal of trouble would be saved.

Mr. FISHER.—The position is a little better now, because a number of works are running on.

Sir JOHN FORREST.—I hope it is, but the Government, despite their desires and energy, will find it difficult to spend this money during the eight months that still remain of the present financial year. I have been looking through these Estimates during the last two or three days, and have come to the conclusion that there are several matters in respect of which the Government are not actively interesting themselves. For instance, it is laughable to find an item of £1,000 in respect of the erection of Commonwealth offices in London. It would be far better to refrain from voting anything than to vote £1,000 for such a work, more especially as a similar amount was voted last year, and was not spent. The Government would appear not to be in earnest in regard to that work. Then, again, we have an item of £22,500 in respect of the Kalgoorlie to Port Augusta railway.

Mr. W. H. IRVINE.—What is that for?

Sir JOHN FORREST.—We have not yet been supplied with the details. I shall be quite satisfied if I am assured that it represents the estimate of the expenditure for the year as prepared by the Engineer, in whom I have every confidence.

Mr. FISHER.—It represents every penny he has asked for. If he wants more, he will get it.

Sir JOHN FORREST.—Very well; that is satisfactory. Where large sums are asked for in respect of certain works, the details of which are not shown in the Estimates, papers should be issued giving us the necessary information. We have on these Estimates an item of £100,000 in respect of the Federal Capital, and we ought to have before us a statement showing how that amount is to be expended. It is a common practice to issue slips with the Estimates showing in detail how lump sums in respect of the Departments are to be expended, and that course should be followed by the Commonwealth Government. Both in regard to the £16,000 spent last year on preliminaries at the Federal Capital, and the £100,000 to be spent this year, we ought to have a detailed statement. Then, again, we have an item of £2,500 on these Estimates towards the cost of construction and alteration of lighthouses.

Mr. WISE.—There is a footnote showing that the total estimated cost is £25,000.

Sir JOHN FORREST.—Quite so; but if the Government are going to do anything this year in connexion with this important work, £2,500 will not carry them very far. A large number of lighthouses are urgently required on the Australian coast. Another item to which I would call attention is one of £2,000 for additional magazines, the total estimated cost of which is £10,000. Evidently not much is to be done this year. On the Estimates for last year there was an item of £15,000 for wireless telegraphy, and of that sum only £4,393 was expended. We are now asked to vote £20,000 for the same purpose. There is hardly any excuse for the failure of the Government to expend the amount voted last year. The installation of wireless telegraph stations is of vital importance. When I was returning from England, recently, I could not help regretting that, whilst we were able to communicate by wireless with practically every passing ship, we were unable to communicate with Australia, because there was no wireless telegraph station on our coast. Unless there happened to be a ship at Fremantle fitted with wireless, we could not get into touch with the mainland. I do not know whether to find fault or to sympathize with the Government; but it is almost a public scandal that, although this matter has been going on for nearly two years, we have not yet one wireless station in Australia. There must be something wrong, and I trust that the Ministry will seriously set themselves to work to spend the amount that we are asked this year to vote. When I held office as Treasurer, years ago, there was £10,000 on the Estimates for this purpose, but no tangible results have yet been

attained. I was most anxious at the time that we should connect Port Moresby with Cooktown, or Thursday Island, by means of wireless, but, although the work was to be immediately undertaken, nothing has yet been done. I cannot account for the delay. The Minister, unlike many of us, did not go to England in connexion with the Coronation celebrations; he was here all the time, and I fail to understand his inaction. The Minister of Trade and Customs tells us that he is "watching" the Tariff, and the Government appears also to be "watching" events in this regard. Our desire is that they shall do something. There is also on these Estimates a proposed vote for coinage. I am glad to say that the introduction of Australian silver coinage has proved remunerative, but I regret the delay that has taken place in obtaining silver from the Old Country. The British Government undertook to withdraw from circulation here £100,000 of their silver every year for a period of twenty years, and I thought that when I left office £100,000 was ready to be withdrawn. I find, however, that so far only £25,000 worth of silver has been withdrawn, although two or three years have elapsed since the agreement was entered into. What is the reason for the delay? Cannot the Imperial Government coin the silver?

Mr FISHER.—We cannot get it from them.

Sir JOHN FORREST.—Then, I think we had better coin it for ourselves. When the British Government have a supply available will they make up the lost ground by withdrawing the full amount that ought to have been withdrawn up to date?

Mr. FISHER.—I think the agreement was that so much per quarter should be withdrawn. Our patriotic feelings will not permit of our embarrassing the Government of the Old Country.

Sir JOHN FORREST.—We should not embarrass them, and I do not ask that anything of the kind should be done. I come now to the question of the Federal Capital, concerning which I should like some further information. As I have already pointed out £16,000 was expended under this heading last year, and we are asked now to vote £100,000. I wish to know what is going to be done with this money. I believe proposals have been made for the conservation of water on a large scale for the purpose of a lake. I strongly approve of that being done. A great deal of work will have to be done in preparing the ground for the lake, and the bottom of the lake itself, before we impound the water. A good supply of clear water will be the glory of the place. I am not prepared to say that pumping is not cheap, but I should like to see the water brought by gravitation from higher up the Cotter. Compared with the advantage the cost would be nothing. I am aware that water can be lifted cheaper than anything else, but pumping is an interminable work. I think, too, that we should have some information as to the best route for a railway to Yass-Canberra. It is more than likely that communication can be got from Victoria by a quicker route than that now followed by the railway. I should like a survey, which would not cost much, of a route from Albury through Germanton and Tumut to the Federal Capital site. It is absurd to have to go 100 miles round about; and I think we could get a much shorter route. I hope that, during the recess, the Government will obtain all necessary information as to the practicability of my suggestion. On page 216 of the Estimates, £600,000 is set down to pay to a Trust Fund for telegraphs and telephones, as a special account. The Treasurer, in his Budget speech, page 1892, after telling us that the year 1910-11 closed with a surplus of £1,829,524, said that £1,112,679 of it was to be used for the construction of the Fleet. This, he said, he considered quite a legitimate use of the surplus, and far preferable to raising loan money for the purpose. Of course, he can pay into a trust account any surplus money he may have, because particular Trust Funds have been established by Acts of Parliament, and intended to be replenished by votes or balances at the disposal of the Treasurer. Half of the surplus for last year was paid into the Trust Fund for the construction of the Fleet, and the other half into the Trust Fund for the payment of old-age pensions. £600,000 is also to be paid into a Trust Fund for expenditure on telegraph and telephone works, as required during the next two or three years. The intention, I take it, is to have a special Trust Fund Account for telegraph and telephone works, and to pay £600,000 into it. The £1,112,679 to be taken from the Trust Fund for the construction of the Fleet is quite regular, but not so the taking out of any Trust Fund, £600,000, with the object of placing it in another Trust Fund for telegraph and telephone works. The

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Treasurer tells us, on page 4 of the Estimates of Expenditure, that £1,712,679 was deducted from the total estimated expenditure. I take exception to that procedure. The Treasurer said—

> This amount (£1,712,679) being in trust funds and available for expenditure in 1911-12, is deducted from the total expenditure in order to show the actual charge to the Consolidated Revenue Fund during the current financial year. The balance of last year's surplus, namely, £116,845, will remain in Trust Fund, and be available for expenditure in 1912-13.

The surplus of last year was £1,829,524, which the Treasurer divided into two equal amounts of £914,762, paying them to the credit of the Fleet Construction Trust Fund and the Old-age Pension Trust Fund. The Budget papers show that the sum to the credit of the Fleet Construction Fund on 30th June last is £914,762; but the Treasurer proposes to take from that fund £1,112,679. These trust accounts seem to be regarded as bags into which the Treasurer can place any money at any time, so long as he has a general appropriation. We appropriated three or four millions a year or two ago, almost as a formal matter, to provide for the payment of the money into a fund from which the Treasury could, at any time, distribute it in the payment of pensions. So far as old-age pensions payments are concerned, Parliament does not desire to pass votes every year. Nothing could be gained by that. But regarding payments for the construction of the Fleet, we desire to know how the money is to be spent; how much is paid for salaries, and so on. Yet the money is paid into a trust account, to be used as the Treasurer likes, without any approval by Parliament, so long as there is a general appropriation.

Mr. FISHER.—We have provided for the payment of £3,000,000 towards the cost of the Fleet unit.

Sir JOHN FORREST.—The Treasurer has not provided that. He has only provided for the appropriation of the money; he has not yet found the money. According to the statement on page 68 of the Budget papers, the balance carried forward from the 1st July, 1911, was £914,761 14s. 10d., which is half of the surplus for last year. I should like to know whether the £600,000 to be used for telegraphs, &c., is in a Trust Fund at present. If it is in either the Fleet Trust Account or the Old-age Pensions Trust Account, it cannot be taken out except by an Act of this Parliament.

Mr. FISHER.—Why?

Sir JOHN FORREST.—Because section 61 of the Audit Act prevents the Treasurer from—

> expending any money standing to the credit of the trust fund except for the purposes of such fund, or under the authority of an Act.

We are spending £2,000,000 on old-age pensions. That is all right, because there is a fund there.

Mr. FISHER.—Because I honestly tell Parliament that we are using all that money, first taking it for old-age pensions and then showing it in another way, the honorable member says I am not doing right.

Sir JOHN FORREST.—The right honorable member is doing right in putting it into the Fund, but not doing right in withdrawing it as he proposes. He disposed of his credit balance at the end of the financial year of £1,829,524, by paying £914,762 into each of the Trust Funds for Fleet construction and for old-age pensions, and having placed those sums to the credit of those funds, he can only use them for the purposes of those funds, or under the authority of an Act.

Mr. FISHER.—Does the right honorable member say I cannot use all that money for the payment of old-age pensions?

Sir JOHN FORREST.—I submit that he cannot, without the authority of an Act.

Mr. FISHER.—We can spend both what we are putting towards the Fleet unit and what we are putting towards the old-age pensions.

Sir JOHN FORREST.—The Act says it shall not be lawful for the Treasurer to expend any moneys standing to the credit of a Trust Fund except for the purposes of that fund, or under the authority of an Act.

Mr. GROOM.—The Treasurer does not propose to take money from the old-age pensions fund for the purposes of the Fleet, or from the Fleet fund for the purposes of old-age pensions.

Sir JOHN FORREST.—I should say that when money is paid into a fund in the Treasury it must remain there unless it is taken out by an Act.

Mr. GROOM.—But the Treasurer already has an Act?

Sir JOHN FORREST.—He has no Act authorizing him to take this money out of those Trust Funds, and put it into postal expenditure. That sum of £600,000 cannot be taken out of any of those funds except by an Act of this Legislature. The

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right honorable member can bring down a Bill authorizing the withdrawal of the money from one of the existing funds, and its use for any purpose he likes to name.

Mr. GROOM.—Are not the works on which that £600,000 is to be spent specified somewhere in these Estimates?

Sir JOHN FORREST.—That appropriation will not take the money out of the Trust Funds. It is only an ordinary appropriation out of the Consolidated Revenue. It says nothing about taking the money from the Trust Funds. The Treasurer cannot take money from the Trust Funds and spend it on postal facilities except by virtue of an Act of Parliament, and that Act he will have to get. We are not told from which Trust Fund this £600,000 is to be taken.

Mr. GROOM.—From the Consolidated Revenue, I suppose.

Sir JOHN FORREST.—The Treasurer does not say so in his speech. After telling us that he had distributed the credit balance of £1,829,524 in equal proportions between the Fleet Construction Trust Fund and the Old-age Pensions Trust Fund, he says—

> **We shall thus practically expend amounts of £600,000 and £1,112,679, together £1,712,679, of the surplus of last year for these objects.**

Mr. FISHER.—Can I not use the whole of the money in the Fleet Unit Trust Fund for the Fleet Unit, and the whole of the money in the Old-age Pensions Trust Fund for old-age pensions, leaving available an equivalent sum out of the current year's revenue to expend in the way suggested? Of course I can, and that is what is being done.

Sir JOHN FORREST.—That is not what the right honorable member said he would do.

Mr. FISHER.—I made it plain. Instead of hiding it I told exactly the whole story.

Sir JOHN FORREST.—The right honorable member has fallen into the error of thinking that surplus revenue can be placed to a trust account where there is an appropriation for that trust account, and that it can be taken back again for purposes other than those of that fund. That, however, cannot be done.

Mr. FISHER.—I do not allege that.

Sir JOHN FORREST.—The right honorable member cannot use money put into a Trust Fund for old-age pensions except for old-age pensions or for any other purpose under the authority of an Act of this Legislature.

Mr. FISHER.—I agree.

Sir JOHN FORREST.—But the right honorable member has not done that

Mr. FISHER.—Oh, yes.

Sir JOHN FORREST.—I think I shall have the Treasurer with me when I say that the whole question of the trust accounts requires to be closely looked into. Where there is a straightforward payment like old-age pensions under the very precise terms of the law it is all plain sailing, but if we are to commence now, as the right honorable member intends, to open up a trust account for postal expenditure, that sum will be absolutely at the Treasurer's disposal to do as he likes with, not even telling the House what he is going to do with it.

Mr. FISHER.—I shall tell the House. I shall bring down a schedule of Estimates.

Sir JOHN FORREST.—That is what I think should be done. The right honorable member said yesterday, in reply to me, that we had no loan funds now. I knew that we had none at present, but the Audit Act provides for both loan and trust funds. Although, for instance, there might be authority by an Act for spending £5,000,000 of loan funds on a railway, yet, under the Audit Act and under the procedure, Loan Estimates in connexion with that amount should be brought down to Parliament for approval with just as much detail as if it was an expenditure out of the Consolidated Revenue. Loan Estimates are common in all the States. I had a great deal to do with them, and we had to be just as particular about them as about Estimates with regard to Consolidated Revenue. All the details were submitted to Parliament with just as much precision, and the proposed expenditure was embodied in the Appropriation Act every year.

Mr. MATHEWS.—That was to show that they were not being misapplied.

Sir JOHN FORREST.—It was in order that honorable members might criticise them, and strike them out just as freely, if thought necessary, as the items of the Consolidated Revenue. Every item had to be approved by Parliament, just the same as in the case of the ordinary Estimates, and temporary Supply had to be obtained as required in exactly the same way as annual supplies for carrying on the ordinary business of government. We have in front of us large works like the construction of a Fleet, the Western Australian railway and the Northern Territory railways, and there will require to be great works in the

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Northern Territory. If we carry those works on out of funds, whether they are called loan funds or not, those funds will consist of moneys not belonging to the Consolidated Revenue, and we ought to have the same precision, the same care, and the same scrutiny over every penny of that expenditure as we have over the Consolidated Revenue. But we certainly will not have it if the procedure followed this year is continued. I make some excuse for the present Treasurer, because we are only beginning, and have hitherto had only old-age pensions and some departmental accounts in the Trust Funds; but the question is becoming a very large one, and I shall refer to it later on when we reach the Estimates-in-Chief. My opinion is that the system of creating Trust Funds —and the Treasurer can create them——

Mr. FISHER.—Parliament.

Sir JOHN FORREST.—I think the Treasurer can establish a trust account.

Mr. GROOM.—Yes, he can, under the Audit Act Amendment Act of 1906, section 62A.

Mr. FISHER.—Not a Trust Fund of this kind.

Sir JOHN FORREST.—There is nothing to prevent the Treasurer creating a trust account and putting into it any surplus at his disposal, and spending it as he likes, without the control of this Parliament, once he gets it into the trust account. I do not say that the right honorable member would do it, but he has the power to do it, and that is a power we ought not to give any Treasurer. I believe in giving the Treasurer a good deal of power; but this Parliament ought to keep full control over the expenditure.

Mr. FISHER.—The Trust Funds referred to in the Act of 1906 are minor Trust Funds for small payments.

Sir JOHN FORREST.—These Trust Funds are growing very large now. Last year £15,500,000 was received into them; £5,000,000 was spent, and on 1st July of this year, £11,500,000 was standing to their credit, although £8,000,000 of it belonged to the Notes account. We are getting into big figures, and what might have been allowable heretofore must not be allowed to continue. I do not know whether the Treasurer is inclined to continue that system or not, but he seems to be inclined to put £600,000 into a trust account for no reason at all. He could just as well keep that amount in the Consolidated Revenue, unless there is some constitutional reason which I am not aware of against it. When he gets the £600,000 into the Trust Funds he can spend it exactly as he likes, free from the control of this Parliament. I do not mean anything personal to the present Treasurer, who, I am sure, would do his best; but that is not the way the finances of the country should be controlled. This system of creating Trust Funds—and the Treasurer can create them—will, if persisted in—end in lessening the control of Parliament over immense portions of the revenue. An appropriation is made for the purposes of a Fleet or a railway covering, perhaps, millions, and, under the present system, when that money gets into the trust account, it can be spent by the Treasurer for the purpose named, without any approval of the details by Parliament. It would be a strange state of affairs if Parliament provided say, £100,000 as a Fleet account, and, when an appropriation of £100,000 was passed for some purpose, honorable members should be told that the latter had been taken out of the Fleet Trust Fund. The Treasurer appears to have put aside a sum for the Fleet and old-age pensions, and now proposes to take £600,000 of that sum for postal purposes.

Mr. GROOM.—The £600,000 is to be taken out of the Consolidated Revenue.

Sir JOHN FORREST.—That is not so, according to the statement in the Budget speech. I hope that expedition will be used with these Estimates, and that the Minister of Home Affairs will exercise some energy, for I think it will take him all his time to spend the money during the next eight months.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [4.42]. The honorable member for Swan is an ex-Treasurer of his own State, and of the Commonwealth; and, of course, we must pay some attention to his criticism, especially when it is directed to the form in which the accounts are presented. I am glad to say that it is only to the form to which the honorable member takes exception, and he freely admits that he indulged in the same practice when he was Treasurer.

Sir JOHN FORREST.—I never took moneys in and out of Trust Funds—backwards and forwards.

Mr. FISHER.—The honorable member, as Treasurer, was not fortunate enough to have sufficient money to move backwards and forwards in connexion with Trust Funds. The Trust Fund of £1,800,000

odd is for the Fleet unit and old-age pensions; and, in both instances, the amount will be more than covered by the annual appropriation. I stated quite plainly the reason why this Trust money had to be encroached on, namely, the excessive expenditure on these two items. As to the £600,000 proposed to be given to the Post and Telegraph Department to spend in addition to the ordinary annual appropriation, I think all will agree that one of the greatest difficulties we have is the jarring at the end of the financial year. Since this Government has been in office, we have more than doubled the expenditure on postal works each year; and this year we have done the same, though that does not remove all the difficulty.

Mr. PAGE.—The Treasurer is talking about extra expenditure; but does he know that not one single mile of telegraph line has been completed in Queensland since Federation?

Mr. FISHER.—That shows how much better equipped Queensland was as compared with the other States. I am inclined to think, however, that the honorable member is in error.

Mr. PAGE.—I am absolutely correct.

Mr. FISHER.—I know that a copper wire was sent north of Brisbane.

Mr. PAGE.—That is a telephone wire.

Mr. FISHER.—It is also used as a telegraph wire when occasion requires. At any rate, it is a fact, known to all honorable members who have travelled north, that the telephone system in Queensland was the very best equipped in the whole of Australia. In Victoria, however, the system was rather poor; and the first duty of the Government is to provide for the most necessary works.

Mr. GROOM.—This £600,000 comes out of the Consolidated Revenue.

Mr. FISHER.—Exactly.

Sir JOHN FORREST.—Does it not come out of the £1,800,000?

Mr. FISHER.—Not necessarily.

Mr. GROOM.—It must come out of the Consolidated Revenue?

Mr. FISHER.—Exactly. What I said was intended to show honorable members where the money was to come from.

Mr. GROOM.—The Treasurer is creating a Trust Fund by an act of appropriation?

Mr. FISHER.—Yes. This £600,000 will be used, in addition to the £700,000 intended to be voted for the Post and Telegraph Department, for two years, in order to bring the work up to date.

Mr. GROOM.—That is equal to £2,000,000 in two years?

Mr. FISHER.—Yes; that is the amount asked for from time to time to fully equip the Post Office and bring it up to date. The reason why this money has been divided into two payments of £700,000, and the £600,000, is that the £700,000 each year is for definite and distinct works; while the £600,000 is intended to extend over two or three years so that it shall not be expended in any haphazard way.

Mr. MATHEWS.—The Treasurer means that the money will continue to be available after the close of the financial year?

Mr. FISHER.—Yes; and that means continuity of work, such as is secured in the case of the building of a railway or great bridge, by voting the whole amount instead of dividing it into annual appropriations.

Mr. PAGE.—If that be so, why do we see on the Estimates £250, for instance, voted as an advance for a specific work?

Mr. FISHER.—That is the very weakness of our annual votes.

Mr. GROOM.—It is usual to put a footnote indicating the total amount to be expended.

Mr. FISHER.—Quite so; and the amount voted is that estimated to be expended during the financial year. It would be an anomaly to propose an expenditure of £250 as an instalment of £10,000, without indicating to Parliament the total involved; indeed, it would be wrong on the part of a Treasurer to conceal the fact from Parliament. There is no intention on the part of the Government to obtain votes without full knowledge on the part of honorable members. The £600,000 covers works which cannot be dealt with economically by annual votes. The honorable member for Swan quite properly said that this money should not be given into the possession of a Treasurer, or any other Minister, to expend as he pleases. I certainly would not undertake the responsibility of expending such an amount unless a definite schedule of the works were laid before Parliament, and, if necessary, embodied in an Act.

Mr. GROOM.—As a matter of fact, section 61 of the Audit Act would, apparently, empower the Prime Minister to spend trust money for the purposes of the Trust Fund without special authority.

Mr. FISHER.—But I should not accept the responsibility, but rather desire Parliament to say what has to be

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done. I say that, subject to the reservation that such a vote should be a little more flexible than an appropriation in the Estimates, because the latter forbids the expenditure of a single penny in any other way than that prescribed. That is one reason why it would be wise to take separate power under an Act. The necessity for it is quite apparent. The right honorable member for Swan raised a question in regard to our silver coinage, but I do not think it would be advisable for us to overpress the Mother Country in that regard.

Mr. MATHEWS.—We ought to mint our own silver as soon as we can.

Mr. FISHER.—That is the policy of our party, but it is a mistake to suppose that any monetary advantage would in that way accrue to the Commonwealth. We reap all the profits to be derived from the use of our own silver coinage at the present time. The Government of the United Kingdom cheerfully agreed to allow us to substitute our own silver for the British silver at present current in Australia, and we are securing all the profits.

Mr. MATHEWS.—But we are not getting the new coinage as fast as we want it.

Mr. FISHER.—That arises largely from the fact that the demand for silver and copper coins, and indeed, for all coinage, as well as for Australian notes, is rapidly increasing, owing to our increased prosperity.

Mr. FENTON.—Would it not be better for us to mint our own silver here—we have the raw material?

Mr. FISHER.—So far from objecting to the minting of silver here, I am in favour of that being done, and an early opportunity will be taken to carry out our object. The right honorable member for Swan took exception to the small amount set down in respect of lighthouses. As I explained in my Budget statement, when we propose a scheme for the building of lighthouses we shall have to ask Parliament to vote some hundreds of thousands of pounds. The item in these Estimates relates only to repairs. As to the proposed vote of £100,000 in respect of the Federal Capital, the items will be given. Some of the suggested works in respect of this vote are the construction of a weir on the Cotter River, the erection of a bridge over the Murrumbidgee, a temporary railway from Queanbeyan, the centre of distribution, a brickmaking plant, and supply of timber, while a sum of £15,000 will also be required to meet the expenses of administration and survey operations. As to our land policy, I may say at once that it is well known. All lands within, say, a 7-mile radius of the Capital must be acquired by the Commonwealth Government.

Mr. RILEY.—So far the Government are not purchasing any land.

Mr. FISHER.—The policy of this Government is to acquire the lands under one of our existing laws, which provides that they shall be secured at what was their valuation when the site of the Capital was fixed. These lands will be purchased with Commonwealth money, if this Government remains in office, so that any values that accrue to them, as the result of the expenditure of public money in the Federal Territory, will go to the people of the Commonwealth, who provided for that expenditure. That is the position we take up. No Government could purchase so large an area as we shall have to acquire without raising money other than by means of the ordinary annual appropriations, and I do not think that any honorable member would ask that all this territory should be purchased out of the annual appropriations. Money so expended will be really a capital charge, and I think we shall get to begin with, a return of at least 3 per cent. These Federal Capital lands ought to be acquired as a business transaction from the point of view of the Commonwealth. The money expended in the Federal Territory will have been contributed by the whole of the people, and it will be incumbent upon the Government of the day to see that the enhanced land values so created shall accrue to them. As to the point raised by the right honorable member for Swan regarding the smallness of the proposed vote in respect of Commonwealth offices in London and the failure to expend the vote of £1,000 passed last year, I may say that the Government knew that a number of members of this Parliament would be visiting Great Britain this year, and therefore stayed their hands. It is our intention to ask Parliament to agree to our acquiring what is known as the Aldwych site. We propose to acquire the larger area, and to erect thereon a substantial building. Parliament will be asked to pass a measure enabling the work to be carried out with expedition.

Mr. GROOM.—What will be the cost in respect of land and buildings?

Mr. FISHER. — Something under £600,000.

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Mr. DEAKIN.—Will that provide for acquiring the freehold?

Mr. FISHER.—The London County Council have adopted the principle of perpetual leasehold, but they think it advisable to waive it in our case, and it is therefore proposed, by their desire and at our request, that the land shall become Commonwealth property. £600,000 will provide not only for the purchase of the land, but for the erection of a building which will house the High Commissioner and staff as well as the representatives of the States—if they so desire—in a manner that will be worthy of Australia. I am sure that the right honorable member for Swan will agree with me that the only question involved is whether the larger or the smaller scheme should be adopted. I am personally, distinctly in favour of the larger scheme. We ought to secure the whole of the property that will be increased in value by the expenditure of our money. There will be a considerable return by way of rents from the offices that we propose to build. I do not think the loss will be great, and the advantage of having in London a building where the Commonwealth work can be well done, and where Australia can be properly represented, must be very considerable. As to the main question regarding the Trust Funds, I am quite as anxious as is the right honorable member for Swan that our Trust Funds shall be placed on a thoroughly satisfactory basis. Regarding the minor Trust Funds, which, as the honorable member for Darling Downs has pointed out, we have power to create, I have in every instance insisted upon the balance to the credit of such funds at the end of the financial year being paid into the Consolidated Revenue, so as to permit of a complete grip being kept upon the expenditure. That is the best we can do in the meantime. I do not think there is any serious danger arising from these Trust Funds, for every safeguard is being taken by the Treasury to prevent their being put to any unusual use.

Mr. GROOM (Darling Downs) [5.6].—I understand that the proposed Trust Fund of £600,000 in respect of special telegraph and telephone works has yet to be created, and will be built up out of moneys from the Consolidated Revenue. There is altogether a sum of £700,000 on these Estimates to be expended on telephone and special telegraph works.

Mr. FISHER.—£600,000.

Mr. GROOM.—I am taking the total of Division No. 6, under which it is proposed to appropriate £700,000 for that purpose, whilst the Government are also making provision for the creation of a fund of £600,000.

Mr. FISHER.—I estimate that we shall also have to spend £700,000 next year.

Mr. GROOM.—The Trust Fund of £600,000 which the Treasurer is now creating is to be devoted only to works specifically enumerated in the Estimates.

Mr. FISHER.—Yes.

Mr. GROOM.—That is justifiable. If the right honorable gentleman were creating a general Trust Fund under section 61 of the Act—a general fund of £600,000, to be expended upon postal works which Parliament had not specifically authorized—there would be good ground for the criticism in which the right honorable member for Swan has indulged; but the Treasurer is not proposing to do that.

Mr. FISHER.—I should bring down a schedule.

Mr. GROOM.—Exactly. We are authorizing the construction of works involving the expenditure of £600,000, which are specified in these Estimates. If, at the end of the financial year, those works were not completed, the votes in respect of them would, under ordinary circumstances, lapse, so that the Treasurer would find himself in the position of having a lot of incomplete works and a number of lapsed votes. To obviate that difficulty, this special Trust Fund is to be created. I think the desire of the Treasurer is a laudable one—that, instead of these votes being allowed to lapse at the end of the financial year, this special Trust Fund shall be created, and that the works in respect of which they are passed shall be continued, but only on the basis authorized by Parliament. That is the position.

Mr. FISHER.—Exactly.

Mr. GROOM.—That is a perfectly sound principle.

Mr. W. H. IRVINE.—But where are the works set out?

Mr. GROOM.—They appear in Division No. 6.

Mr. W. H. IRVINE.—There is another item of £600,000 in the General Estimates.

Mr. GROOM.—No. In making up the total, the sum of £600,000 seems to have been counted twice, and we are being asked to vote £600,000 for works expressly authorized and £600,000 for works to be

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paid for out of a trust account, but I understand that the intention is that if of the £600,000 voted for works expressly authorized only £300,000 is spent during the financial year, the balance will go into the trust account, and be drawn on as needed.

Mr. FISHER.—No. The £600,000 is additional to the sum voted for works expressly authorized. I have stated that a schedule of the works for which the £600,000 is to be asked will be brought down.

Mr. W. H. IRVINE.—We are being asked to draw a blank cheque, on the understanding that later we shall be told what the money is to be spent on.

Mr. GROOM.—The Treasurer should insert a foot-note stating that this money is to be appropriated by a special Act.

Mr. FISHER.—I have no objection to providing for an Act.

Mr. GROOM.—With a special schedule. That would be more satisfactory.

Mr. FISHER.—I shall think over the matter.

Mr. GROOM.—I wish to know from the right honorable gentleman if a statement of policy is to be made regarding the development of the Northern Territory, where obviously there must be considerable expenditure on public works. A sum is set down for the survey of a railway from Pine Creek to the Katherine. That proposal opens up the whole question of railway policy. We should know what is to be done, what gauge is to be adopted, and whether the line is to be ultimately carried forward to join the Queensland railway system.

Mr. FISHER.—I have asked the Minister of External Affairs to make a statement of policy during this debate.

Mr. GROOM.—Then I shall reserve my remarks until a later stage.

Mr. RILEY (South Sydney) [5.17].—I wish to complain of the smallness of the vote for the Federal Capital. Last year we voted £50,000, and this year £100,000 is set down, but, inasmuch as there was an unexpended balance from last year of £33,000, we are really providing this year only about £66,000. That is not fair to New South Wales. We are under an obligation to build the Federal Capital, and it is not right to permit undue delay. The Department shelters itself behind the excuse that it is waiting for plans, but work could be done while the plans are being prepared.

Mr. FENTON.—There is no hurry.

Mr. RILEY.—The miserable weather we are getting here in Melbourne close up to Christmas time itself affords a reason for moving Parliament House as soon as possible to the beautiful climate of Yass-Canberra. I trust that the Treasurer will give the Minister of Home Affairs substantial sums for the construction of the Capital.

Mr. SCULLIN.—A couple of million.

Mr. RILEY.—I do not say that; but he should have sufficient money at his disposal. Hardly anything is being done now. I wish to complain, too, of the congested state of the Sydney General Post Office. The sum of £8,000 is set down on the Estimates for alterations, but it would be a much wiser policy to provide for land resumption, to enable the present building to be extended. It would have been a good thing to resume the whole block some time ago. The people of the State have not been fairly treated in this matter. Every room in the present building is congested, and the removal of a few partitions will not give the relief that is needed. I thought that new post-offices would be provided for Waterloo and Botany, growing districts which, at present, have buildings so small that they almost seem like telephone cabinets. I forgot to mention that the land-owners in and around the Capital site are being unfairly treated, because they do not know how the Government proposes to deal with their land.

Mr. KING O'MALLEY.—We are building a parcels post-office near the Sydney railway station.

Mr. RILEY.—That is for the convenience of the Railway Department and the Postmaster-General rather than of the public. While the military expenditure is doubled, there is only a small increase in the postal expenditure for Sydney and its suburbs. Any new factories that are built should be placed in the Federal Territory.

Mr. JOSEPH COOK.—And generally the Government should get a move on with respect to the Territory.

Mr. RILEY.—Yes. Unfortunately the Treasurer is a Scotchman, and very near in money matters. Any expenditure in the Federal Territory must increase the value of the land there, and ultimately the revenue of the Commonwealth. We have a Commonwealth cordite factory here in Victoria, and a Commonwealth small arms factory at Lithgow, but all such establishments should be in the Federal Territory.

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Sir JOHN FORREST (Swan) [5.24].—I cannot understand the Treasurer's way of doing business. His proposed expenditure is shown as £19,515,000. That is arrived at by deducting £1,712,679 from the total of £21,227,679. What does that sum of £1,712,679 represent? That amount is to be distributed among two items, and, by deduction, makes the total expenditure from the Consolidated Revenue £19,515,000. Honorable members are led to believe by these Estimates that the sum of £1,515,000 is to be provided from the Consolidated Revenue for the Fleet this year, whereas only £402,321 has to be provided this year for that purpose, because we get £1,112,679 from the Trust Fund, being for the most part a portion of the surplus revenue of last year. The Works and Buildings are shown at £600,000 more from the Consolidated Revenue than they should be. If honorable members will turn to page 4 of the Estimates, they will find that the total expenditure from the Consolidated Revenue for 1911-12 is £19,515,000, made up in this way: Special appropriations, £3,254,669; annual votes, £7,890,395; construction of Fleet, £402,321, instead of £1,515,000; annual votes for additions, new works, &c., £2,191,365, instead of £2,791,365—deducting the £600,000 to be obtained from Trust Funds; and amount payable to States, £5,766,250, making the total expenditure from the Consolidated Revenue for the year, £19,515,000. That is the way, as it appears to me, the Estimates ought to have been stated to make them clear to every one.

Mr. THOMAS BROWN (Calare) [5.29].—These Estimates appear to show a reduction rather than an increase on items where an increase would be very desirable, especially in New South Wales. On page 214 of the Estimates, for the construction and extension of telegraph lines, and the provision of instruments and materials £30,000 is asked for as against an amount of £32,467 actually expended last year. For the construction and extension of telephone lines, &c., the Treasurer is asking for £104,000 as against an actual expenditure last year of £151,747.

Mr. FENTON.—Will not extra sums come out of the special fund of £600,000?

Mr. THOMAS BROWN.—That is what I want to ascertain. For new trunk lines, £13,300 is asked for this year, as against an actual expenditure of £16,627 last year. In those and other items only £214,000 is asked for, against an actual expenditure last year of £228,482. That represents a fairly substantial reduction, and yet during last year all the works actually approved of by the Postal Department in that State were not by any means provided. A number of approved works have been held up for subsequent appropriation. As an instance of the condition of affairs obtaining in New South Wales, I have here a printed report in the local papers showing the treatment by the Department of the proposal to connect the towns of Obley and Yeoval, in my electorate, by telephone. In 1906, an estimate of the cost and of the probable revenue was made, the cost being put down at £94, but the Department's estimate of the revenue was so small that the people interested were informed that the matter could not be taken in hand. As more land was brought under agriculture, settlement increased, and later on, the people thought the same objection would not be raised again to the construction of the line. A further report was called for, and in that, the estimated cost was increased to £154, the reason given by the Department being that they had decided in the meanwhile on a policy of more costly construction in connexion with telephonic services. The Department then said they would be prepared to undertake the construction of the line under the newer conditions, if the people would provide £42 17s. 6d. in cash, or in cash, labour, and material. The people took the matter in hand, and sent to the Deputy Postmaster-General months ago a cheque for the amount required, naturally expecting that the construction of the line would shortly be taken in hand. They were, however, subsequently informed by the Department that the line was forty-ninth on the list of urgent lines for construction during the year 1911-12. That practically means that the work is to be held up for a further twelve months. What explanation has the Treasurer to offer for presenting a decreased instead of an increased expenditure on works of this kind?

Mr. THOMAS.—The honorable member will see on page 216 that there is a special appropriation of £600,000 for telegraphs and telephones.

Mr. THOMAS BROWN.—So far no explanation has been given as to how that sum of £600,000 is to be used. Is it to carry out the urgent works listed by the Deputy Postmasters-General, or are they to remain over for another year? If the ex-Postmaster-General can assure me that those

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works are to be provided for by that special sum, my difficulty will be partly met. We shall at least know that there is a possibility of having this work carried out during the current year. Since the telephone line in question was first brought under the notice of the Department in that district, I am credibly informed that 30,000 acres of land has been placed under wheat. An expansion of that kind necessitates rapid communication for business purposes, and a telephone line is urgently required. I should like to know whether the reduction which I have quoted in these Estimates indicates that the policy of the Government is to give less instead of greater attention to these matters of communication, or whether special provision is to be made in the way indicated by the Minister of External Affairs.

Mr. GREENE (Richmond) [5.40].—I should like to bring under the notice of the Postmaster-General the case of a number of people, resident in an out-of-the-way country centre, who applied for a telephone line, and, after much negotiation, received the following letter from the Department:—

> With reference to your letter of the 2nd inst. enclosing a communication from Mr. A. N. Jowett, of Piggabeen, accepting, on behalf of the residents the Department's conditions for the erection of a telephone line between Bilambil and that place, I have to intimate that the work under notice stands 53rd in the order of urgency on the list for the next financial year 1911-12. It is anticipated that some forty-three of the works only will be completed during that year, and it is unlikely therefore that the Bilambil-Piggabeen line will be completed during that period. The residents need not consequently complete the guarantee forms at present.

The Department asked the people, in the first place, to find a substantial deposit in cash, and then to enter into a guarantee against loss for seven years. That was at the beginning of this year, and now they are informed that the work cannot be undertaken.

Mr. FRAZER.—Who sent the communication?

Mr. GREENE.—The Deputy Postmaster-General of New South Wales—the letter is from the Department in Sydney. I am now quoting from a copy, having sent the original on to the people for whom it was intended. It seems absurd that the Department should be able to construct only forty-three lines in the course of twelve months. I have here some figures from the first annual report of the Postmaster-General, which gives extracts from the report of the Deputy Postmaster-General in New South Wales. Here is shown the length of new lines completed in each year, from 1901 to 1910; and I find that in 1906 the maximum length of construction in any one year was reached with no less than 652 miles. In the next year the Department managed to construct only 385; in the next year, 290; in the next year, 246; and last year, only 237 miles.

Mr. FRAZER.—What sort of lines?

Mr. GREENE.—Telegraph and telephone lines on new poles—I am quoting the mileage of new poles. Notwithstanding the urgency of the needs of these people in the country districts, who are willing to guarantee the Department against all loss over a number of years, it seems to me that the work is falling farther and farther behind each year.

Mr. FRAZER.—I think the honorable member will very likely find that these figures apply to telegraph lines.

Mr. GREENE.—The heading is "telegraphs and telephones."

Mr. FISHER.—It is not correct to say that the Department is getting farther and farther behind.

Mr. GREENE.—I am quoting official figures issued by the Postmaster-General himself.

Mr. FISHER.—Of what date?

Mr. GREENE.—I am not certain as to the date; but it is the first annual report which was laid on the table only a few days ago. Of course, the figures I have quoted refer only to New South Wales, because in other States the Department is going ahead with this work. The people of New South Wales, where there is a consistent and persistent falling-off, have a very legitimate cause of complaint. The Department is not asked to suffer any loss, because the people are prepared to put down cash at any time. In this particular instance, the people forwarded their cheque for the amount; but, owing to the letter I have read, I sent it back and told them that, under the circumstances, it was of no use to complete the guarantee forms. This is a rising district, in which I am certain there would be no loss on the line from its inception. I chose this case as typical of many; and I know that other honorable members have had similar experience in New South Wales.

Mr. FISHER.—Is the honorable member quite sure that he quotes the report aright?

Mr. GREENE.—I am quite sure.

Mr. FRAZER.—Can the honorable member explain how it is that in 1909 the

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telegraph mileage was 31,113, while in 1910 it was 32,963?

Mr. GREENE.—Those figures refer to wires, while I am speaking of poles. It is quite possible that on old poles there may have been put additional wires.

Mr. FRAZER.—But if the Department is meeting public utilities, does the honorable member require that there shall be new poles?

Mr. GREENE.—I am dealing with new lines, and not with wires on old poles.

Mr. FENTON.—What about using fences?

Mr. GREENE.—In New South Wales fences are never used for departmental purposes.

Mr. PARKER MOLONEY.—Trees are used.

Mr. GREENE.—In some places; but that does not affect my argument. In any case, if trees are used now they were used in 1906. I think I have shown from the official report that the Department is not erecting new lines as quickly as formerly.

Mr. THOMAS.—Telegraph lines?

Mr. GREENE.—Telegraph and telephone lines.

Mr. FRAZER.—So long as the people get telephone connexion, what does it matter how many new poles there are?

Mr. GREENE.—I contend that the people are not getting telephone connexion quickly, but very slowly. I admit that the Department will approve of lines as quickly as desired; in this there is the utmost willingness to meet the people, and there are ever so many lines in my electorate that have been approved of.

Mr. THOMAS.—Last year 50 per cent. more was spent on telegraph and telephone lines than in the previous year, and 100 per cent. more than in the year before that.

Mr. GREENE.—That may be true; and the whole of the 50 per cent., for all we know, may have been spent in putting tunnels through Sydney streets. My point is that construction is lagging behind, as shown by the admission that during this year only forty-three lines can be erected. I find that the Deputy Postmaster-General's report appears in Appendix C of the Postmaster-General's report, and deals with new telegraph and telephone lines as completed in each year.

Mr. FRAZER.—Why does not the honorable member quote the mileage of wire, as well as the mileage of poles? The figures would blow the honorable member's arguments to ribbons.

Mr. GREENE.—It would not affect my argument at all. If, for instance, there were 20 miles of new poles, and six lines over that mileage, we should then have 120 miles of wire.

Mr. FRAZER.—Would the people not be served by providing these wires?

Mr. GREENE.—Certainly; but my point is that the pole mileage is not being extended.

Mr. SCULLIN.—Are not railway poles used?

Mr. GREENE.—They may be; but, if so, they were used in 1906.

Mr. FRAZER.—The fact remains that the mileage of wire is greater now than in any year of the existence of the Commonwealth.

Mr. GREENE.—That does not affect my argument. The Postmaster-General is no doubt endeavouring to back up his Department.

Mr. THOMAS.—Why not quote the mileage of wire side by side with the mileage of poles?

Mr. GREENE.—Because my point is that the actual construction of lines is not going on as rapidly as it ought. I desire the Postmaster-General to see that the Department in this respect is brought up-to-date, and that when a line is approved it shall be completed within that particular year.

Mr. FRAZER.—As far as possible that will be done.

Mr. GREENE.—I am glad to have that assurance from the Minister. I can assure him that residents of country districts, and particularly districts that are being rapidly opened up and populated, are crying out for telephone connexions, and that even after a line is approved by the Department, two or three years elapse before it is constructed.

Mr. THOMAS BROWN.—One line in my district was approved in 1906, and it is forty-seventh on the list for next year.

Mr. GREENE.—That is exactly the point I am making. The Postmaster-General's own figures show it to be possible for the Department to erect a greater mileage of poles per annum than it does at present. The Department is always harking back to the point that it cannot obtain men to do this work, but its own figures show that it can do more if it chooses to put on the men to do it. It may be that the Department is short-handed. It may not have, at a particular time, the men trained to do this class of work, but seeing that it has a complete monopoly, it should endeavour to have these lines promptly erected.

When a line is approved and placed on the list, the people concerned have to wait sometimes two or three years for it to be constructed. In order to show what happens, I should like to refer specially to two cases in my own electorate. Two large areas, which a few years ago were stations, have been subdivided; settlers have opened up the land, and have commenced dairying; and have been sufficiently energetic and enterprising to establish butter factories. These are far removed from outside centres, and application has been made for a telephone connexion. Where a district has been opened up in a very short time by settlers, who have established a co-operative butter factory, the Department can have little to lose by immediately erecting a telephone line. If the service were conducted by private enterprise—and I am not advocating the handing over of our telephone service to private enterprise—we should have different companies falling over each other, so to speak, in their anxiety to establish telephone connexion with such a district. In both these cases, however, the applications, which have been approved, are about thirty-sixth on the list of works to be carried out in 1912-13. It is little short of scandalous that a great Department such as that of the Postmaster-General cannot carry out these works more expeditiously.

Mr. PARKER MOLONEY.—The way in which the Department arrives at an estimate of revenue often blocks a line.

Mr. GREENE.—I really do not know how the Department arrives at its estimates of revenue, but I do know that all I have seen have been on a very conservative basis.

Mr. THOMAS BROWN.—While the estimated expenditure is fairly liberal.

Mr. GREENE.—In respect of maintenance alone a charge of 10 per cent. on capital cost is made. That may be all very well from the departmental stand-point, but it is very hard on the out-back settlers. In the cases to which I have referred, there was not the slightest chance of the Department making a loss; yet they asked for a guarantee. As illustrating the policy of the Department, I would mention that when, a little while ago, a request was made for the construction of a line in that part of my electorate from which I come, the Department asked, in the first place, for a very large cash contribution. That request was refused, and the Department then asked for a guarantee. This the residents also refused to give, and finally the Department undertook to construct the line, with the result that from the opening day it has returned something like 35 per cent. Yet, in the first place, the local residents were asked to contribute half the cost of that line, and the estimates of the cost of construction, as the honorable member for Calare has said, were very liberal. This sort of thing is going on all over the Commonwealth. If the present Postmaster-General desires to make a name for himself in country districts, he will find no better way of doing so than by tackling this question of the rapid construction of telephone lines once they are approved, and if he places that one matter on a substantial business basis, he will confer a great benefit on thousands of out-back settlers who are struggling hard to make a living.

Mr. CHARLTON (Hunter) [6.3].—I think that there is room for complaint in regard to the delay in the construction of telegraph and telephone lines in country districts. I know, from my own experience, that the statement made by the honorable member for Richmond regarding the procedure is correct; but I hardly agree with him that it would be better for the Department not to approve of a proposed line unless it is prepared to erect it during the same year. Once we set up such a standard we shall never get any lines approved of. The officials would say, in regard practically to every proposed line, that it could not be carried out within the year, and, consequently, they would not approve of it. The only way to overcome the difficulty is to vote a sum of money sufficient to enable these works to be carried out promptly.

Mr. SAMPSON.—And make sure that it is expended.

Mr. CHARLTON.—Last year we voted £104,000 for telephone works in New South Wales, but £151,747 was actually expended. I am under the impression that the great bulk of these votes is expended on works in and about our capital cities, and other important centres of population, and that the requirements of country districts are largely lost sight of. If country districts were given a fair share of the money voted, I believe that the facilities afforded would be much greater than they are. In this year's Estimates we are reducing by £14,482 the amount to be placed at the disposal of the Postmaster-General compared with the amount spent last year in respect of telegraphs and telephones in New South Wales. In respect of new

switchboards and extensions we are asked to vote £45,000. Last year £38,000 was voted, and only £15,000 was expended, so that, roughly speaking, the vote in respect of construction and extension of telephone and telegraph lines in New South Wales is £50,000 less than the amount spent last year. If country residents could not secure much-needed telephone facilities last year, when the expenditure was £50,000 larger than the vote we are asked to agree to to-day, I fail to see what hope they can have of securing any substantial improvements this year. It appears to me that constant attention is being called to demands for improved services in our big cities, and that officials in the Department, in attending to those grievances, lose sight of the grievances of country districts, which are thought to be of minor importance. Telephone facilities are just as important to the people in country districts as they are to residents of our large cities. Indeed, they are even more important. In cases of illness, men have sometimes to travel 30 miles for a doctor, and the existence of a telephone line would mean a great saving of time, and perhaps a saving of life. Country residents are entitled to more consideration than they are receiving. The complaint made by several honorable members, that even after applications for the construction of lines in their electorates are approved, two or three years elapse before those lines are erected, will apply to every country constituency. The experience of my electorate is no different from that of others. Many applications have been approved, and yet we have no hope of getting the works carried out. I know that the ex-Postmaster-General did his best in this connexion, and that Ministers must be guided by their officials; but I appeal to the newly appointed Postmaster-General to direct his special attention to the wants of country districts, and to instruct his officers, as far as possible, to see that a fair proportion of the money voted from time to time for postal and telephone facilities is expended in such districts. If that is done, there will be no room for complaint. In some cases in my electorate residents have offered to bear the whole loss on the working of a telephone line, and yet they cannot secure the carrying out of the desired work. I urge the Minister to make a special effort to see that lines, as soon as they are approved of, are carried out. I do not know whether the sum of £600,000 to be placed to the credit of a special Trust Fund can be applied to the construction of country telephone and telegraph lines.

Mr. THOMAS.—It can be.

Mr. CHARLTON.—I am glad to have that assurance. The Minister will now be able to make the necessary inquiries to enable as much money as possible to be expended during the financial year in granting the facilities required by the people.

Mr. FRAZER (Kalgoorlie—Postmaster-General) [6.14].—I may perhaps shorten the debate by stating at once the position that I take up. I have previously expressed in this House the opinion that residents of the out-back portions of the Commonwealth are deserving of every consideration, and that we should do our utmost to make their lot as happy as possible. Unfortunately, this Parliament for some years handed over to the States large sums in respect of surplus revenue, without appreciating the fact that, in order to make those amounts as large as possible, an important Department of the Commonwealth was being starved. We are unhappily in the position of having inherited the evil effects of that systematic reduction of the Postmaster-General's Estimates, extending over a period of many years.

Mr. JOHN THOMSON.—Previous Governments had the same experience.

Mr. FRAZER.—Certainly. I have been a member of this House for eight years, and I know that, although the matter has been referred to, it has not been emphasized as strongly as it should have been. Not only has the Department been starved, but the people in country districts have become more clamorous, and their demands more numerous.

Sir JOHN FORREST.—Very often, the Department has not spent all the money voted.

Mr. FRAZER.—Last year my predecessor spent all that was voted, and a little more. My policy will be to push on approved works as expeditiously as possible. The public ought not to have to wait years for conveniences for which they have established a just claim. In addition to the specific items in these Estimates, the sum of £600,000 is provided, to be expended over two or three years, in bringing the service to a state of efficiency. I do not think that it will be possible to spend the whole sum this year, but any balance will be available next year, and, possibly, a little more. In three years'

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time, we hope to have our telephone and telegraph system quite up-to-date.

Mr. RILEY.—Including wireless communications?

Mr. FRAZER.—I hope so.

Mr. BRUCE SMITH.—Is the adoption of automatic telephone exchanges contemplated?

Mr. FRAZER.—The adoption of anything and everything that, in the opinion of experts, will give an improved service is contemplated.

Mr. BRUCE SMITH.—Has the Government formed any opinion regarding the automatic exchange at Geelong?

Mr. FRAZER.—That exchange is only in course of installation. I shall not spare myself in doing what I can to provide greater facilities for the public than they have at present, and in bringing about a thoroughly efficient service.

Mr. W. ELLIOT JOHNSON (Lang) [6.17].—I know that the difficulties of a Minister who has just entered the Department are very great, and appreciate the Postmaster-General's resolve to put his Department on a more satisfactory basis. It is true that, in the beginning, the Department was starved, money which should have been expended in improving and extending facilities having been returned to the States. I have been informed by officials, too, that after the Departmental Estimates had been carefully prepared, and, on revision, brought down to the lowest amount consistent with a proper service, they have been further reduced by Cabinet. When I first entered the House, I referred to this. I have been informed by officials that the Treasurer of the day has cut down the Departmental Estimates.

Mr. BRUCE SMITH.—It is easy for an official to recommend expenditure, but it may not be so easy for the Treasurer to provide for it out of revenue.

Mr. THOMAS.—An official who divulges the information that his Estimates have been cut down by the Treasurer is disloyal.

Mr. W. ELLIOT JOHNSON.—I have also heard it stated by more than one Postmaster-General that more money was necessary to efficiently carry on the work of the Department, but he could not get it from the Treasurer.

Mr. THOMAS.—A Postmaster-General who stated in the House that his Estimates had been cut down by the Treasurer would be a disloyal colleague.

Mr. W. ELLIOT JOHNSON.—In one of my early Budget speeches, I drew attention to the matter, and urged that it was suicidal to starve the Postal and Defence Departments for the sake of returning money to overflowing State Treasuries. I foresaw the trouble that it must cause, because the necessities of the country were increasing, and foretold that there must come a time when the congestion would be so acute as to create confusion, which it would be almost impossible for an ordinary man to get rid of. It would be a good thing, in my opinion, for the Government to bring a first class expert from some other part of the world to go through the Postal Department, with a view to reporting as to methods, and, if necessary, advising as to the best means of putting it on a more satisfactory basis.

Mr. LAIRD SMITH.—It would be simply a waste of money.

Mr. BRUCE SMITH.—There are fifty experts in the House.

Mr. LAIRD SMITH.—There are experts in Australia equal to any in the world.

Mr. W. ELLIOT JOHNSON.—Some persons whose experience is small, and confined to a very limited area, think that they know enough to run the universe, although they have never had experience of any business concern outside of their own little Pedlington; but the man who has controlled large business concerns is in a better position to say how things should be managed than one whose business has always been small and inconsequential. In my opinion, the Government would be well advised to get an expert of standing to advise it with a view to putting the Department on a more satisfactory basis. With regard to the complaints about delay in telephone construction, it has been my experience, in common with other honorable members, to frequently receive letters from the Department, saying that approval had been given for certain works, but that they could not be carried out in the current financial year for lack of funds.

Mr. THOMAS.—The work is often delayed for want of material.

Mr. W. ELLIOT JOHNSON.—That may be one reason, but funds should be available to provide for stocking necessary material well ahead of immediate wants in a rapidly expanding business. That is only ordinary business foresight. I received a letter last week with reference to a telephone line at a place called Yowie Bay, in my electorate. The matter was brought before the

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Department months ago, the residents being prepared to subscribe to a guarantee. The Department now tell me that approval has been given to the work, and that, owing to the improvement in the conditions of the locality, and the large accession of population, the guarantee will not be necessary, because the line will pay from the beginning. Unfortunately the letter concludes with a statement that the work cannot be done during the present financial year, owing to the number of similar works that have to be carried out. It is satisfactory to know that the line has been approved, but unfortunate that the residents should have to wait so long for this convenience in a place that is becoming populous, and where the need for it is growing almost hourly. I do not know whether it is that the Department are short of material or labour, or that funds are not available. I have mentioned the case in the hope that the Postmaster-General will be able to have the work carried out during the present financial year. I am glad to have the promise of the Postmaster-General that, so far as he can manage it, he will facilitate and accelerate works of that character. I have to thank the Minister for making that statement, and I hope the line in question will be among those which receive his early and favorable consideration.

Sitting suspended from 6.28 to 7.45 p.m.

Mr. LAIRD SMITH (Denison) [7.45].—Unlike other honorable members I feel it is time we dropped making the telephone system a party issue, and did justice to the excellent telegraph and telephone engineers of Australia, and to the staff under them. There is still much to be done to bring our system up to the requirements of this fast-growing nation, but we must not forget that good work has been done throughout Australia. The honorable member for Lang spoke in a most abusive way, but that is his usual style. He does not put forward any sound arguments, but simply abuses those who differ from him. I should like to remind him that I hold credentials, showing that I had twenty-five years' experience in all systems of telephonic and telegraphic work, and I can, therefore, claim to know just a little about the subject. In defence of our engineers, I wish to take honorable members back to the time when the telephone systems of Australia were under the control of six separate colonies. In those days the telephone service was starved. The Governments of the day would never give the engineers sufficient money to provide an up-to-date and efficient system. After Federation was established things were no better, because the various Federal Governments desired to return, over and above the three-fourths of the net Customs and Excise revenue, a large sum of money to each of the States. Consequently the telephone and other systems continued to be starved. It was not until the advent of the Labour Government to power that any attempt was made to grasp the situation and deal with it effectively. When the ex-Postmaster-General took charge he had a most difficult task. He had a run-down telephone system, and he had to introduce a complete renovation of it. The strides that have been made in telephony in the last ten years have been wonderful. What has been done by this much-abused Labour Government, and by the ex-Postmaster-General? The telephone system in Hobart was brought up to a state equal to that of any in the world. The common battery switchboard, with a metallic circuit, was adopted. Instead of having the earth return, and getting all the noise of the tramways, and all the induction and cross-talk, another wire was put in, and taken through cables. This practically made a silent line.

Mr. HEDGES.—Where has that happened? I wish it had been applied in Melbourne.

Mr. LAIRD SMITH.—It was done in Hobart. A number of honorable members who criticise this great Department know nothing about what has been done. The engineer I had the honour to work under was engineer of the Post and Telegraph Department of Tasmania, as well as the engineer of the Railway Department. He installed the common battery system in Tasmania as a trial. It was found to give splendid results, and was then adopted in Melbourne. One has only to go to the new exchange, recently opened in Melbourne, to see a switchboard that is equal to any in the world. The whole of the transfer from the old to the new system was brought about in such a way that subscribers were able to communicate with each other the whole time. Still nothing is said about the work done by the engineers. We simply hear abuse of them and of the Postmaster-General, probably to satisfy somebody who is growling about not being able to get attention on the telephone. I say, from long practical experience, that very often the

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fault lies with the subscriber. I have had to carry a bag of tools for a considerable distance to repair a telephone, only to find that the subscriber's child had left the receiver off. Recently I was in an office in one of the States when the telephone rang, but the subscriber waited until he finished his conversation with me before he attended to it. I suppose he expected to find the other subscriber still waiting for him; but the other had rung off again, and caused great trouble in the exchange. We have heard a great deal about the New South Wales telephone system being worn out. It may surprise honorable members to know that, in that State, there are no less than 33,000 telephone subscribers, against 44,000 for the rest of the Commonwealth. How efficient must those engineers be to keep the system in that State up to its present high standard? Owing to the prosperity of this great Commonwealth, since the advent of the Labour party to power——

Mr. JOSEPH COOK.—I suppose the Labour party make the crops grow?

Mr. LAIRD SMITH.—The honorable member knows, as well as I do, that the prosperity of Australia is due to the advent of the Labour party to power, and that is what is getting on his nerves. The honorable member for Richmond may know all about butter and banking, but he knows nothing about telephones. He took the year 1906—and I cannot but help admiring the cunning way he did it—and pointed out that the mileage of new poles erected in that year was 652. He also said that only 237 miles of new poles were erected in 1910, but he forgot to tell honorable members that the new line mileage in 1906 was 1,712, and that in 1910 it was 1855.

Mr. GREENE.—It proves that the money has been spent in the city and the country left alone.

Mr. LAIRD SMITH.—It does nothing of the sort. What concerns me is not the mileage of the poles, but the mileage of wire. There may be one trunk line into the country which serves from twenty to fifty subscribers. Only last week end I was at Sassafras, and I was surprised to see how well that district is served in the way of telephonic communication. On one trunk line there are many subscribers; and in every house I visited the people expressed their delight at the splendid service which enabled them to communicate with Melbourne at any time. The honorable member for Richmond complains of the number of switchboards being supplied, inferring that they are to be used in the city; but, as a matter of fact, the switchboards may be put into any country town for the use of farmers, who are thus placed in communication with the capital and other centres. When in Hobart recently I spoke to Burnie, 200 miles distant, on a practically silent line, of which any engineer might be proud. It was on a metallic circuit, transposed at every mile, with No. 10 wire, 200-lbs. to the mile. By means of this line the farmers at Burnie are enabled to communicate with Devonport, Launceston, and Hobart, and to do this more cheaply than in any other part of the world. The honorable member for Lang, who is a great authority on everything—even on the Northern Territory, where, it is said, he sat on an alligator under the mistaken idea that it was a log—tells us that we ought to bring an expert from the Old World to report on the system. As a matter of fact, we have a more up-to-date system than can be found in the Old World. There, most of the construction has been carried out by private companies, who, of course, do not care every now and again to inaugurate new systems, whereas here we have the most up-to-date appliances to be found anywhere. I am surprised at honorable members opposite, who speak so disparagingly of Australia, and of the necessity for importing experts. After what I have seen in London, in France, and in Switzerland, I am convinced that we have a thoroughly up-to-date system, which is 100 per cent. cheaper than any to be found elsewhere. In London it costs 2d. to use the telephone, whereas 14 miles from Sydney it costs ½d. or 1d. at an ordinary bureau.

Mr. GROOM.—Is the public telephone used for ½d.?

Mr. LAIRD SMITH.—It is a private telephone, which costs only £4 for the installation, as against £7 10s. in New Zealand.

Dr. CARTY SALMON.—The honorable member is not correct as to the ½d. charge.

Mr. LAIRD SMITH.—I had the figures officially, but I cannot use them because they might involve a friend of mine in a little trouble. We are better served under the Commonwealth than we were under the States; and I do not see how, with the present staff, the work can be carried on as expeditiously as honorable members desire. If the engineers were given a free hand to engage a full staff, and were not called upon to discharge men

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every six or nine months, they might be able to carry out the work more efficiently. Some years ago, when I was behind the scenes, I know that the engineer made repeated applications for increases of the staff, but these were refused because the Public Service Commissioner said they were not required. It is a very heavy handicap on an engineer and the foremen, to train men in digging post holes and other line work, and, when they become efficient, to have to discharge them and take on others.

Mr. THOMAS.—That is not the case.

Mr. LAIRD SMITH.—If it is the case, it is, as I say, a great handicap. The Commonwealth is a growing country—the Labour party are not going out of existence—and an enlargement of the permanent staff would be justified. As it is, every little hamlet has telephonic communication with the great cities, even in my own State. Only the other day, the honorable member for Franklin complained bitterly about the system in Tasmania; but I find that every little town in his electorate has telephonic communication, and that it is intended to immediately institute a metallic circuit in the Huon district. I am told that the number of mechanics taken on for extension work in 1910-11 was 309 as compared with 384 in 1911-12, while the linemen have been increased from 323 to 433. This shows that the Department is trying to keep up with the phenomenal demands on the telephone service. I may say that I never saw a more run-down system than that in London. It is true that the system of the Government is a good one, but there are also company lines, with the earth circuit, and old-fashioned arrangements generally. I had great trouble in calling up subscribers, both in London and in Scarborough. I can quite understand why honorable members opposite speak so disparagingly of any enterprise undertaken by this Government, because they have no sympathy with State or Socialistic institutions. A sympathetic administration is required to insure efficient service; and there was no such administration until the Labour party came into power. The telephone service is now more efficient than ever before; and I have every confidence in the engineers in charge in the various States. The Chief Engineer, who came from Scotland, brought the system in Brisbane to a high state of efficiency, and when his services were transferred to the Commonwealth, he travelled abroad in Norway, Sweden, Switzerland, and other countries, and his experience is now at our service. I hope the anti-Socialistic members opposite will stop this croaking for party purposes, and deal fairly with the men who are wearing themselves out in the Public Service. I am not so dry and droll as the honorable member for Parkes. We often listen with great pleasure to that gentleman's lectures, and he certainly needs no turn of the wheel to keep him going when he is on the subject of political economy. However, he knows just about as much about telephones as he does about political economy, and therefore I can "turn him down" at once.

Mr. JOSEPH COOK (Parramatta) [8.8].—I should like to know what period this report covers. It purports to be a report dealing with the year 1910. Does that mean 1909-10?

Mr. THOMAS.—It means the financial year ending 30th June, 1911.

Mr. JOSEPH COOK.—Then the report is not correctly described. I see it was ordered to be printed on the 12th October, and it is presented to His Excellency as a report of the Department "for the year 1910." How that can take the Department up to the end of the financial year, in 1911, I fail to see.

Mr. THOMAS.—It is up to 30th June, 1911.

Mr. JOSEPH COOK.—Although this report is supposed to be in respect of the year 1910-11, all the sub-reports covered by it carry the Department only to the end of 1910. The point is that these figures relate to our Administration as well as to the present Administration, so that at least one-half of the credit for these wonderful exploits must go to the Government which the Minister affects so much to despise. As a matter of fact, the money voted for our Government was spent during the year 1910, and the money voted for the present Government could not have been spent except in about a couple of months of the year really covered by this report.

Mr. THOMAS.—That is not so.

Mr. JOSEPH COOK.—It is so. We find in this report, report after report from sub-heads of Departments carrying the administration up to the end of 1910, and no further. The present Government were never voted any money until the end of 1910, so that the wonderful things revealed in this report must be set down to the previous Administration.

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Mr. THOMAS.—Will the honorable member read the first paragraph on page 3 of the report?

Mr. JOSEPH COOK.—The report is all right, but the impression that the Minister seeks to convey in regard to it is all wrong. The paragraph to which the honorable member refers is as follows:—

> I have the honour to submit a report upon the working of this Department during the year 1910, with financial particulars and general information regarding the more important current matters up to 30th June, 1911.

If that paragraph means anything at all, it means that all the factors are not taken up to the 30th June, 1911. It is definitely stated in this report that only some of them are so taken up, and the reports of the heads of branches are for the year ending December, 1910. There is nothing about the work done up to the 30th June, 1911, so that when my honorable friends talk about Providence having helped them to scatter hundreds of miles of wires over Australia it is well that the country should know that the credit belongs more to the late Government than to the present Administration. Most of the money spent in 1910 was voted at the instance of the Fusion Government.

Mr. THOMAS.—The whole of it?

Mr. JOSEPH COOK.—Not the whole, but the bulk, of it.

Mr. THOMAS.—That is not so.

Mr. JOSEPH COOK.—The present Government did not secure any votes in respect of the Postmaster-General's Department for 1910 until November of that year, when the Appropriation Bill was passed, and since this work relates to the year ending December, 1910, I should like to know who ought to have the credit of scattering these hundreds of miles of wire all over Australia. Honorable members opposite have been crowing a little too soon. This wonderful story of increase must be set down to the credit of the late Government. When the present Ministry have tabulated their own results later on, let them take all the credit they can for them. Let them put all they can in the political shop window, which they so well know how to dress, but I ask them not to take credit, as they have done, in connexion with the Postmaster-General's Department, as well as in regard to defence and other matters, for work done by their predecessors which they are now only feebly carrying on.

Mr. THOMAS.—We spent 50 per cent. more during the last twelve months than the Fusion Government spent in the previous twelve months.

Mr. JOSEPH COOK.—My only reply is that we furnished the sinews of war for our successors by making an arrangement with the States which they were compelled to accept. We shall see what the present Government have done when the next report is issued. This report is simply a testimony to the new order of things inaugurated by the Fusion Government.

Mr. ROBERTS.—I think that the Fusion Government must have had something to do with it, because all through the referenda campaign the Opposition were complaining of the chaotic condition of the Postmaster-General's Department.

Mr. JOSEPH COOK.—Were we? The Postmaster-General's Department is in a more chaotic condition to-day than it ever was, and the postal employés are more dissatisfied than they have ever been. I challenge contradiction of these patent facts. Did Providence do that for honorable members opposite? Has Providence promoted the threats of strife we are hearing?

Mr. LAIRD SMITH.—The postal employés are not crucified now—they are free to speak.

Mr. JOSEPH COOK.—I hope my honorable friend is not suggesting that they were previously prevented from speaking?

Mr. LAIRD SMITH.—Most decidedly they were.

Mr. JOSEPH COOK.—There is not a tittle of justification for that statement. I am sure the honorable member will not say that the persons forming the deputations which have lately waited upon the Postmaster-General would declare that his treatment under the previous Administration was any worse than is his present treatment?

Mr. THOMAS.—They said last night at a meeting which I attended that it was a difficult matter before to see a Minister.

Mr. JOSEPH COOK.—I dare say they would make such a statement, knowing that the honorable gentleman was present, and that they had to say something nice. They were "pulling his leg," and he did not know it.

Mr. THOMAS.—The honorable member said a minute ago that they would not say such a thing.

Mr. JOSEPH COOK.—I did not; the honorable member is, so to speak, "knocked off his perch," and cannot understand what he hears. I simply said that no

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postal officials would complain of any discourtesy or suppression by the Postmaster-General of a previous period. I challenge the honorable member to say that he has ever treated a deputation better in any way than any of his predecessors in office have done.

Mr. THOMAS.—I do not say that I have.

Mr. JOSEPH COOK.—Then had not the honorable member's followers better leave this personal note out of the discussion?

Mr. THOMAS.—The honorable member introduced it.

Mr. JOSEPH COOK.—I did not. One of the honorable member's own followers interjected that public officers were afraid before this Government came into power to express their opinions. I give that statement an emphatic denial.

Mr. LAIRD SMITH.—I know that they were.

Mr. JOSEPH COOK.—I challenge the honorable member to produce a tittle of evidence in support of his assertion.

Mr. THOMAS.—They had not the rights of citizenship until we gave them.

Mr. JOSEPH COOK.—The honorable member does not hear all that is said about the way in which he used to receive deputations. Men could express their feelings freely, and did so to those who preceded him in the Department, and his self-glorification comes to nothing when it is found that his report is merely the tabulation of results achieved by the policy of his predecessors.

Mr. JOHN THOMSON (Cowper) [8.27].—Following the remarks of the right honorable member for Swan, I expected a statement from the Prime Minister or the Minister of Home Affairs, more particularly in regard to the items in the third sub-division of these Estimates. We are asked to sanction a re-vote of £33,957, and a vote of £66,043, or £100,000 in all, for expenditure on the Federal Capital site, and we have a right to know how the money is to be spent. I have had experience both here and in another Parliament, but I have never known a Minister to be given an absolutely free hand in the spending of £100,000. The Minister of Home Affairs told us recently that he could run the earth if he were given £2,000,000 a year. Personally, I should not like to be here if he were permitted to make the experiment, and before he is allowed to spend £100,000 at Yass-Canberra, we should be told not only how the money is to be spent, but to what the expenditure will commit the country. The Treasurer intimated that a temporary railway was to be built. There should be no such thing as a temporary railway. Money should not be wasted in that way. Any line that is made should be permanent. The probability is, moreover, that any expenditure on a railway, on waterworks, or any other large project, will commit the country to a policy of railway construction, water conservation, and so on, which may have to be continued later on, when it has been found that a more desirable policy should have been adopted. In New South Wales, every work estimated to cost more than £20,000, is submitted to the Public Works Committee for investigation, and evidence is taken from persons interested, so that the fullest information is available before any money is spent. We, however, are asked to open our mouths, shut our eyes, and see what the "King" will send us. We ought to refuse to vote money until we have been told how it will be spent. I desire as much as any member that the Federal Capital shall be constructed expeditiously, but we should know what is to be done. The Government has not even established a Cabinet Committee to deal with matters of this kind. Apparently, the Minister approves, or disapproves, of projects of his own free will.

Dr. CARTY SALMON.—We do not know what happens upstairs.

Mr. JOHN THOMSON.—I prefer not to discuss that aspect of the matter just now. Huge sums of money are to be spent on the Federal Capital, for the development of the Northern Territory, and on the construction of a railway from Kalgoorlie to Port Augusta, and it is not fair that one man should control all this expenditure without the advice and assistance of others. I urge the Government to see that the country is not committed to policies of railway construction, water conservation, and the like, until Parliament has approved of them. No one knows what has been done with the money already spent on the Federal Capital. Honorable members have been invited to visit the locality shortly, but it is doubtful whether we shall learn much from the visit, honorable members not being engineers. An honorable member said just now that he is an electrical engineer, but I do not know that that would qualify him to criticise the civil engineering work done on the Federal Capital site. We hope that our Capital will hold its own, one day, with the finest cities in the

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world, and that the Commonwealth will take pride in it. But we should not waste money on it. Something should be done to assist the Minister and his officers. We do not even know whether the Department of Home Affairs is directly responsible for the works that have been carried out at Yass-Canberra, or whether the £100,000 is to be expended by State officials.

Mr. KING O'MALLEY.—The new vote amounts to only £66,000.

Mr. JOHN THOMSON.—What would the Minister consider a large sum when he speaks of "only £66,000"?

Mr. KELLY.—He thinks in millions, when dealing with other people's money.

Mr. JOHN THOMSON.—Some of us who have a Scotch strain always wish to know how money is being spent. I should like to have more information regarding the Kalgoorlie to Port Augusta railway. I am not certain that the best route has been chosen with a view to opening up and developing the richest land, and I have not heard whether the work is to be done by Western Australian officials, or by the Department of Home Affairs. If by the latter, is the expenditure on these great works to be on day labour, and is preference to be given to unionists? The sum of £1,000 is set down for the erection of Commonwealth offices in London. I am disappointed that the amount is so small. We all desire to have in London offices commensurate with the responsibilities of the High Commissioner. The Prime Minister told us that the Government have not proceeded further, because they could not agree to the conditions of the London County Council regarding the site which it favoured, being unwilling to accept a leasehold. That is a strange position for a Labour Ministry to take up, seeing that the Labour party will not allow anything but leasehold. Apparently, although Ministers think a leasehold tenure good enough for every one else, they will not accept anything but a freehold for themselves. What is sauce for the goose should be sauce for the gander, and I am glad to know that the theories of the occupants of the Treasury bench are only so much talk, and are put aside when they come to business. I hope that a freehold title will be secured, and that no time will be lost in erecting a suitable building. I had the pleasure of inspecting the site, and regard it as in every way desirable.

Mr. BRUCE SMITH.—What about the price?

Mr. JOHN THOMSON.—I shall be able to discuss all those points when a definite proposal is before us. I wish to draw attention to the item for drill halls in New South Wales. Last year £317 was appropriated, and only £18 was expended. This year a re-vote of £299 and a vote of £508 for new services is asked for, making a total of £807, The Government, in carrying out the compulsory training policy, which we introduced when on the opposite side of the House, and which has been accepted by the country, have provided, in a number of places, no halls for the cadets to drill in. They are trained in the public streets, and I have complaints from two large towns in my electorate where the lads are turned out and drilled under the street lamps, to the obstruction of the traffic. That seems a poor way of carrying out this policy. Surely the Government can do something better than that. They first asked all the municipal bodies in the Commonwealth to grant them halls rent free. When that request could not be complied with, they allowed the lads to be drilled in the streets. On this subject I received from the Defence Department recently an answer which ought to be framed and handed down to posterity. They say that, in order that we may train our youths effectively, the public should find drill halls, and suggest that the local people might get up entertainments so as to provide the rents. That is playing the game pretty low down. If the Government are not able to pay rents for drill halls, or provide accommodation in some other way, the sooner they tell the public they are not in earnest about the question the better. We have no right to use the public streets for drilling cadets, to the detriment of traffic; nor should we be mean enough to make use of the street lamps to provide the illumination necessary. I hope we shall soon be able to have our youths drilled under conditions more conducive to their efficiency and to their comfort, and to the comfort of the public who use the thoroughfares. The Department of Home Affairs last year proposed to spend £42,879 for the construction of new buildings in New South Wales; but spent of that amount only £24,524, or little more than half. I do not think any one will say that there was no necessity to spend the money, as all the cases were urgent. In quite a number of cases the amounts included in this schedule are re-votes. The public at a town called

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Wauchope, in my district, have for a considerable time expected a new post-office to be built. This work is urgently necessary, because the New South Wales Government have started to build railway works there, in which several hundred men are engaged. All the work of the post-office has to be done in a room about 12 feet by 12 feet, and there is no more urgent case for a new post-office in Australia than this one. Surely the Government, before they excised that particular item from the list, obtained some evidence as to which items should be included, and which struck out, and did not act in a rule-of-thumb way. I hope the item will be reconsidered. It was refreshing to hear the honorable member for Denison wax warm on the question of giving telephonic and telegraphic communication to country districts. I am glad to hear that his district is so well served. Possibly my district, and those of others who are in similar circumstances, may now get a turn. Like the honorable member for Richmond, the district immediately north of me, and the honorable member for Hunter, the district immediately south of me, we have by no means got all that our districts require. The amount proposed for the construction and extension of telegraph lines in New South Wales—£104,000—is not in excess of the item of last year. Although the Minister says he is going to do more this year, he does not ask for any more money than was voted last year. I am glad to note that, in that case, the Minister spent more than the amount voted; and I hope he will do the same this year.

Mr. FRAZER.—I have already made a statement that the sum of £600,000 is available, in addition to the specific votes in the Estimates.

Mr. JOHN THOMSON.—I am not finding fault with the amount so much as with the methods of the Department. Although a number of lines has been approved for construction all over New South Wales, I am told, in letters of quite recent date, that the work cannot be gone on with. According to the honorable member for Denison, the reason is the shortage of men; but in the letter I received the Department say they have no material. What I complain of is that, each year, when the Estimates are passed, the Department have to call tenders for the supply of material, some of which has to come from abroad, and that by the time that is done, and the material supplied, the year is almost ended.

Mr. FRAZER.—Last year, whilst I was acting Treasurer, I authorized the Postal Department to buy material this year up to the amount of their expenditure of the previous year, and have it ready.

Mr. KELLY.—Did they do it?

Mr. FRAZER.—I think so.

Mr. JOHN THOMSON.—At any rate, in reply to a communication asking for a trunk telephone line between Bowra and Nambucca Heads, the Department told me they had no wire available. If that money was spent, how is it that the Department had not 20 miles of wire available in New South Wales to put up a telephone line? Why did they have to wait for the Estimates to be passed before they called for tenders for material, which, I understand from my correspondence, is the procedure adopted? No private business could be run on those lines. Unless the Department is managed in a more business-like way, we cannot expect much better results. The honorable member for Denison told the Committee about the up-to-date appliances in use in Australia, and compared them with what he found in use abroad. I found the appliances abroad much better than those here. In America and Canada I found the most up-to-date appliances in the world. I do not pose as an expert in telephony and telegraphy, but my information is that the metallic circuit and the common battery switchboard referred to by him is not the latest thing in telephony. If the honorable member visited Canada he would find a much later system in use in several towns.

Mr. LAIRD SMITH.—The system the honorable member speaks of is being installed in Geelong now.

Mr. JOHN THOMSON.—Then why did not the honorable member refer to it when he spoke? My complaint is that the Post and Telegraph Department and its Chief Electrical Engineer are not up-to-date. We are using obsolete appliances and instruments that ought to have been on the scrap heap years ago. The honorable member for Bendigo found in use in other parts of the world appliances which are scarcely known to our people here. If we are going to spend money to the extent proposed, it ought to be spent in the best possible way. I want some better proof of the statement that our Chief Electrical Engineer is the best man to be found for his duties. I am not satisfied with the work he is doing. His Department is not up-to-date.

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In other parts of the world where the automatic telephone system and other appliances are installed, a very much better service than we have here is given. The honorable member for Denison referred to the London telephone system, but I challenge him to show me any better system in the world than the one we used at the Waldorf Hotel.

Mr. LAIRD SMITH.—We had to pay 3d. every time we were put on at the Waldorf Hotel.

Mr. JOHN THOMSON.—I should not like to say that the conversation which the honorable member had over the telephone on that particular occasion was not worth the money. I am sure that all honorable members are interested in the question of the development of the Northern Territory. We have a right to know from the Minister what he intends to do with that country; how he intends to develop it, and what the prospects are of the Commonwealth getting some return for its money. We have a right to know how the Territory is to be populated, and what use is going to be made of it. That is a matter which also ought not to be left to one Minister to determine. We are taking over a country under tropical conditions, of which this Parliament has not had a great deal of experience, and the proposals of the Government so far as we have heard of them from the Minister are not going to meet the case. He speaks of appointing certain gentlemen to occupy positions there, but I think that the work of development will be only half done, if the lines he speaks of are followed, especially in view of the salaries which are to be offered. A man who has to do pioneering and experimental work in agriculture and other things in a new country of that kind is worth more than £320 a year, if his work is going to be done on scientific lines, as this work must be. In such a place, where we are entering on new paths, and trying to establish a tropical country under white conditions, we should not make the mistake of a cheese-paring policy; and the Government ought to take the bold step of obtaining the best advice irrespective of cost. The Northern Territory will have to go through a great deal of the experience of other parts of Australia. The early development of this continent was undertaken largely by squatters and men engaged in the raising of sheep and cattle, followed, in the process of evolution, by the miner, the selector, and town population. This Northern Territory will not be developed by any hot-house methods; and if it is to be established on sound and proper lines, we shall have to follow the course taken in the earlier days of the more settled portions of the country. There is this difference in the circumstances—that the breaking out of the gold-diggings induced many people to come to Australia, and thus opened out markets for our cattle and other primary products. Prior to this, we know that the pick of the best mobs of bullocks in New South Wales could be taken for £1 a head for the simple reason that there was no profitable market within reach; and under present conditions, there is no market for primary products in the Northern Territory. Markets must be established there, because it is impossible to bring certain products to the other parts of the country, and the development of the Territory must be brought about by the raising of cattle, sheep, and stock. A few days ago, letters appeared in the press as to the price that cattle may be sold or bought for in the Territory, and the very limited means there is for transport. At present, we are looking for markets outside our own borders for present production; and there is no desire to bring the Northern Territory into competition with the South, the East, and the West. The cattle raised in the Territory, which should be numerous, ought to be exported; and, in my judgment, a market in the East is the proper one. My suggestion is that cool storage and freezing works ought to be established at Port Darwin. The Adelaide, Roper, Victoria, and other navigable rivers offer facilities for transport unequalled in any part of Australia. While holding out inducements to settlers, a market should be created by increasing the facilities for an export trade. In this way, we shall induce people to make homes in a country where white people can live and bring up their families in comfort. It will not do to tinker with the Northern Territory, as it has been tinkered with before. I refer to such enterprises as the Botanical Gardens, which were regarded as something special, but which, after all, are but little larger than this chamber. We shall have to roll up our sleeves if we are to develop this country. Every member in the House is anxious to make a success of the Territory since we have now committed the country to a large expenditure. We are asking people to occupy these vast areas under white labour conditions; and we

should do all we can to make the place habitable and attractive. I hope that we may be able, by scientific research, to cope with some of the diseases always to be found in tropical countries, so that we may have to offer not only a country with opportunities for profitable occupancy, but one which is healthy, and where the white race can live in comfort.

Mr. ROBERTS (Adelaide—Honorary Minister) [9.1].—I am not directly concerned with the different items under discussion, for these will be dealt with as they arise by the various Ministers. But, as a member sitting on this side, I am somewhat interested in the onslaught that the Deputy Leader of the Opposition made a few moments ago.

Mr. KELLY.—It was a mere correction!

Mr. ROBERTS.—If so, it should have been administered to the honorable member, because no one is more in need of it than he. It seems to me that a few quiet words may be offered in reply to the honorable member for Parramatta, who, in the absence of his leader, seemed to be out for a "field-day." He made a general onslaught of a character which I am confident he must regret at the present moment, and which was in no way justified in the circumstances. He seized the annual report of the Postmaster-General, and waved it in the air—he banged his fist with all the force he could, and shook the paper at us in a manner which frightened all of us here who have the timidity characteristic of Labour members. As a matter of fact, the honorable member made statements which he now knows were not only unjustifiable, but distinctly incorrect.

Mr. JOSEPH COOK.—Is the honorable member in order in saying I made statements which I knew were incorrect?

The CHAIRMAN.—I do not understand the Honorary Minister to say that the honorable member for Parramatta knew that the statements were incorrect.

Mr. ROBERTS.—What I said was that the honorable member now knows the statements he then made were incorrect.

Mr. JOSEPH COOK.—I now know that they were correct.

Mr. ROBERTS.—I do not assert that when the honorable member roared at us he knew the statements to be incorrect. I was going on to say that he made those statements without having read the report, which was printed on the 12th October, and has been on the table for two weeks. The honorable member seized the report at the particular moment when he thought an onslaught could be made, and he proceeded without consideration to make the onslaught, and to make assertions which were in no way warranted, and which proved conclusively that he had not had the report in his hands two minutes. Having read just two or three words on the opening page, he saw what he must have known from his experience as a Minister to be a mere clerical error. I refer to the fact that the print on the first page is to the effect that the report deals with 1910; and on that the honorable member subjected us to the tirade of a few moments ago. If the honorable gentleman had been half as anxious to find information as he was to find fault, he would have read the report. Instead, he called Providence into question, forgetting that Providence can read our thoughts; and what Providence now thinks of him I should not care to suggest.

Mr. KELLY.—Has the Honorary Minister read the report himself?

Mr. ROBERTS.—Yes When the honorable member was challenged with not being acquainted with the report, he said: "There is no index; how can we find out these things?" But here is the index as large as life, if any honorable member desires to consult it. The honorable member went on to assert that the figures, if they showed any prosperity, must have referred to the time when he and the Fusion Ministry were in power. At that moment I did mildly interject that I believed, in the circumstances, that that Ministry must have had something to do with it, because, during the referendum campaign, honorable members opposite, and their friends outside, positively squealed about what they alleged to be the chaotic condition of the Post Office, and urged that all this was due to the Labour Ministry. If these figures have any relation to the Ministry who were ejected from office on the 13th of April last year, I can understand the people speaking in the terms they did; but, unfortunately, this is only one of very many misrepresentations indulged in on that occasion. The paragraph which the Minister of External Affairs asked the honorable member for Parramatta to read was as follows—

> I have the honour to submit a report upon the working of this Department during the year 1910, with financial particulars and general information regarding the more important current matters up to 30th June, 1911.

That was the paragraph that the Minister of External Affairs asked the Deputy-Leader of the Opposition to read.

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Mr. JOSEPH COOK.—And I read it.

Mr. ROBERTS.—And after reading it the honorable member said that the report did not refer to the year 1910-11. He went a little further, and declared that, even if there were in the report certain references to 1911, the report did not cover the expenditure for that year.

Mr. JOSEPH COOK.—I did not say that.

Mr. ROBERTS.—Here, on page 3, is also a statement——

Mr. JOSEPH COOK.—Had not the honorable member better quote correctly?

Mr. ROBERTS.—Does the honorable member say that I have not read this report correctly?

Mr. JOSEPH COOK.—I say that the honorable member is misquoting me altogether.

Mr. ROBERTS.—Here we have again the usual cry. When we show that honorable members opposite are making assertions for which there is no justification, they declare that we are misquoting them, and when we quote from their own newspapers paragraphs which tell against them, they say that they have been reported incorrectly. We are asked to take no notice of the *Sydney Morning Herald*, the *Daily Telegraph*, or any newspaper which, according to them, wrongly reports them.

Mr. JOSEPH COOK.—No one has pleaded for mercy in that respect more than the present Government has done.

Mr. ROBERTS.—The honorable member need not get angry. He is going to have it.

Mr. JOSEPH COOK.—There is no anger; I want it.

Mr. ROBERTS.—On page 3 of this report appears a table headed "Revenue and Expenditure for the year ended 30th June, 1911." Then follows a statement of expenditure for that particular year. The figures are not confined to the year 1910 only, and consequently are not what the honorable member himself asserted, but distinctly the opposite. Can he deny the existence of this tabulated report? Does he deny that it is a statement of the revenue and expenditure for the year ending 30th June, 1911?

Mr. JOSEPH COOK.—No, I have not denied it. The honorable member is "barking up the wrong tree."

Mr. ROBERTS.—The honorable member will contradict himself a hundred times, but he will explain. Let us go a little further if more evidence is desired as to what the report refers to. On page 4 of the report we have the statement—

> When the Department was under State control it was the practice to defray the cost of New Works (telegraph and telephone lines, buildings, &c.) from loan funds. Since Federation these works have been charged to revenue, the amount spent in each year being as follows.

Then follows a table showing the expenditure under this head from 1901-2 to 1910-11. Has the honorable member read that statement?

Mr. JOSEPH COOK.—I see it.

Mr. ROBERTS.—If the honorable member saw it, why did he say a few moments ago that this report did not refer to the year 1910-11?

Mr. GROOM.—The substance of the report is in respect of the year 1910.

Mr. ROBERTS.—I shall come to that point, if the honorable member will permit me. At page XII. of the report we have the statement—

> During the year 1910-11, £678,155 was expended in affording telegraphic and telephonic facilities to the public, as compared with £465,756 during the previous year, an increase of 45.60 per cent., which shows that the present Administration is not unmindful of its obligations in this matter.

Is that sufficient evidence that the report refers to 1910-11, and that the present Administration has been looking after the interests of those who require to use telegraphs and telephones? During the year in which the Fusion Government did not, as the Deputy-Leader of the Opposition so loudly claimed, have any part in our finances, the expenditure under this head was 45.60 per cent. more than for the year of progress during which the honorable member and his party reigned before they were so ignominiously ejected from office by the people. The table to which I referred a moment or two ago as appearing on page 4 of the report shows that the expenditure on new works—telegraph and telephone lines, buildings, &c.—in 1901-2 was £37,149, that in 1909-10—the Fusion year—it was £555,557, whilst in 1910-11—and the honorable member sought to convey the impression that the figures for that particular year did not appear in this report—it was £781,396, or an increase of about £226,000 compared with the previous financial year. Let me refer the Committee to yet another statement in this report, dealing with the Eastern Extension Company's cables, which shows the number of words in respect of Government and press messages up to 30th June, 1911. Again let me remind the Committee that the

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Deputy Leader of the Opposition sought to convey the impression that the figures for 1911 were not included in this report. I would next draw attention to the reports from the Deputy Postmasters-General. At page 47 we have an extract from the report from the Deputy Postmaster-General, Sydney, giving—

> The revenue and expenditure for the financial years ended 30th June, 1902, 1910, and 1911.

Thus the Deputy Postmaster-General of the State of which the honorable member is a representative has furnished a report covering the revenue and expenditure up to the 30th June, 1911, which, according to the honorable member, practically was not included in this report. At page 52 there is a statement from Victoria showing that—

> The wire mileage of new telegraph lines in 1901-2 was 77.53; in 1909-10, 319.816; in 1910-11, 940.743 miles.

I make these quotations to show that the reports of the Deputy Postmasters-General cover the financial year ended 30th June, 1911. Here is one from the Deputy Postmaster-General, Brisbane, which appears at page 59, setting forth that—

> During the financial year 1910-11 new telegraph wires of a total length of 585 miles 57 chains were erected.

In the Fusion year 1909-10, new telegraph wires of a total length of 241 miles 5 chains were erected there; so that for the year during which the people directed that the honorable member for Parramatta should have nothing to do with the administration of the affairs of the Commonwealth, there was an increase of over 100 per cent. I come now to the point made by the honorable member for Darling Downs that some portions of the report did not deal with 1910-11.

Mr. GROOM.—I think that the statement at page 3 of the report is correct—that it is a report for 1910, with some particulars bringing it up to 1911.

Mr. ROBERTS.—The honorable member should not be so unfair. The report does not speak of "some particulars."

Mr. GROOM.—The words used are—"general information regarding the more important current matters up to 30th June, 1911."

Mr. THOMAS.—The statement is that it is a report upon the working of the Department during the year 1910, "with financial particulars and general information" regarding the more important current matters up to 30th June, 1911.

Mr. ROBERTS.—The honorable member for Darling Downs ought not to be so unfair—unfairness is not his characteristic—as to suggest that the statement at page 3 is that the report deals with "some particulars" up to 30th June, 1911, when, as a matter of fact, the statement is that it deals with the more important current matters up to 30th June, 1911. It deals also in full with the revenue and expenditure, new telegraph lines, and new telephone lines and buildings. It gives the receipts and expenditure in full. As to the honorable member's interjection that some of the sub-reports did not deal with the whole financial year 1910-11, I was going to say, when interrupted, that the honorable member, from his long experience as a Minister, knows full well that the annual departmental reports submitted by a Minister always contain some subsidiary reports from different officers that do not cover the full financial year.

Mr. GROOM.—A great many of the returns are always confined to the calendar year.

Mr. ROBERTS.—That is not the contention of the honorable member for Parramatta. In an annual report, such as this, the particulars of, say, the parcels business are never brought right up to date.

Mr. JOSEPH COOK.—Who spoke of such a trumpery thing as the parcels business? The honorable member will be down to peanuts before he has finished.

Mr. ROBERTS.—The particulars furnished by the Public Service Commissioner are made up for the calendar year, as the honorable member is aware. Yet he complains that some of the returns relate only to the year 1910. As for dealing with peanuts, I thought that the honorable member resembled a peanut merchant when he was roaring so loudly. He told us that the report did not deal with the financial year 1910-11, but at page 65 we have appendix D, which is a—

> Statement comparing revenue with expenditure (including new works), also showing percentage of yearly increase in each, and the amount per unit of population for years ended 30th June, 1902 to 1911.

Facing page 71 is a graph comparing revenue with—

> (*a*) expenditure (inclusive of total cost of new works);
> (*b*) expenditure (inclusive of new works on interest and sinking fund basis);
> (*c*) expenditure (exclusive of new works).

Sir JOHN FORREST.—Why cannot the Postmaster-General give us this information?

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Mr. ROBERTS.—This is a matter for any member on this side to speak upon, and I refuse to listen to continued misrepresentations without replying to them. Although the report has been on the table for two weeks, the honorable member for Parramatta, without looking at it, and, knowing full well that his statements would be telegraphed to the State capitals, and seriously commented on by the newspapers as coming from the Deputy Leader of the Opposition, said things for which there was not a scintilla of justification. I regret that he is not prepared to apologize for the wrong that he has done.

Mr. JOSEPH COOK (Parramatta) [9.32].—I hope that, without banging the table, roaring, or squealing, as alleged, I shall demonstrate that I have looked into the report, although the Honorary Minister, who accuses me of not having done so, made it patent to the Committee that he was repeating parrot-like what was told him, *sotto voce*, by the Minister sitting beside him, and reading from pages which he was instructed to quote. I never knew his rhetoric to be worse, nor remember anything more laboured than his attempt to obscure the real issue. I admit that the report deals with the working of the Department during the year 1910, and "with financial particulars and general information regarding the more important current matters up to 30th June, 1911." I have never denied that, nor challenged the report on its financial side. I admit that on the financial side the report covers the period ended 30th June, 1911. Putting that aside——

Mr. THOMAS.—That is the important point.

Mr. JOSEPH COOK.—No; it is not what I spoke about. The coming Postmaster-General, the honorable member for Denison, was flourishing a copy of the report in the air, and speaking of the miles of additional line put up during the year.

Mr. THOMAS.—Is not that expenditure?

Mr. JOSEPH COOK.—It is not necessarily accounted for this year. I am not challenging the report on the accountancy side. I spoke of the actual works carried out, and maintained that, as to the work actually done, the miles of wire erected, and so on, the figures are for the calendar year ended 31st December, and not for the financial year ended 30th June.

Mr. THOMAS.—It is not so.

Mr. JOSEPH COOK.—On page 22 there is a return showing "the total mileage of line and wire at 31st December, 1910, as compared with 1909." Why did not the Honorary Minister quote that? He was so busy proving that others had not read the report that he skipped a great deal of it himself. Under the heading of telephones it is stated that—

> on 31st December, 1910, there were throughout the Commonwealth 74,975 telephone lines connected to 678 exchanges.

On page 24 we are told that the "number of public telephones on 31st December, 1910, was 2,068, as against 1681 in 1909." The point I made was that the record of work done is for the calendar year, and claimed for the previous Government, who were in office until May, 1910, some of the credit for the work done during the time covered by the report.

Mr. THOMAS.—Is not expenditure a record of work done?

Mr. JOSEPH COOK.—The accounting of the expenditure is not necessarily a record of work done up to the time of the audit. We do not get the auditor's report of the year's finances until twelve or eighteen months after the whole thing has been closed up. The honorable member may take all the credit that is due to him, and I admit that there is some due to him for having carried out more mileage, because he has had more money to spend.

Mr. THOMAS.—The honorable member did not say that until now.

Mr. JOSEPH COOK.—Did not the honorable member hear me say that the increased expenditure which he had been able to make was due to the financial arrangement we made with the States, and which the present Government had to adopt? Honorable members opposite must be deaf or blind to keep denying these statements. Here again is a general statement on page 49: "At the end of 1910 there were 30,000 odd telephone lines connected with so many exchanges." Here is another on page 50: "On 31st December, 1910, there were 499 public telephones in existence." One could read through the report and find that the work spoken of as having been constructed relates to the calendar year 1910, and that has been my point all through. I know that the finances are taken up to the year 1911, but the mileage here spoken of in every case is within the calendar year. That being so, the present Government cannot claim the whole of the credit for it. The present Government were voted no money on account of the Postal Department until November, 1910.

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Mr. THOMAS.—We spent a good deal in the time.

Mr. JOSEPH COOK.—The Budget was introduced about September, and the honorable member spent the money for the first three months of that financial year on the basis of the previous year's expenditure. That is always the practice, so that the expenditure for nine months of the year 1910 was on the basis of expenditure laid down by the previous Government. Whatever was done during that year, therefore, the previous Government are entitled to the major portion of the credit. I think I have established that point in the quotations I have made, and the financial facts which I have stated.

Mr. WISE (Gippsland) [9.44].—I expected, after the remarks of the honorable member for Cowper, that the Minister of Home Affairs would give the Committee the information the honorable member asked for with reference to the item of £100,000 for the Federal Capital.

Mr. KING O'MALLEY.—Have I had a chance yet?

Mr. WISE.—The honorable member has never made the slightest attempt to rise.

Mr. ROBERTS.—He did. It was at my request that he did not speak.

Mr. WISE.—If the Minister is prepared to make a statement now I shall be glad to give him the opportunity.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [9.45].—I have been listening carefully to honorable members, and did not like to interfere. The amount for the Federal Capital Site is so very small this year that I am a little ashamed to get up here and talk about it. However, small as it is, it will be utilized both efficiently and economically to the best advantage that a business man can conduct it.

Mr. JOHN THOMSON.—Will the honorable member tell us how?

Mr. KING O'MALLEY.—I am about to tell the honorable member. First of all, this sum is proposed for the expenditure towards the cost of the establishment of the Federal Capital city. It is only £66,000 to start with.

Mr. GROOM.—It is £100,000.

Mr. KING O'MALLEY.—There is £33,000 re-voted.

Mr. GROOM.—If it is re-voted it is not spent. Is it all gone?

Mr. KING O'MALLEY.—Of course it is gone. We have been doing work there. £25,000 has been spent since 1st July last. It is proposed to acquire the privately-owned lands within a radius of 7 miles of the city site, and other properties, upon which works for various purposes will be constructed, such as pipe lines, reservoirs, bridges, weirs, &c. The value of these lands may be placed at £600,000. That is just an average.

Mr. GROOM.—Is that the land that the Department are acquiring?

Mr. KING O'MALLEY.—That is the whole of the lands, because we will eventually have to take them over.

Mr GROOM.—How much of the money asked for this year is for the acquisition of lands?

Mr. KING O'MALLEY.—The actual amount which will be paid by way of compensation during this financial year will be comparatively small. Provided that the privately-owned lands are acquired immediately, then the sum of £50,000 can profitably be expended on necessary works during the year. The contingent liability may be placed at £250,000. These works embrace the construction of a weir on the Cotter River, a bridge over the Murrumbidgee River, water pipes and laying the same, and temporary railway from Queanbeyan to the centre of distribution of material. The temporary railway is a very simple thing, but at the same time it is a big institution for the purpose of saving money, because now everything must be carted 8 miles from Queanbeyan to where we are working. We propose getting this temporary railway if we can. We cannot lay down a permanent railway until we get our designs and know where the city is going to be.

Sir JOHN FORREST.—What gauge?

Mr. KING O'MALLEY.—It will, I suppose, be the New South Wales gauge of 4 ft. 8½ in. The temporary line will be laid down just as an ordinary plant, and as soon as the work is done it will be picked up. It will be something like a tramway.

Mr. FENTON.—Is it to go along the present public road?

Mr. KING O'MALLEY.—The engineers and surveyors will decide that, but it will be a question of whether we ourselves should bother with building a railroad, or whether we shall not get the Government of New South Wales to build it from Yass right into the Capital, and then from the Capital to Bungendore, so that a man can get in the train at Melbourne, and his sleeping car be shunted off at Yass junction. Then he can go down to the

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Federal Capital, and have his week there when we are in full legislative operation, and then go to Sydney for the Saturday night if he feels like it. We also want a power plant, a brickmaking plant, and a supply of timber, and we shall have to provide for road making, &c.

Mr. JOSEPH COOK.—We had all those last year—are they not done yet?

Mr. KING O'MALLEY.—They were then only a conjecture, now they are to become a reality. The sum of £15,000 will be required to meet expenses for administration and for survey operations.

Mr. GROOM.—Is that for the year?

Mr. KING O'MALLEY.—That will complete everything for the time.

Mr. GROOM.—How much of that £15,000 will be spent in the year?

Mr. KING O'MALLEY.—That will be the amount that will be required this year in connexion with all the work we have to do in making bridges and in laying the whole place out.

Mr. GROOM.—How much of that amount for administration and survey will be required this year?

Mr. KING O'MALLEY.—Some of it will not be required if we do not go on with the works. I have shown where this little sum, regarding which the honorable member for Cowper is so frightened, is going. We come now to another point which the honorable member raised. That was with regard to the building in London. It is quite true that only £1,000 is set down here for that purpose.

Mr. SAMPSON.—Would the Minister mind coming back to the £66,000 for the Federal Capital, and tell us what the items are?

Mr. KING O'MALLEY.—It is for purchasing land, and going on with works I have just named. We require a power plant at £20,000.

Mr. GROOM.—This year?

Mr. KING O'MALLEY.—As soon as we can get things going—we are waiting for the money.

Dr. CARTY SALMON.—Why does the Government require the money?

Mr. KING O'MALLEY.—To build a Capital commensurate with the importance of this great Australian nation. We desire to lay a pipe line from the Cotter River, but we have figured out the cost. It was no good doing more until we got the money. Every one of the items is made out by a careful engineer.

Mr. SAMPSON.—How did the Department arrive at the total of £66,000?

Mr. KING O'MALLEY.—We did not arrive at it—the Treasury arrived at it.

Mr. ATKINSON.—What would have been the amount if the Minister of Home Affairs had "arrived at it"?

Mr. KING O'MALLEY.—I desire to build the Capital fast, and——

Mr. GROOM.—Will the Minister tell us the actual works he has undertaken this year?

Mr. KING O'MALLEY.—There is the construction of a weir on the Cotter River, and the building of a bridge over the Murrumbidgee. I have not the exact figures, because we have not calculated all this yet—we have bunched the amount. My honorable friends opposite are clever business men, and they know that we cannot say the definite amount we shall have to spend.

Mr. SAMPSON.—But surely an estimate might be given of the expenditure within the next twelve months on the several items?

Mr. KING O'MALLEY.—Exactly, but I cannot calculate within a shilling of what we shall spend.

Dr. CARTY SALMON.—Is it fair to ask us to vote this money before the Estimates are placed before us?

Mr. KING O'MALLEY.—If honorable members opposite have the numbers, they will not vote the money. We place before honorable members opposite what we desire to do; and if they have the numbers, they will not permit us to do it. However, the items I have placed before honorable members are those we are going on with.

Mr. GROOM.—Are those the public works to which you are asking honorable members to commit themselves?

Mr. KING O'MALLEY.—We are not going on with any buildings, and we are not going to allow any one to put buildings there until such time as the designs come in, and the city is laid out. No one will get any vested interest in the community.

Mr. HALL.—Does the Minister expect to pay the prizes for the designs out of the £66,000?

Mr. KING O'MALLEY.—I think we shall be able to pay the small amount of £3,000 out of the £66,000. It is quite true that only £1,000 is down for the Commonwealth buildings in London, but we do not require much to start with.

Mr. GROOM.—I suppose the £1,000 is for the necessary inquiries?

Mr. KING O'MALLEY.—It is for the "preliminary canter." I call attention to

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the fact that the suggestion to have a Commonwealth building in London came from this side of the Chamber. If honorable members refer to page 1661 of *Hansard*, for August, 1905, they will find that the present Minister of Home Affairs made the suggestion first; and, therefore, I cannot see why so much fear is expressed that the Government will not go on with the work. I, on that occasion, suggested that the Commonwealth should secure a piece of property in the heart of London, and on it erect a building to cost between £200,000 and £300,000, on a freehold title. All progressive suggestions come from this side of the House.

Mr. KELLY.—Does the Minister anticipate getting a freehold site?

Mr. KING O'MALLEY.—That is a question to be decided by the Government, and not by one person. I know that several honorable members "feel bad" because items in which they are interested do not appear in the Estimates; but they must remember, as business men, that the Treasurer has to balance between revenue and expenditure. Certain items must be thrown out, and honorable members must not feel disappointed because they do not get all they desire.

Mr. KELLY (Wentworth) [10.3].—The statement of the Minister of Home Affairs in regard to the Federal Capital is extremely disappointing. I do not offer the criticism for the same reasons that some Victorian members will no doubt be anxious to criticise the honorable gentleman; but, anxious as all New South Welshmen, and Federalists generally, are to carry out the intention of Federation, and get into our own Federal City, we realize that any Minister has a responsibility, and must be in a position to inform honorable members accurately as to the arrangements he proposes to make, and the disposition he proposes of the money intrusted to his charge. We have the right to know something of Ministerial intentions; and honorable members generally are justified in feeling extremely disappointed if a Minister tries to bluff them by any mere airy assumption of some good intentions for the future that, in my opinion, the realities of the past do not promise. The Minister told us that the £50,000 on the Estimates of last year was for a conjecture. He said the money the Government asked for last year was to help them with their "conjectures"; and that this year we are going to get the reality. If the Minister has expended £16,000 odd in "conjecturing," it is a poor look-out for the taxpayers when he proceeds to deal with realities. We ought to proceed at once to the building of the Capital; but we ought to do so with rigid economy. As a New South Welshman, I say that it is not for us to make the Capital a great burden on the taxpayers. If, however, we observe economy, we shall eventually save money by the transfer of the Seat of Government to a place where we have not to pay ground rent to the land-holder. In Victoria, in the case of our offices, we are competing for sites with 500,000 people. Most of the charges in connexion with the central offices are due to the fact that, by reason of this competition, we have to pay heavy ground rents.

Mr. FENTON.—We are building offices which will be our own property.

Mr. KELLY.—All the same, we have to pay for the property, the price of which is only the capitalized ground rent.

Mr. FENTON.—We have paid for it.

Mr. KELLY.—If so, the property is worth so much money, which could be applied to other purposes. In the centre of a great city we must pay either ground rent or capitalized value, which we shall escape when we establish ourselves at Yass-Canberra. Unless we enter on the project of the Federal Capital with rigid economy in view all the time, we shall eventually find the enterprise not to the advantage of the Australian people. I deeply regret that the Minister has not made a more full and explicit statement. As a New South Wales representative, I expect the money placed on the Estimates to be used. It is not satisfactory to the people of New South Wales —who are particularly concerned, since they were led to enter Federation by the alteration of the Australian Constitution in reference to the Capital—nor to the Australian people, as a whole, who have a right to see economy practised, that the Minister should ask us to vote a lump sum, which he tells us is to complete the "conjectures" of last year. I am not satisfied with the Ministerial statement that it is necessary to acquire £600,000 worth of property in the Federal area. My memory is that the Act relating to the Federal Capital expressly lays it down that the value of land, for resumption purposes, is to remain fixed as it was at the date on which we took over the control of the Territory.

Mr. FISHER.—Who has said anything to the contrary?

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Mr. KELLY.—Nobody. The Treasurer is much too hurried. The Minister of Home Affairs tells us that it is necessary to resume this land, because some day we shall need it. If, however, fifty years hence, we have to pay the same price as to-day, what sort of business man is he who asks us to acquire the land before we require it?

Mr. HALL.—Is the present position fair to the owners?

Mr. FISHER.—The honorable member is careless as to the welfare of the people who own the land.

Mr. KING O'MALLEY.—And who cannot sell, or do anything with it.

Mr. KELLY.—This is one of the most amusing positions I ever saw. Here we have the honorable member for the district, the Prime Minister, and the Minister of Home Affairs, all putting in a special plea for us to take over £600,000 worth of land that the Commonwealth does not immediately want, simply because, if we do not resume, we are not fair to the owners! It is the very last thing I expected to hear from honorable members opposite.

Mr. FENTON.—It would not matter if the land were any good, but it is not.

Mr. KELLY.—The honorable member is now making a statement the correctness of which he does not vouch for.

Mr. FENTON.—I have been over the land.

Mr. KELLY.—The smile on the honorable member's face is his only excuse. I suggest that the Minister should be just to the land-holders in the Territory, who are placed in a peculiar position. The assumption that it is necessary for us to spend some £600,000 in acquiring every acre of private land in the area is ridiculous. What does it matter to us who owns the land, provided that we have the eminent domain —the power of Government? What does it matter to honorable members opposite, unless they are the particular friends of the particular class that is to receive the £600,000 from the Australian people for land which the Australian people do not require? The proposal is utterly and completely ridiculous. I hope this is the last we shall hear of this project on such a wide scale.

Mr. HALL.—Is it ridiculous to desire to be fair to those from whom we are purchasing?

Mr. KELLY.—The honorable member's desire to be "fair" is limited to this particular area when we are dealing with land matters. He is the representative of the district, and I think that his statement in this regard will be taken with a considerable grain of salt. Have we not seen the anxiety of honorable members opposite to be fair to the land-holders of Australia? The only class of land-holders to whom they were prepared to give any consideration was the lease-holder—I believe some of them were lease-holders themselves. However, I am not going to deal with that matter now, since it relates to the Land Tax Act. I wish to pass from that phase of the subject to the statement made by the Minister that this estimate was not his own, but rather the estimate of the Treasurer.

Mr. KING O'MALLEY.—I did not say anything of the kind. I said £66,000 was all he would give.

Mr. KELLY.—The Prime Minister ought to inform us why this estimate has been cut below the amount which the Minister thought necessary to carry out the works absolutely required in this area.

Mr. PAGE.—What about another land tax?

Mr. KELLY.—The honorable member will be having a tax on leaseholds shortly, and when such a tax is imposed we shall find him sitting on this side of the House.

I wish to pass from the subject of the Capital site to the first Ministerial utterance of the honorable member for Adelaide, the new Honorary Minister. I confess I experienced a certain feeling of sympathy for the honorable member in the curious position in which he found himself this evening. He had been put up to reply to the Deputy Leader of the Opposition on a question of fact, not because he had any special knowledge of the subject, but because it was confidently expected of him by his own party that, as a master of sarcasm, he would be able sufficiently to disguise the facts, and to cover up a very trenchant attack that had been made by an honorable member of the Opposition. The Honorary Minister acquitted himself as well as could be expected of him in the circumstances. He had to speak of something of which he was profoundly ignorant. He had to endeavour to cover the fact that he was profoundly ignorant of the subject by a constant use of sarcasm and satire, and by occasional falls into mere abuse. I am sorry for him, and sorrier still for the party which had to put him up to disguise facts that they all wished to have hidden.

One or two statements he made bring him necessarily within the area of discussion. When he was indulging in this fine Ministerial flight he spoke of the necessity of being

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absolutely correct in the answers one gives. I propose, with his kind attention, to ask him a question concerning the accuracy of a statement he made this afternoon from his place on the Ministerial bench. I hope he will give me his attention for a moment, otherwise I shall have to take other means.

Mr. ROBERTS.—Take the other means.

Mr. KELLY.—It is easy to take them.

Mr. JOSEPH COOK.—We have not moved the adjournment of the House this session.

Mr. KELLY.—I am not anxious to do so, but I do not want the Honorary Minister to be insolent.

Mr. ROBERTS.—I suggest that the honorable member does what he thinks best.

Mr. KELLY.—I am quite competent to do that without any advice from the honorable member.

Mr. JOSEPH COOK.—He is making a bad beginning.

Mr. KELLY.—He is just failing in Ministerial dignity. The reply which the honorable gentleman made this afternoon to a question which I put in regard to the supply of machinery under the Lithgow small arms contract shows that he was either himself given misleading information by the Department concerned, or was keeping, or endeavouring to keep, back something which this House was entitled to know. I asked what penalties had been incurred by Messrs. Pratt and Whitney owing to their failure to carry out their contract within the time specified, The reply to that question was "£23,600." A penalty of £400 in respect of every week beyond the contract time gives us that total, I think; but there is another penalty which the honorable member either omitted to mention, or desired not to have mentioned, in connexion with this contract. It is rather important. I understand that this contractor either entered into a bond for, or lodged a sum of £20,000 with the Department for, the due fulfilment of his contract. If my memory serves me, he was given the contract as against a British contractor, because he was going to complete the work within one year, whilst the British firm wanted one year ten months and three weeks within which to complete it. Time was to be the essence of this contract, and we deliberately went outside the Empire in a matter concerning the supply of machinery for the small arms factory because the American firm was going to supply that machinery in one year, while the British firm required one year ten months and three weeks in which to supply it. Now the American firm is already more than a year overdue.

Mr. PAGE.—What Government let that contract?

Mr. KELLY.—That is not the point.

Mr. LAIRD SMITH.—Who was Minister of Defence at the time?

Mr. KELLY.—I shall go into this matter fully, as honorable members opposite apparently desire me to do so. The honorable member for Parramatta, ex-Minister of Defence, accepted the contract, and if he were still in office he would be keeping this contractor up to his agreement.

Mr. PAGE.—What Government signed the contract?

Mr. KELLY.—The previous Government. They accepted it, I understand, because the contractor from America undertook to supply the machinery ten months and three weeks sooner than a British firm was prepared to do. They also accepted it because the officer who was specially sent to England by a previous Government to inquire into the matter appeared by his cable messages to be strongly recommending this particular firm. I am merely stating my memory of what I have gathered, not from what the Minister has told me, but from a perusal of the papers. We are now in this position, that the one-year contractor is fifty-nine weeks overdue.

Mr. LAIRD SMITH.—Has not the contract been broken?

Mr. KELLY.—I asked that question the other day, and could not get an answer. This contractor has now taken longer than the English firm would have done to complete the contract, and consequently, as time was the essence in testing the merits of the two different contractors, I think the House is entitled to know why the Ministry do not proceed to exact the penalties.

Mr. RILEY.—All the machinery is not here.

Mr. KELLY.—Why cannot it be here?

Mr. RILEY.—It is time enough to do what the honorable member suggests when all the machinery is landed.

Mr. KELLY.—Here we have a statement in reply to a question to-day that one month's extension of time has been granted. If the Government grant an extension of time for the completion of the contract, they undoubtedly give up any claim they may have in respect of the non-completion of that contract within the stipulated time.

Mr. OZANNE.—For one month.

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Mr. KELLY.—One month from the present time. That means that the Commonwealth will have lost £24,000, because the penalties we were entitled to inflict amounted to that sum. We were entitled to impose those penalties, whether we accepted his machinery or not, by virtue of the completion of the contract being more than a year overdue. In addition, the contractor has lodged a bond for £20,000, so that the country is entitled to £44,000 from him. If the Government has varied the contract, so that the money has been lost to us, why have we not been told? Why are not these business men in a position to tell us how matters stand? On paper we are entitled to £44,000, but for some reason we are not able to enforce the claim. Has the Minister of Home Affairs altered the specifications, or made some change in the contract, which has imperilled this £44,000? When the Minister replies, he might well inform the House when the factory will be in working order, and turning out rifles. The Honorary Minister, of course, cannot be expected to have a detailed knowledge of the affairs of the Department, but when, in reply to my question as to the penalties which have been incurred by the contractor by reason of his not having carried out his contract, he answered, "£23,600," he should have said "£43,600."

Mr. ROBERTS.—Is the honorable member quite sure of that?

Mr. KELLY.—I am informed, on excellent authority, that a bond of £20,000 was entered into, or a deposit made.

Mr. ROBERTS.—Who is the excellent authority?

Mr. KELLY.—I shall be happy to tell the honorable member in private. He will be satisfied with my statement as to the nature of my authority.

Mr. ROBERTS.—The honorable member is making a public charge, and should support it.

Mr. KELLY.—I am stating a fact for which I make myself responsible; and the honorable member does not contradict my statement.

There is another matter of administration to which I wish to refer. Ministers have told the country that whatever may be thought about their policy and their legislation, their administration is perfect. What are the facts? I have shown that their administration has been faulty in regard to the contract just referred to. Let us consider now the wireless telegraph contract. I do not propose to go into the subject at length, because the hour is late, and honorable members are fatigued.

Mr. FRAZER.—This is another matter in which the action of an ex-Minister has led us into a nice little bog. The honorable member is now dragging in the honorable member for Bendigo.

Mr. KELLY.—I am compelled, as the challenge has been issued, to make this a party question. We are told that the honorable member for Bendigo entered into a bad contract.

Sir JOHN QUICK.—It was approved by my successor, at any rate.

Mr. KELLY.—Why did the honorable member's successor endeavour to make things worse?

Mr. JOSEPH COOK.—The contracts are all right. It is the muddling that makes trouble.

Mr. KELLY.—The honorable member for Bendigo accepted a contract for the erection of wireless telegraph stations at Sydney and Fremantle, from a syndicate possessing a capital of £5,000. When the honorable member for Barrier succeeded him, he was approached by the members of the syndicate, of whom Mr. Denison, connected, I believe, with the Tobacco Trust, and Mr. McLeod, the proprietor of the Sydney *Bulletin*, were the chief shareholders, and at their request the honorable gentleman transferred the contract to a company with a capital of £65,000. Honorable members can obtain the facts from the records of the Sydney Stock Exchange, where I got them. For the sale of its rights, the £5,000 syndicate took £10,000 in cash, £15,000 in preference shares, and £20,000 in ordinary shares. That is, it got £45,000 in cash and shares in return for rights covered by a capital of £5,000.

Mr. KING O'MALLEY.—Were the shares at par?

Mr. KELLY.—They are now below par, showing that the syndicate, or some one, is selling shares.

Mr. SCULLIN.—This is a strong indictment of private companies.

Mr. KELLY.—It is a stronger indictment of Labour administration.

Mr. FRAZER.—How much more did the contract cost the Commonwealth because of the change?

Mr. KELLY.—It did not cost the Commonwealth a cent more, but it might put £45,000 into the pockets of speculators. Why should a Labour Postmaster-General

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allow that? In State Departments, which deal with big contracts, it is the practice, whenever a transfer is asked for by a contractor, to make the most rigid inquiry, to see that the transaction is not to facilitate private profit.

Mr. PAGE.—Does the honorable member suggest that the honorable member for Barrier stood to gain by the transaction?

Mr. KELLY.—I have never, for a moment, suggested such a thing.

Mr. PAGE.—What is the honorable member trying to prove? Dishonesty on the part of the honorable member for Barrier? That is a most contemptible thing to do.

Mr. KELLY.—The very first time I referred to this matter I hastened to say that I did not imagine that the ex-Postmaster-General was to be blamed for anything more than a lack of business knowledge. I have not made the slightest insinuation against the honorable gentleman's honesty, but I do say that a man who occupies such a position should have sufficient business knowledge to enable him to avoid such a mistake.

Mr. SCULLIN.—Will we lose any more under this than under the old company?

Mr. KELLY.—Are we just a corporate body? Have we no responsibility or duty to the general public?

Mr. SCULLIN.—My answer to that is that the contracts should not have been given to a company at all.

Mr. KELLY.—The honorable member does not desire that I should make my statement. Mr. McLeod is the chief proprietor of the Sydney *Bulletin*, and the moment this transfer was made, we find the *Bulletin* in the "Wild Cat" column, which is the financial column of the paper, inviting the investors of Australia to buy shares in the £65,000 company!

Mr. THOMAS.—That is commercialism.

Mr. KELLY.—It may be commercialism *a la Bulletin*, but I do not think the ex-Postmaster-General or any Minister of the Crown should have assisted in it.

Mr. PAGE.—What is the imputation from those words?

Mr. KELLY.—I cannot make it more clear than I have already done, that I make no imputation against the honesty of the ex-Postmaster-General, but only against his business capacity.

Mr. PAGE.—The honorable member is saying that the Minister was a party to a public swindle.

Mr. CARR.—Who were the lowest tenderers for the station?

Mr. KELLY.—This particular company.

Mr. CARR.—Then the Government could not be at a loss in accepting the lowest tender.

Mr. KELLY.—I am delighted to hear the honorable member saying that the honorable member for Bendigo, as Postmaster-General, was quite right in accepting it; but the present Postmaster-General tried just now to indict him for accepting it.

Sir JOHN QUICK.—It was recommended by the Admiralty.

Mr. KELLY.—I do not wish to go into the question of whether it was a good or a bad arrangement.

Mr. CARR.—The effect on the company was only accidental, surely?

Mr. KELLY.—I might have gone into the matter more deeply, but I have been deliberately careful not to go too deeply into it, because I do not wish in this place to canvass the position of this company. I am giving only the bare facts necessary to show that the Minister has been guilty of grave carelessness in permitting the transfer from the £5,000 syndicate to the £65,000 company. That is the only charge I make, and I think I have said enough to prove it up to the hilt.

Mr. JOSEPH COOK.—Has the honorable member any idea what there will be for the shareholders when the Government get the monopoly?

Mr. KELLY.—Perhaps if I did not answer that question I should be misunderstood. Let me inform the honorable member for Parramatta that this company has other things to sell to its shareholders besides its right to these contracts for the supply of these installations, which I think in all amount to somewhere about £10,000. If that were all they had to sell, it would be obviously a downright swindle upon the shareholders. But they have the right to install machinery in ships, and to work ships at a certain rental, and they may claim that they will be able to pay dividends on the £65,000, £45,000 of which went in the purchase of the goodwill from the £5,000 syndicate. As affording some indication of the chance that they will be able to pay dividends, it is right to say that the International Marconi Company has a capital of £75,000, and deals with a business which, so far as my investigation has gone, leads me to believe is much greater than the business which this com-

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pany will have a chance to handle. It is not my object to attack this company in making these remarks.

Mr. OZANNE.—The honorable member deliberately said that it was a swindle.

Mr. KELLY.—If the honorable member had been listening he would know I said it would have been a swindle if the company had nothing else to sell the public but these contracts. I do not wish to make any attack on the company. That is not my business. It is my business, however, to make it very unlikely that any Minister will in future permit a transfer of a Government contract, which, without benefitting the Commonwealth to any appreciable extent, is capable of being used for the enrichment of private individuals. The Minister probably will say that inasmuch as the capital of the new company is £65,000, and the capital of the original syndicate was £5,000, the Commonwealth is in a better position to anticipate the completion of the contract under the new company than it was under the old. But as a matter of strict fact, an examination of the papers will show that Ministers did not attach very much importance to that phase of the matter. It will be found that while they accept the transfer of these obligations from the syndicate to the company, they insist upon the retention of the private guarantees of Mr. Denison and Mr. McLeod.

Mr. THOMAS.—Does the honorable member admit that?

Mr. KELLY.—Of course.

Mr. THOMAS.—The honorable member did not do so when speaking upon the same subject the other night. He said he had gone through the papers and did not see it.

Mr. KELLY.—That is so, but I told the honorable gentleman at the time that I spoke subject to correction, and would look into the matter again. Throughout my remarks he has sat absolutely silent for lack of some reply, and this is the only miserable straw he can clutch at. In this connexion, Mr. Denison and Mr. McLeod being bound to their original indemnity with regard to the infringement of patent rights, proves conclusively that the Government regard these prominent and influential men in the original syndicate as their main guarantee, and not a company, the shareholders of which may not be known. I apologize to honorable members if I seem to have spoken with some warmth on the subject, but I am very anxious that Ministers, whatever Department they control, and to whatever party they belong, should handle this question of contracts in such a way as will be solely concerned with the best interests of their respective Departments. I am anxious that they shall be particularly careful to see that no transfer of a contract from one set of shoulders to another is made, if, by so doing, an opportunity is afforded for private gain and private speculation. I am sorry for having detained the Committee at length, but I hope that the facts which I have given will be taken by Ministers in the right spirit, and that they will be used as a warning for future occasions rather than as a severe criticism on what has occurred in the past.

AN HONORABLE MEMBER.—Ministers have not been listening.

Mr. KELLY.—The Minister of Home Affairs and the ex-Postmaster-General have, at all events, been listening; and if the honorable member imagines that Ministers in a Parliament will get credit to themselves by not listening to criticism from the Opposition, he gravely misunderstands the temper of the Australian people. They expect Ministers not to regard parliamentary government as a farce, but to pay some attention to Opposition criticism, even if they do not see their way, on reflection, to act upon it.

Mr. THOMAS (Barrier—Minister of External Affairs) [10.47].—It was not my intention to detain honorable members, nor do I know that there is any necessity to reply to the honorable member for Wentworth; but perhaps I may be permitted for a minute or two to give the history of this wireless telegraph contract. As I stated last session, when the honorable member for Fremantle moved the adjournment of the House on the question, the contract with the Telefunken Company was entered into by the previous Government. I stated then, and I am prepared to state again now, that if I, instead of the honorable member for Bendigo, had been Postmaster-General at that time, I should have done exactly the same thing as he did. The contract of the Telefunken Company was greatly below that of the Marconi Company. I think there was a difference of £38,000 between the two. In my opinion, the honorable member for Bendigo was fully justified in accepting the lower tender. Moreover, the honorable member took the opportunity to communicate with the British Government to ascertain whether they would be satisfied if the Australian Government

accepted that tender. The British Government replied that if the Australian Government were satisfied of the financial stability of the company, they saw no reason why the contract should not be accepted. Consequently, the honorable member practically accepted the contract, which, as I say, I should have done under similar circumstances. That contract, unhappily, was broken. The reason was that we received certain advice from the Admiralty, and from the Defence Department, to the effect that the site on which we had accepted the contract was not suitable. We had to go beyond that site. The contract was thereupon broken, and there was a great deal of difficulty in order to get a workable scheme adopted.

Mr. HEDGES.—Was the contract broken before it had been actually signed?

Mr. THOMAS.—Practically so. The Admiralty and the Defence Department said that the site chosen ought not to be chosen. But it is only fair to the honorable member for Bendigo to say that he submitted the question as to the site to the admiralty before tenders were called, and they then said that it was suitable. It was in view of that statement that the contract was entered into. But afterwards, as I have said, the Admiralty and the Defence Department stated that it was unsuitable, and that we should have to go further back. As far as the Department was concerned, the original site was quite satisfactory. But having departed from the original arrangement, and broken the contract, we had to make a new arrangement. The Commonwealth agreed to pay £2,000 more to the company to put up a station on the new site. When the question of signing the contract arose—it was being signed in Sydney—the Attorney-General and myself were present, and Mr. Denison and Mr. McLeod—who, I believe, has something to do with the *Bulletin*—represented the company. At that time, we were informed that it was intended to form a larger company, and we were asked whether we were prepared to accept the new company in lieu of the old one. The Attorney-General, who chiefly conducted the negotiations for the Commonwealth, stated that we were not prepared to take the guarantee of the new company, but that we wanted the guarantee of the old one, plus the personal guarantee of Mr. Denison and Mr. McLeod. We obtained the personal guarantees of those two gentlemen. They informed us that they wished to form a new and larger company for the purpose of undertaking some New Zealand work, and other contracts. We, however, said that we had nothing to do with that. The personal guarantee of the two gentlemen I have mentioned having been given, they came to us a little while afterwards, and asked whether we would be prepared to transfer the contract from the old company to the new one.

Dr. CARTY SALMON.—Had they signed the contract in the meantime?

Mr. THOMAS.—They had. This request was submitted to the Crown Solicitor, and he advised us not to have anything to do with the new company unless we were satisfied that its stability was equal to that of the old company. If it were, he advised that we need have no objection to take the guarantee of the new company. We made some inquiries, and the information came from Sydney that the new company's guarantee would be quite equal to that of the old company. We then said we were prepared to take the guarantee of the new company. They asked whether we would take the guarantee of the new company without the two personal guarantees. Our reply was in the negative. We insisted on the personal guarantees of Mr. Denison and Mr. McLeod accompanying the guarantee of the new company. I am glad that tonight the honorable member for Wentworth has made an admission which he did not make when he spoke some time ago. He said on that day that he had gone through the papers, and that, as far as he could ascertain, the personal guarantee was not provided for.

Mr. KELLY.—I did not say I had gone through all the papers. I was careful to say that I had gone through the papers for about an hour.

Mr. THOMAS.—I am glad to know the honorable member is now satisfied that the personal guarantee is still there. I do not know why the Postal or any other Department should object to a company increasing its capital.

Mr. PAGE.—The point which the honorable member for Wentworth made, and which the Minister ought to clear up, is, "Was the new company formed when you took the contract over, or was it in connexion with the old company?"

Mr. THOMAS.—The new company was formed after we accepted the tender of the smaller company.

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Mr. PAGE.—When the second company took it over, was the original company then merged into the second company?

Mr. THOMAS.—The original company was merged into the second company.

Mr. PAGE.—Before you took the contract over?

Mr. THOMAS.—No; we accepted the tender of the original syndicate or company. The honorable member for Bendigo practically accepted that tender. Our Government were not satisfied that that company would be able to carry out the contract, and so we demanded the personal guarantee of Mr. Denison and Mr. McLeod, in addition to that which the honorable member for Bendigo was prepared to accept.

Mr. KELLY.—That was with respect to patent rights infringement.

Mr. THOMAS.—It was to put the two stations up, and do everything in connexion with them. After the contract was signed, they said they wanted to make it a larger company, as they were extending their business, and desired to transfer the contract to the larger company. I see no reason why they should not have made it a larger company if they wanted to.

Mr. RILEY.—You could not have prevented them, anyhow.

Mr. THOMAS.—We need not have taken the guarantee of the new company. If we had not transferred the contract to the new company, the cry would have been that an Australian company wanted to do something in competition with the Marconi, and that we were putting obstacles in their way. There would probably have been some who would have said that we were fighting in favour of the Marconi Company. The honorable member for Wentworth asked me if he could see the papers, and I told him that he could see every paper in connexion with the matter. The Postal Department took absolutely no steps in the matter, except as the outcome of consultation with the Crown Solicitor and the Attorney-General's Department, so that we did nothing without the best legal advice. I know nothing of the company. I am not in any way, and have never been, interested in a single share in it. It made absolutely no difference to me. I was asked some time ago whether Mr. McLeod had not something to do with the *Bulletin*. I believe he has; but I never saw him until the day I met him and Mr. Denison, when we were dealing with the contract in the Attorney-General's office. I have not seen him before or since that I remember.

Mr. KELLY.—The charge against the Minister is not one of business dishonesty, but of business simplicity.

Mr. THOMAS.—There is no charge of any kind against me. The company was accepted by the honorable member for Bendigo, and I took it in good faith that, as he had accepted it, it was honest and legitimate.

Mr. SCULLIN.—Does this contract cost the Government any more than the original contract entered into by the honorable member for Bendigo?

Mr. THOMAS.—Yes, it costs £2,000 more. When the honorable member for Fremantle moved the adjournment of the House I said the trouble had been that we had broken the contract.

Mr. SCULLIN.—Did the fact of transferring the contract make it cost the Government any more?

Mr. THOMAS.—Not a halfpenny. The reason why we gave £2,000 more than we specified in the tender accepted by the honorable member for Bendigo was that we had to move the site. We did that on the advice of the Admiralty. We have since obtained a wireless expert, whom I think is a very able man, and, as far as I can judge from a conversation I had with him, he seems to think that the Pennant Hill site is better than the one formerly suggested nearer the coast. The alteration in the site was also the cause of the delay. I give the whole credit of insisting on the personal guarantee to the present Attorney-General. He said, "I want something more from you gentlemen than the guarantee of your company. The company is not financially strong enough to guarantee the Government that it will erect the stations, and also to guarantee us against an action if you have not the full patent rights. Before we, as a Government, will sign that contract you will have to give us your own personal guarantee in addition to your company's guarantee." He then got the personal guarantee of Mr. Hugh Denison and Mr. McLeod of the *Bulletin*. I know very little about Mr. Denison, except that he is connected with the tobacco industry

or combine, and is reported to be fairly wealthy. They did suggest at that meeting that they were going to make it a larger company, because they intended, if they could, to link up the whole of Australia with wireless stations. They were going to put in for a contract in New Zealand, which I think they have subsequently obtained. Consequently they wanted to get more money. I believe, from what I can gather, that some people floated the company on the Stock Exchange, and that some of them have made money.

Mr. KELLY.—I do not know whether they made money or not. I say the opportunity to make money was given.

Mr. THOMAS.—I can only say that, in the same circumstances, even at the risk of being accused by the honorable member for Wentworth of not having proper business acumen, I should do absolutely the same thing again.

Mr. HEDGES (Fremantle) [11.4].—I should like to see progress reported at this stage.

Mr. FISHER.—Fire away, and settle this question. There is nothing in it.

Mr. HEDGES.—The honorable member will find that there is.

Mr. JOSEPH COOK.—It is not this question, but the general debate on the whole of the Works Estimates.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [11.5].—I do not want to keep the Committee late, but the understanding was that these Estimates were to be dealt with item by item, and that the general debate on questions of policy and broad principles would be taken in connexion with the Budget.

Mr. GROOM.—It was understood that the policy underlying these Works Estimates would be open to debate now.

Mr. FISHER.—I want a clear understanding with honorable members that only so much of the policy of the Government as is affected by public works shall be debated on this motion, because we want to get on with the consideration of these Estimates.

Mr. GROOM.—That is quite fair.

Progress reported.

House adjourned at 11.6 p.m.

Senate.

Thursday, 2 November, 1911.

The PRESIDENT took the chair at 2.30 p.m., and read prayers.

PRESIDENT'S DECISIONS.

The PRESIDENT.—I have to lay upon the table the report of the President to the Standing Orders Committee, formulating and tabulating the decisions arrived at during the session of 1910.

NORTHERN TERRITORY.

Senator KEATING asked the Minister representing the Minister of Home Affairs, *upon notice*—

1. What is the number of aboriginal natives in the Northern Territory?
2. Is such number ascertained by estimate or census computation?
3. What is the number of officers to be appointed in connexion with same? How many have been appointed to date? When will the full number be appointed?
4. How does the proportion of such officers to aboriginal native population in the case of the Northern Territory compare with such proportions in the cases of each of the several States?

Senator PEARCE.—The answers to the honorable senator's questions are—

1. 22,000.
2. Estimated.
3. The preliminary organization of the staff provides for a Chief Protector, two Medical Inspectors, and three Inspectors. These are to devote their whole time to work in connexion with aborigines. It is contemplated that a number of persons mainly engaged otherwise will be appointed to perform certain duties connected with the department. Of the above, two Medical Inspectors and two Inspectors are now at work. The Chief Protector, Professor Baldwin Spencer, will leave next month to take up his duties. Subsequent appointments will depend largely upon his recommendations.
4. From the figures available, which in regard to population are approximate only, the proportions appear to be as follow:—

	Aboriginal Population.	Number of Officers.
New South Wales ...	6,960 ...	Not available
Queensland ...	18,000 ...	4
South Australia ...	19,800 ...	2
Western Australia ...	24,000 ...	5
Victoria	271 ...	Not available
Northern Territory ...	22,000 ...	6

ELECTORAL BILL.

In Committee (Consideration resumed from 1st November, *vide* page 2068):

Clause 3—

Section 2 of the Principal Act is amended by omitting therefrom the words "Part X.—Voting by Post."

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Upon which Senator WALKER had moved—

That the words "amended by omitting therefrom the words" be left out, with a view to insert in lieu thereof the words "altered so that."

Amendment negatived.

Senator VARDON (South Australia) [2.38].—I am sorry that the Minister did not give a straight-out reply yesterday to the question of Senator Cameron, as to whether the Bill would deprive certain persons of a vote. He replied that the persons were given many facilities, and indicated what they were. I was touching on the question of depriving respectable mothers of their votes yesterday when an unfortunate disruption took place. I had shown that, according to the figures quoted by Senator Findley, even after he had watered them down as much as possible, there were still some thousands to be considered.

Senator FINDLEY.—That is hardly fair on your part. I did not water anything down. They were official figures, and I used them as such.

Senator VARDON. — The honorable senator took what it would be, reckoning four weeks, and what it would be, reckoning two weeks. He took the lowest figures.

Senator FINDLEY.—I took both.

Senator VARDON.—Yes, and we were given what was believed to be the actual minimum, and even at that it was shown that there were several thousand women, at any rate, who would be deprived of an opportunity of voting. I want it to be known that the Ministry and the Labour party deliberately intend to take away from these people, as well as from those who are old, infirm, and unable to get to the polling booth, the opportunity of voting. Senator Long made an extraordinary statement with regard to an abuse of the postal voting system which he alleged occurred in Tasmania. He said that in one constituency 300 postal ballot-papers—practically one-half the number of postal ballot-papers issued—had been sent to one address, where they were evidently manipulated, because they were signed and sent in without the persons who had applied for them receiving them. I, for one, cannot understand how that could be possible. Under the Act it was the duty of the Returning Officer to take the postal ballot-papers and to compare the signatures on the certificates with the signatures on the application. If he did not make that comparison to satisfy himself as to the validity of the postal votes, he altogether neglected his duty. If the Returning Officer did make a comparison such a fraud as is alleged would have been detected, because no man could copy the signatures of 300 persons with such accuracy that the imitations would pass when compared with the genuine signatures. Such a thing would be utterly impossible. It is laid down in section 119 of the Act that the Returning Officer—

shall compare the signature of the elector on each postal vote certificate with the signature of the same elector on the application for the certificate, and shall allow the scrutineers to inspect both signatures.

The Returning Officer has not only to compare the signatures himself, but he has to hand them over to the scrutineers so that they may inspect them. If 300 postal ballot-papers were manipulated in the way alleged by Senator Long, I fail to see how it was that the Returning Officer, if he did his duty, did not detect the fraud. It is also provided that the Returning Officer—

if he is not satisfied that the signature on the certificate is that of the elector who signed the application for the certificate, and that the signature purports to be witnessed by an authorized witness shall disallow the ballot-paper without opening it or separating it from the certificate; but if he is so satisfied he shall accept the ballot-paper for further scrutiny.

If the Returning Officer and the scrutineers at one polling place passed 300 postal ballot-papers on which the signatures were forged they were not doing their duty, and they ought to have been punished in the way the Act provides. It is put forward as a reason for abolishing voting by post that there have been some abuses. No matter what system is adopted, it will be abused by some people, and to abolish the facilities for people to vote by post because of a supposed fraud is doing an injustice to the people who wish to vote by post. I have shown that if the provisions of the Act were properly carried out fraud would be reduced to a minimum. We are now asked to cast the whole voting by post system on one side. It is said that there is to be constituted a more comprehensive system of absent voting. Under the system of absent voting proposed there are not the same safeguards as are provided in the Act with regard to postal voting. The Government say they are going to provide these safeguards by regulation. The safeguards in connexion with absent

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voting should be provided in the Bill as are the safeguards in connexion with postal voting in the Act. Matters of such importance should not be left to regulation. All the provisions against fraud should be set out in the measure itself, and the regulations should simply deal with details. People who are unable to attend any polling booth are to be deprived of the opportunity of voting, and the Ministry are going to allow people who are away from the division in which they reside to vote at any polling place in the Commonwealth. Safeguards should be provided in the Bill in connexion with absent voting similar to those which are provided at present with regard to voting by post, so that the opportunities of fraud may be reduced to a minimum.

Senator KEATING (Tasmania) [2.45].—After the division that was taken on the amendment proposed on the motion for the second reading of the Bill, it seems to be hopeless to expect the Government to reconsider the step which they are inviting Parliament to take, of abolishing voting by post. At the same time, I do not think we ought to allow that step to be taken without registering a protest. In addressing myself to the amendment proposed on the motion for the second reading—an amendment designed to emphasize the fact that what we should seek in an amendment of the electoral law is to extend, rather than to curtail, facilities for voting—I referred to the fact that there were 29,000 odd votes cast by post at the last general election, and in making reference to that number, I said that they represent, in strength, practically a constituency.

Senator FINDLEY.—The extraordinary thing is that half those postal votes were recorded in a small State—that of Victoria.

Senator KEATING. — My honorable friend may rest assured that I shall not fail to deal with that aspect of the matter before I finish. In looking through the figures in connexion with the last general election, I find that in New South Wales the largest number of votes was recorded in Dalley, where 26,143 votes were cast, and that the smallest vote was in Cowper, where 13,109 votes were cast. In Victoria, the largest vote polled was in the electorate of Bourke, where 30,959 votes were recorded, and the smallest poll was in Wimmera, where 17,774 votes were recorded. In Queensland, the largest vote was in Herbert, where 23,184 votes were recorded, and the smallest in Kennedy, where 14,076 votes were cast. In South Australia, the largest and the smallest votes respectively were Wakefield, 18,342; and Adelaide, 15,363. In Western Australia, Swan topped the list with 25,302 votes, while Coolgardie is at the bottom with 13,834 votes. In Tasmania, in the Denison electorate, 12,701 votes were recorded, and in Wilmot 9,966 votes were recorded. Taking the constituencies polling the greatest number of votes in each of the six States, we find that Bourke, where 30,959 votes were cast, was the only electorate in the Commonwealth which polled as many votes as were recorded by post. We find that the constituency recording the greatest number of votes in Tasmania—Denison, with 12,701 votes—did not poll 50 per cent. of the votes recorded by post. The Honorary Minister has just reminded me, although I did not need reminding of it, that not all of the 29,000 odd postal voters were persons who necessarily depended upon postal voting to register their votes; that they were not all persons who might not have voted otherwise, and that, therefore, they were not all persons who would be disfranchised by the abolition of postal voting. I have not forgotten that. But let my honorable friend not forget that those 29,000 odd electors did not represent the whole of the people who might have voted, and voted only by utilizing the postal voting system. They did not represent the large number of people for whom the then existing facilities were not sufficient. There were many others who were unable to register their votes, and many who would have been unable to do so no matter how easy the conditions or how great the facilities.

Senator NEEDHAM. — The honorable senator had a chance to extend the facilities when he was a Minister.

Senator KEATING. — My honorable friend's recollection must be very meagre. When I was a Minister I did introduce a measure which extended the facilities and multiplied the opportunities for postal voting, at the same time surrounding those opportunities with safeguards. We were then taking a step in the right direction—a step forward. Now we are asked to take a step backward—to get out of line with ourselves, out of line with our States, out of line with every institution of a representative character in the Commonwealth. Here

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I may give an illustration. I said last evening, when Senator Lynch was speaking, that, notwithstanding the fact that he asserted that this system of postal voting was the creation of the Labour party, it had actually been in existence in Tasmania before the Commonwealth came into being. We used the system of postal voting in connexion with the referenda on the Federal Constitution in 1899 and 1900. The system was applicable to the first Tasmanian Federal elections. In connexion with the Tasmanian University, the system of postal voting is used in regard to the election of members of the Council by members of the Senate. I, as a member of the Senate of the University, receive a postal ballot-paper in connexion with each such election. That is an example apart altogether from political elections. So successful has the system been in Tasmania, that it has been extended to institutions removed from ordinary politics. In making reference to the figures relating to electorates, I have pointed out that the largest votes at the last election ranged from 30,959 in Bourke, Victoria, down to 12,701 in Denison, Tasmania. The smallest polls ranged from 17,774 in Wimmera, Victoria, to 9,966 in Wilmot, Tasmania. Those figures, of course, do not represent the voting strength of the constituencies. The enormous vote given in Bourke represents only 75.40 per cent. of the total number of electors on the Bourke roll. In Wimmera the vote represents 57.31 of the voting strength of the constituency. In all those instances the number of votes represents only a percentage of the full strength of the roll. I have a right to assume, therefore, that the 29,000 odd votes recorded under the postal system represented only a proportion of the persons who were eligible to vote under that system. So that when I stated that we were practically disfranchising one whole constituency, I erred well within the mark. I should have been more correct had I said that we were in effect disfranchising the strength of two constituencies.

Senator LYNCH.—Does the honorable senator mean to say that the whole of those 29,000 persons cast their votes by post legitimately in accordance with the spirit of the Act?

Senator KEATING.—I shall not neglect to deal with that point. Of the 29,000 odd voters, it may rightly be said that a certain proportion would have been able to vote at the ballot-box if they had not been permitted to vote by post. What that proportion is I am not prepared to say. I doubt whether the Minister in charge of the Bill, or any other honorable senator, would hazard a conjecture. But, putting aside altogether the proportion who would have been able to vote otherwise had the postal voting system, not been in existence, I venture to say that the remainder of the 29,000 represents only a proportion of the persons who would have been disfranchised if there had been no postal voting system in existence. I instanced Herbert as the constituency which recorded the largest number of votes in Queensland, and Kennedy as the lowest. Herbert's record was 23,184 votes, and Kennedy's 14,076. By a singular coincidence, in each of those cases, the total vote polled represented 61.52 of the voting strength of the constituency. It will therefore be seen that 14,076 represents 61 per cent. of the total voting strength of the Kennedy constituency. Consequently the total voting strength of Kennedy does not equal the total vote recorded under the postal voting system. In Wakefield, the top constituency in South Australia, and in Adelaide, the lowest in the State, the percentages were respectively 58.91 and 53.17. In Western Australia, Swan polled 64.26, and Coolgardie 55.74. In Tasmania, Denison polled 64.57 per cent., and Wilmot 55.92. We have to reckon in those percentages the number of postal votes cast. We also have to remember that a large proportion of those votes were brought to the poll by excitement and by all the influences that operate in connexion with elections. Is it not reasonable to assume therefore that the 29,000 votes by post represented a like proportion of the eligible persons who might have voted under the postal voting system? Therefore I say again that I am well within the mark when I assert that this proposal of the Government will disfranchise the equivalent of one constituency in the Commonwealth. Indeed, I make bold to say that I should be nearer the mark if I were to assert that the abolition of the postal voting system will disfranchise the equivalent of two constituencies. Now I will come to the point which Senator Lynch has suggested. He asks me whether it is not my view that a proportion of the 29,000 persons who voted by post cast their votes illegitimately. I am not in a position to answer the question. Statements have been made here during the course of the debate which make me inclined to say that nobody should be reckless enough to assert that the whole of the votes were cast legitimately.

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Senator MILLEN.—Would the honorable senator be prepared to say that the whole of the votes at the ballot-box were cast legitimately?

Senator KEATING.—I should not. What I think we are entitled to know is this: What proportion of those 29,000 votes were cast illegally, illicitly, and wrongly? Has that proportion been ascertained by a calculation, or have the officials any ground for making an assumption? We have no information whatever on the point. We simply have generalizations. Before we take the step of disfranchising thousands of electors it is essential that we should know that the evil is so great that by no less drastic means can it possibly be prevented. These are the most drastic means that could be taken to remove the alleged evil whose existence we have evidence of only in vague generalizations, and the extent of which no one has even attempted to estimate. In connexion with the amendment to which I referred just now in response to Senator Needham, I would point out that in 1906 an election was held under the Electoral Act of 1902, as amended by the Act of 1905. As I have said already, the Act of 1905 not merely recognised the postal voting system, established under the Act of 1902 and once previously used in 1903, but it extended the facilities for the use of that system by adding to the list of persons eligible to witness applications for postal voting papers. In every way the members of the Senate and of another place not only recognised but extended the operation of the principle. In 1906 a general election was held. After that election a number of prosecutions took place under the authority of the Minister for various alleged electoral offences, and not only offences charged in connexion with voting by post. I have some idea, but I should like to know certainly, what was the number of the alleged offences in connexion with which it was thought desirable that prosecutions should be instituted at that time. I have very vivid personal recollections of the time. A number of complaints of alleged offences against the Electoral Act in various particulars were submitted to the Department from the several States. I can say unhesitatingly that in every instance the data supplied was submitted to the Crown Law authorities of the Commonwealth, and in no circumstances, no matter who the person was, or to what party he or she belonged, was any quarter given. Whenever there was the slightest chance of successfully maintaining a prosecution, a prosecution was ordered. I have in mind one particular instance. The case was submitted to the Department, and brought under my notice as Minister of Home Affairs charged with the administration of the Electoral Act. I asked that further inquiries should be made, and further information was forwarded. At this stage representations were made that it would be a harsh thing to prosecute, and that no Bench could possibly find the prospective defendant guilty. The papers were sent on to the Crown Law Department for advice. While advising that a technical prosecution lay, the Crown Law Department expressed some doubt as to the ultimate success of a prosecution if it were instituted. The papers came back to me, and believing that if there was any doubt at all I should regard the public interest as of more importance than, in that particular instance, a private and temporary misfortune, arising from a prosecution, I ordered the prosecution. Here again I was confronted with difficulty. When the papers went on to the Crown Law Department so that the necessary steps might be taken to prosecute for the alleged offence, it was found that in the centre of population where the prosecution was to lie there was not a single member of the legal profession who would consent to represent the Commonwealth in the matter. The person against whom the offence was alleged was very popular and highly respected. Her case seemed at the first blush to be one of extreme hardship. The offence charged against her was that she had loitered in a polling booth after having been requested by a police officer, acting under instructions from some one in authority, to remove from it. She refrained from moving out of the polling booth as she was bound to do under the law. It was pointed out, and subsequently abundantly proved, that she was very deaf. But these were matters, not for the Minister, but for a Court to settle. When we got to the stage of prosecution every legal gentleman in the centre of population declined the brief. I instructed the Crown Law authorities to retain counsel in Melbourne to go forward to the centre of population in question and prosecute. The prosecution took place, and it was successful. Whatever may have been the merits or demerits of the case the lady in question, prominent and popular though

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she was, and afflicted, as I have said, was found guilty and penalized to the extent of a £5 fine, and about the same amount in costs. If there were these flagrant violations of the law in regard to postal voting in connexion with the 1909 elections and the referenda in 1910, where are the prosecutions? Senator Long last night made reference to what might be called a wholesale list of breaches of the provision of the Act at the Denison election. That was in 1906. I had charge of the Department just after that election, and was associated with the large number of prosecutions. I had no recollection, while Senator Long was speaking, of ever having heard of the cases to which he referred.

Senator LONG.—The honorable senator can rest perfectly satisfied that he never got one of those votes either.

Senator KEATING.—That may be, but the point is that the case never came under the notice of the Electoral Branch of the Home Affairs Department. I have since made inquiries, and so far as I can ascertain there is no record of any complaint in respect of those alleged offences.

Senator VARDON.—What were the Returning Officer and the scrutineers doing?

Senator KEATING.—I was going to say that the Divisional Returning Officer for Denison is a very able man, and a man who, I believe, justly enjoys the confidence of the community. I believe that if the circumstances to which Senator Long referred came under his notice, and were recognised by him as breaches of the electoral law, the Home Affairs Department would have been very speedily and fully informed of them.

Senator LONG.—If there had been any hope of invalidating the election action would have been taken, but there was no inducement to take action against individuals.

Senator KEATING.—I had been saying, in the absence of Senator Long, that numbers of alleged breaches of the Act in various particulars were reported, and in every instance in which there was the slightest ground for believing that a prosecution would be successful it was ordered. I fail to see that there can have been much real cause for complaint in respect of the alleged breaches of the Act of which we have heard in vague generalizations in the course of this debate. unless some evidence of them can be supplied in the shape of action taken by the Department. The Electoral Act is to-day as it was in 1906, and if the offences of which we have heard so much took place in connexion with the last referenda or the last general election, Ministers must have been singularly remiss in their duty in not instituting some prosecution. Senator Long has stated that he intended at some time to ask for all the papers received by the Department in connexion with alleged violations of the Electoral Act. I hope he will do so. I should be glad if honorable senators had fuller information as to alleged breaches of the Act in the past, and the action that has been taken on them. But I certainly think that this is a tardy recognition of the right way to proceed with the amendment of the law. The information should have been placed before the Senate before we were asked to deal with the measure. If it had been supplied before its introduction here, or soon afterwards, honorable senators would have had an opportunity of considering whether or not there had been such flagrant breaches of the Act as to justify the drastic course which we are asked to follow. It has been asked more than once during this debate, why the innocent among those who have availed themselves of this system should be punished as well as the guilty; but so far I have not heard the slightest attempt from the other side to justify that course. It is suggested—not in so many words but in effect—that it is a question of choosing the lesser of two evils, but instead of choosing the lesser evil the Government have chosen the evil which they think will pay them best. There is no means of balancing one evil against the other. We know what the evil of this disfranchisement will be. We recognise that a large proportion of the 29,000—which, as I say, does not represent the full voting strength of those who were entitled to vote—will be unable to vote by any other system than the one now in force. We recognise that the abolition of postal voting will disfranchise them. We can weigh the extent of that evil, but we cannot weigh the alleged evil which it is intended to obviate by abolishing postal voting.

Senator W. RUSSELL.—Oh! Intimidation do you mean?

Senator KEATING.—Nobody on the other side has chosen to give us even the wildest guess at the extent to which intimidation has been carried on in regard to postal votes. And, if he did, one would have to consider to what extent similar practices have been adopted in connexion with votes which are not postal votes, and then one would have to conclude how far such practices were associated with any

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system of voting, postal or otherwise. But we are simply asked, on the *ipse dixit* of the Minister, that certain intimidation and wrongful practices have existed, to sweep away postal voting—a system which, Senator Lynch told us last night, he and his friends anxiously looked forward to the establishment of some years ago. Having tried the system in 1903, and extended it in 1905, we tried it in its extended form in 1906, and when it is decided to abolish it, surely we should have some substantial grounds shown for taking that step. Have any substantial grounds been advanced? None beyond vague generalizations, to which I referred. Their accuracy can be gauged by the fact that if the evils exist, so far as prosecutions were concerned the Minister stood idly by and took no action.

Senator STORY.—The honorable senator must know that the evils exist; that corrupt use has been made of postal voting.

Senator KEATING.—I know that corrupt use has been made of every kind of voting, and that wherever corruption has reared its head it has been shot at by those who felt the responsibilities of administration. If corruption reared its head so frequently in connexion with the last referendum, or the election of 1909, we would have naturally looked for a whole list of prosecutions, but we have not anything of the kind. What is the use, then, of indulging in vague generalizations, and saying, "We know that this evil exists. We have instances of it existing, but we have not sufficient evidence to go forward with a prosecution."

Senator W. RUSSELL.—In that year we had a weak, vacillating Government.

Senator SAYERS.—Oh! It was the Government he supports.

Senator KEATING.—I think that my honorable friend sitting at the Ministerial table must be saying to himself, "Save me from my friends."

Senator W. RUSSELL.—The country saved us.

Senator KEATING.—We are now asked by the Government to which my honorable friend has just referred to abolish the system of postal voting——

Senator W. RUSSELL.—Oh, not the same Government.

Senator KEATING.—Weak, vacillating, inept, or remiss in duty they certainly were.

Senator W. RUSSELL.—It was the jellyfish Deakin Government.

Senator KEATING.—We find that, if these abuses were so rife, the Government absolutely stood motionless in regard to them, and that it was left for my honorable friend, who is supporting that Government and this proposal, to dub them in the words which he has just employed——

Senator W. RUSSELL.—But we turned you out.

Senator KEATING.—I do not think that any one will deny, after listening to the figures given yesterday by Senator Findley, that one of the most serious effects in the way of disfranchisement will be the disfranchisement of the prospective mothers of this country. It is not necessary to labour this point.

Senator LYNCH.—It has been laboured, though.

Senator KEATING.—I do not think so, except by the Minister. It has not been singled out.

Senator LYNCH.—It has received a very good threshing.

Senator KEATING.—After listening to the figures quoted by the Minister, the great surprise to me was that he did not realize the gravity of the step which we are asked to take. He seemed to think that it was unimportant; that the proportion of persons who would be so situated was, comparatively speaking, so small that we could afford to neglect consideration of it altogether.

Senator FINDLEY. — I dealt with the whole of these people who had voted by post at the previous election, and I mentioned that incidentally because it had been mentioned by members of the Opposition.

Senator KEATING.—I know that; but the honorable senator seemed to imagine that the proportion of these persons to the total number of 29,000 odd was so inconsiderable as to merit nothing more or less than neglect, as far as the right to vote was concerned. I take it the other way. What is the use of our going into heroics about extending the franchise, about adult suffrage, about conferring upon our womenkind the inestimable boon and privilege of selecting their representatives to make the laws of the country; what is the use of all the rhodomontade, because that is all it would be, when we hold out this absolute bar and disqualification to the exercise of the privilege? We are asked to say that the exercise by woman of her highest natural function, the discharge of her most important civic and patriotic duty, shall, and

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must, be an absolute bar to the exercise of this right which we boast we are conferring upon the other sex. If it is an advantage to give to the girl who has just attained her majority the right to vote, is it not equally important and advantageous, is it not equally our duty, to see that the same right is preserved for the mothers of the nation? With one hand we are asked to give the franchise to the women, and with the other to take it away at the most critical and most important occasions in a woman's life. No justification has been put forward for this proposal, and the disfranchisement of any section of the community, large or small, must be justified on the most solid grounds. No solid grounds have been advanced for that disfranchisement, nor for the other disfranchisement which will necessarily follow the abolition of postal voting. I think that Ministers will have cause before long to regret this backward step which they are taking. No Government, least of all the Government which is in office to-day, should have committed itself to such a course. There can be no justification for the disfranchisement of a constituency, however small, perpetually; and I think that the Government realizes that there can be no justification. It has offered none, apparently it will offer none; and I think it will realize, before long, that this is a step which it will have very great cause to regret.

Question—That clause 3 stand as printed—put. The Committee divided.

Ayes	...	...	19
Noes	...	...	9
Majority	...	...	10

AYES.

Barker, S.	McGregor, G.
Blakey, A. E. H.	O'Keefe, D. J.
Buzacott, R.	Pearce, G. F.
de Largie, H.	Rae, A.
Findley, E.	Ready, R. K.
Gardiner, A.	Russell, E. J.
Henderson, G.	Russell, W.
Long, J. J.	Story, W. H.
Lynch, P. J.	*Teller:*
McDougall, A.	Needham, E.

NOES.

Cameron, Lt.-Colonel	St. Ledger, A. J.
Keating, J. H.	Vardon, J.
McColl, J. H.	Walker, J. T.
Millen, E. D.	*Teller:*
Sayers, R. J.	Chataway, T. D.

Question so resolved in the affirmative.

Clause agreed to.

Clauses 4 and 5 agreed to.

Clause 6 (Amendment of section 22).

Senator ST. LEDGER (Queensland) [3.25].—In connexion with the dividing up of electorates, this clause provides that in the case of the arrangement made being disapproved of, and a subsequent arrangement being made, the new map need not be circulated in the same way as the original one was circulated. In the event of there being a disagreement in connexion with the dividing up of electorates, and the Commissioner being charged with the duty of laying down other boundaries, I do not see why the procedure should not be the same as in the first case. The matter affects the same people, and they should have the opportunity of expressing their opinions. Previously they have had two chances to have their opinions on the proposed new arrangement expressed, but under this clause they will have only one. No reason has yet been given why, in the second case, the map is not to be exhibited. What reason is there for making this material departure?

Senator FINDLEY (Victoria—Honorary Minister) [3.28].—I think the clause explains itself. It has been found by experience that the exhibition of a map a second time makes it very difficult indeed to prepare the rolls in connexion with an impending election. The clause can do no harm to any elector or any candidate, and it will have the effect of facilitating the work of the Department.

Clause agreed to.

Clause 7—

After section thirty-two of the Principal Act the following section is inserted:—

"32A.—(1.) The Governor-General may, by any proclamation directing the preparation of new rolls, declare that the new rolls shall be prepared under a system of compulsory enrolment, and may direct that every person entitled to enrolment on any new roll shall sign and send to the proper officer in accordance with the regulations a form of claim for enrolment and otherwise comply with the regulations relating to compulsory enrolment.

"Provided that where an elector has been enrolled in pursuance of any claim signed by him as directed by a proclamation and is correctly enrolled, he shall not be required to sign and send in any further claim for enrolment in connexion with the preparation of a new roll under any subsequent proclamation, unless he has changed his place of living so as to render a change in his enrolment necessary.

"(2.) The regulations shall prescribe anything necessary or convenient to be prescribed for carrying a system of compulsory enrolment into effect and may prescribe penalties not exceeding Two pounds for any contravention of any regulation made in pursuance of this power."

Senator FINDLEY (Victoria—Honorary Minister) [3.30].—I move—

That the word "may," line 3, be left out, with a view to insert in lieu thereof the word "shall."

Very often doubt has arisen in connexion with Acts of Parliament as to whether the word "may" is to be interpreted as an imperative direction or not. We do not want any ambiguity in this clause.

Senator WALKER (New South Wales) [3.31].—I desire to ask the Minister whether, if compulsory enrolment becomes law, the enrolment will be attended to by Government officials, or whether each elector will have to see to his enrolment?

Senator FINDLEY (Victoria—Honorary Minister) [3.32].—As I stated on the second reading of the Bill, in a measure compulsory enrolment has been initiated already. At the present time, policemen armed with the existing rolls go round to the various houses and leave cards to be filled in by the occupants of the houses, and those cards have to be sent to the Electoral Office. The policemen not only leave the cards, but they do something in connexion with the matter of compulsory enrolment which is not done in any other matter in which compulsion is exercised. There is compulsion in regard to vaccination, military training, and the furnishing of income tax and land tax returns. In connexion with those matters, and others where compulsion is enforced, the only intimation which the persons affected receive regarding the penalties which will be imposed on them if they do not comply with the law is usually a paragraph in the press, which is sometimes placed in an obscure position. They learn in that way that such and such a thing must be done by a certain date. In connexion with compulsory enrolment, every policeman who goes round with rolls and cards—I may say that cards will be available at almost every place which the public frequent—leaves at every house a copy of the statutory rules. The men and women who get the cards are told by the policemen what is to be done with the cards, and they also get a copy of the statutory rules. One of these statutory rules is as follows:—

DUTY OF HOUSEHOLDERS TO ANSWER QUESTIONS.

(1) Every occupier of a habitation shall to the best of his knowledge and belief answer all questions asked him by an officer or by a collector, engaged in a canvass made for the purposes of the preparation of new Rolls, as to the number of adult persons residing in the habitation, and their names, occupations, and electoral qualifications, so as to enable the officer or collector to perform his duties under these Regulations.

(11) Any person who commits any contravention of this Regulation or who wilfully or by carelessness gives incorrect information to or misleads any officer or collector shall be guilty of an offence, and liable to a penalty not exceeding Two pounds.

A copy of the following statutory rule is also left—

DUTY OF PERSONS TO SEND IN CLAIMS FOR ENROLMENT.

(1) Where any Proclamation directing the preparation of new Rolls for any State has been issued, every person living in the State (whether enrolled on any Roll or not) who is entitled to be enrolled as an elector shall, if a form of claim for enrolment has been left for him at his habitation, or delivered to him, or sent to him by post—

(*a*) fill in the form and sign it in accordance with the Act and the Regulations, forthwith after the form has been received by him, and

(*b*) forthwith deliver the form so filled up to a Collector engaged in the canvass made for the purposes of the new Rolls or forthwith send it by post to the Registrar for the Subdivision for which he claims to be enrolled.

(2) Any person who commits any contravention of this Regulation shall be guilty of an offence and liable to a penalty not exceeding Two pounds.

I hope that every man and woman over 21 years of age has been made aware of the fact that the rolls in future are to be made up from cards, which it will be compulsory for those with whom they are left to fill in.

Senator VARDON.—Is the regulation you have read a regulation that has been framed in anticipation of this Bill passing?

Senator FINDLEY.—Yes.

Senator McCOLL (Victoria) [3.37].—Are we to understand that cards will be left at every householder's place, and that the enrolment of those living in his house will be insisted on?

Senator FINDLEY.—No. I said that, at the present time, cards are being left by the policemen going round with the rolls.

Senator McCOLL.—That is being done, but there are many places where the cards have not been left. I understood that, under the clause, people would be compelled to look after the enrolment of their names themselves and would not have intimations sent to them in future. If it is understood that cards are to be left at people's houses for the purposes of enrolment, and cards are not left, the people cannot be held culpable if they are not enrolled. Some confusion exists. People

will be following this debate, and it ought to be made perfectly clear what the duty of every person is in connexion with enrolment.

Senator FINDLEY (Victoria—Honorary Minister) [3.39].—The Government and the Department are extremely anxious to give every possible opportunity to electors throughout the Commonwealth to understand what compulsory enrolment really means, and what their obligations are. With a view of assisting them, cards are being left at their houses—I hope in every case—but when the present rolls are compiled it will be the duty of every person over the age of 21 who is entitled to be enrolled to look after his enrolment himself. Every such person will be held responsible if he is not enrolled after the compilation of the present roll.

Senator MILLEN (New South Wales) [3.40].—The Minister seems hardly to have appreciated the seriousness of the point raised by Senator McColl. We propose to introduce a system of compulsory enrolment. A system of compulsion means that the compulsion is upon the individual. In this instance, it means that the Government is going to compel the individual to enrol. But while in one breath the Minister says he proposes to send round the policemen to enrol electors, with the next breath he tells us that electors will have to look after their own enrolment.

Senator FINDLEY.—The policemen are compiling the present roll.

Senator MILLEN.—Surely we are going to start the new roll under the compulsory system? What is going to happen? The Government inform the electors that they are going to send round cards. In time, it will be found that some electors have not responded by filling up the cards. The Government will then, I presume, take action against them. The elector who is charged before a magistrate will give evidence, and declare he never received a card. Thereupon the Bench will naturally say that the fault lay with the Department. It seems to me that there is only one of two courses to follow. Either the officials should take the responsibility of enrolling electors, or they should get out of the road, and let the responsibility of enrolment rest upon the elector.

Senator FINDLEY.—The officials will get out of the road after the present roll has been compiled.

Senator MILLEN.—What does the Minister mean by the present roll?

Senator FINDLEY.—The roll being prepared under the existing law. Afterwards, rolls will be compiled under the compulsory system.

Senator MILLEN.—Then there will be no policemen to help to compile the subsequent rolls?

Senator FINDLEY.—No.

Senator MILLEN.—The Minister then need not have introduced the policeman at all into this discussion.

Senator FINDLEY.—The policeman is assisting the electors in regard to the present roll.

Senator MILLEN.—The Government are not assisting a large body of electors by leading them to believe that the officials are taking the responsibility off their shoulders. If we are to have compulsory enrolment, each individual elector must be made to understand that he alone is responsible for his enrolment, and that he must not rely upon the officials, except so far as he may expect to get from them such assistance as will enable the compulsory enrolment system to be made comparatively easy in its working.

Senator VARDON (South Australia) [3.44].—I wish to know why cards are being sent round at present. I understood from the memorandum of the Chief Electoral Officer that the idea of enforcing enrolment by means of the card system was to simplify procedure. But what is the good of sending round the cards at present unless care is taken that they are sent to every elector, and that they are filled up? Two cards were left at my residence some time ago, with an intimation that they were to be called for afterwards; but I feel certain that cards have not been left with every elector. Either the officials of the Department are going to take it upon themselves to secure a perfect roll, or they are going to throw the responsibility on the elector of enrolling himself, imposing penalties upon him if he does not. The Government appear to be mixing up the two things.

Senator KEATING (Tasmania) [3.45].—Is there any particular object in the amendment before the Chair? The professed object is to insure a system of compulsory enrolment. But I fear that if we insert the word "shall" instead of "may," the amendment will give rise to more confusion than it removes. It may remove difficulties in one direction, but only to give place to others. Moreover, it will conflict with other provisions in the Bill, and in the principal Act. Section 13 of

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the Act provides that "The Governor-General 'may' divide any division into each State to be Commissioners for the subdivision of electorates. Section 22 provides that if Parliament does not approve of a proposed distribution "the Minister may" direct the Commissioners to propose a fresh distribution. In section 23 subsection 2, which provides for the issue of a proclamation, the language used is "such proclamation may be made." In section 24 it is provided that "The Governor-General 'may' divide any division into subdivisions by proclamation." In many other parts of the principal Act, also, the word "may" is used. Here it is proposed to use the word "shall" to express the meaning which elsewhere is expressed by the word "may." As a rule, in drafting Acts of Parliament the word "may" is used in connexion with the Crown, where "shall" is used in connexion with a private individual. Legislation is not so drawn to oblige the Crown, or to oblige Parliament, but it is so drawn to oblige an individual. The word "may," when used in connexion with the Crown or with Parliament, carries the same significance as "shall."

Senator FINDLEY (Victoria—Honorary Minister) [3.49].—I appreciate Senator Keating's remark as to what may be implied if we substitute "may" for "shall" in this provision. But the matter has been taken into consideration by the Government, and I know what their intentions are. Therefore, I desire to adhere to the amendment.

Senator MILLEN (New South Wales) [3.50].—I do not propose to reiterate what Senator Keating has said, because I suppose that more discussion has taken place in the Senate over the use of "may" and "shall" than over any other words used in Acts of Parliament. Senator Keating has, however, submitted an unanswerable argument by pointing out that throughout the principal Act "may" is used wherever the Crown or Parliament is referred to. It is a well understood rule of interpretation in the Law Courts—and it is one which appeals to the common sense of a layman—that where certain words are used throughout an Act of Parliament the same thing is intended to be conveyed by the Legislature. But when the Legislature uses two words it is assumed that different meanings are attached to them. In this case, if two words are to be used, it will be assumed that Parliament meant different meanings to be conveyed. The Minister tells us that he knows what his colleague's intentions are. But it seems undesirable to create ambiguity. I also direct attention to another cause of confusion. Cards are at present being distributed to electors for the purpose of enrolling them upon the roll, which is being compiled under the existing Act. After this Bill passes it is intended that the elector shall make a further application for enrolment upon another card. That will be the first compulsory enrolment. But the clause goes on to provide that once an elector has made his application, and been enrolled, he need not bother any further, no matter how many subsequent proclamations are issued—unless, of course, he removes his place of residence. An elector has to make one claim for enrolment, and one only. But, in this instance, electors, having filled up the cards that are at present being distributed, will be required, by Act of Parliament, to fill up other cards six months later, in pursuance of a proclamation. I am certain that a great deal of confusion will arise from electors believing that the cards which are being filled up at present are the cards which they are required to fill up in accordance with the compulsory enrolment provisions. The trouble has arisen through the Electoral Branch of the Home Affairs Department having initiated the card system without having legislative authority for it. This trouble is going to grow. There will be thousands of electors who, having made the one application on the card system, will consider that that is sufficient.

Senator ST. LEDGER.—That is the very impression I had with regard to my card.

Senator MILLEN.—It is a most natural impression for an elector to have. He is told that he has to make an application for enrolment on a card supplied for the purpose. Thousands of electors will believe that the cards they have recently filled up are those which have to be filled up under the compulsory enrolment system. I am certain that there will be a great deal of confusion, and much undeserved discredit will be thrown upon the system. The trouble has arisen, as I have said, because the Department has pushed the card system into use ahead of legislation. The result will be that electors who have filled in cards—for which, according to my reading of the Bill, there has been no legal warrant—will believe that that is sufficient, and will not fill in cards issued as the result of a proclamation under this clause.

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Senator FINDLEY.—How can they be required to fill in cards later on, if they have already filled in cards, and their names are on the roll?

Senator MILLEN.—Because, in filling in the cards which they have already dealt with, they have not been complying with an obligation under the proclamation to be issued under this clause. Let the Minister read the Bill. If it does not mean what it plainly says, my argument cannot be sustained; but if it does, the position will be as I have described it. The proclamation provided for in the clause must be made after, and not before, the passing of this Bill. We cannot pass this Bill into law to-morrow, and rely for the establishment of the compulsory system of enrolment upon a proclamation made six months ago.

Senator McGREGOR.—It can be stated in the proclamation that those who have already sent in cards for enrolment will be all right.

Senator MILLEN.—That is to say, that, although the Bill lays down specifically what is to be done, the Government intend to do what they please.

Senator DE LARGIE.—The honorable senator would not have people doing work that is quite unnecessary?

Senator MILLEN.—Then why legislate to say that quite unnecessary work shall be done? As soon as the Bill is passed, and the Act brought into force, the Department must carry out the provisions of the proposed new section 32A, and no enrolment prior to the passing of this measure will meet the demand of that section. When we provide that an elector who has once enrolled his name need not make application for enrolment again, he may be pardoned if he confuses the card which the Government are asking him to sign to-day with the card which he will be asked to sign later on under this Bill.

Senator FINDLEY.—He will not make another application, because his name will be already on the roll.

Senator MILLEN.—The Minister does not understand my point.

Senator FINDLEY.—I do understand it.

Senator MILLEN.—Then the honorable senator will only be creating trouble if he dismisses my objection in that way. I can quite understand that Ministers may say that, as they are in control of the Departments, they will act as they please.

Senator FINDLEY.—I do not mean that.

Senator MILLEN.—Then the obligation will be upon them to see that the provisions of the Act are carried out. Under this proposed new section, an obligation will be laid upon electors to do something after a proclamation issues, and that must refer to the proclamation which it will be necessary to issue after the passing of this measure to bring this provision of the law into effect. We must issue a new proclamation, or these compulsory provisions will not become operative. We have no power to compel any person to become enrolled until that proclamation has been issued. Having, by the issue of the proclamation, assumed the power to compel people to enroll, they must do so; and, no matter how many applications for enrolment may have been sent in by electors before the issue of a proclamation under this proposed new section, the obligation to apply to be enrolled will still be upon them under the provision now under review.

Senator RAE (New South Wales) [3.59].—I fully appreciate the point raised by Senator Millen; but I assume that the proclamation will provide that those already enrolled, and who have not since changed their residence, will be considered as enrolled under the new system.

Senator MILLEN.—That would be against the provisions of the proposed new section.

Senator RAE.—I consider that, if any person is on the roll now, the proclamation need not necessarily require that person to put in an application for enrolment. He will have already done so, and his application will have been accepted; and I take it that the compulsion will apply only to those who are not enrolled after the issue of the proclamation, or who, having been enrolled, have in the interim changed their residence. On the other point raised by Senator Keating, I should like, with all deference to the honorable senator's legal knowledge, to submit that it is about time we said what we meant in an Act of Parliament. In ordinary daily conversation the words "may" and "shall" mean something very different. In this case, we are not proposing to leave anything to the option of the Governor-General, and it is right that we should use the word "shall." If the word "may" were used, the inference might be that he could do what is proposed now or in ten or twenty years' time.

Senator KEATING.—Then we should alter the wording of other clauses. The words should not be used promiscuously.

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Senator RAE.—I shall come to that later. If in this case we use the word "shall," that word will operate in the elector's mind, and he will understand that the provision involves compulsion throughout. If the use of the word "shall" in this case is found to be inconsistent with the wording of subsequent clauses, the inconsistency can be referred to as they come up for consideration. Senator Keating has referred to cases in which it is provided that the Minister "may" do this or that. But we know that, in the ordinary performance of his duty, the Minister will do what is provided for, and it is unnecessary to bring compulsion to bear upon him to secure the performance of what he will regard as his departmental work. If we are to have compulsion—and I am rather sorry to see it adopted myself, because I do not like compulsion in anything—we should let that be understood from the first by the use of the word "shall," and so leave no doubt about the matter in the minds of the electors.

Senator ST. LEDGER (Queensland) [4.2].—The Minister was somewhat mysterious when explaining why the word "shall" was substituted for the word "may" in this case. He said that the alteration was the subject of a consultation between himself and the Crown Law Office. But he gave no reason why the consultation was held or the decision arrived at. Since the consultation was upon the change of "may" into "shall" as affecting the issue of a proclamation by the Governor-General, it must have been considered very important, and the reasons for the alteration ought to be given to the Committee.

Senator GARDINER.—Does not "the Governor-General" mean the Cabinet?

Senator ST. LEDGER.—Exactly; that is in accordance with the constitutional maxim that every schoolboy ought to know. I like to address the term "schoolboy" sometimes to honorable senators. The Governor-General must act on the advice of his Ministers. The word "shall" is rather an ugly word to apply to the King or representative of the King, and the difficulty is overcome in the use of the word "may" by the fact that if the Governor-General were unwilling to carry out the advice of his Ministers they would at once hand in their resignations to him. In this measure, the words "shall" and "may" are used in different clauses, and the Governor-General might contend that one section is permissive and another mandatory, and might claim to exercise his discretion in connexion with permissive provisions. Such a thing is not likely to happen, I admit.

Senator RAE.—Then why talk about it?

Senator ST. LEDGER.—Why substitute the word "shall" for the word "may"? Why not follow the usual verbiage of Acts of Parliament? This provision makes the Governor-General quite ridiculous. We give a discretion to the Minister time after time by the use of the word "may," but it is proposed to use the word "shall" in the references to the Governor-General. In the circumstances, I think we are justified in asking the Minister to tell the Committee some of the reasons which induced the Crown Law authorities to advise the use of the word "shall" instead of the word "may" in this instance.

Senator DE LARGIE (Western Australia) [4.7].—I cannot understand why there should be such strong expressions of opinion on the substitution of the word "shall" for the word "may" in this proposed new section. This is a provision for compulsory enrolment, and it does not deal with the matter of discretion. The whole compulsory principle might be defeated if the Governor-General is given discretion in the issue of the required proclamation.

Senator MILLEN.—The honorable senator must not confuse compulsion upon the elector with compulsion upon the Governor-General.

Senator DE LARGIE.—But if the Governor-General may or may not issue the proclamation, and, in the exercise of the discretion, does not issue it, the compulsory enrolment desired will not be given effect to.

Senator MILLEN.—The honorable senator means to say that if the word "may" were used, it would be optional for him.

Senator DE LARGIE.—Certainly.

Senator KEATING.—Then what about the other cases in which the word "may" is used?

Senator DE LARGIE.—I hold that Senator Keating's reasoning is not applicable to this provision. The honorable senator referred to the clause dealing with the redistribution of seats, but the redistribution of seats is not compulsory. The Governor-General has the power to submit the matter to Commissioners, but when their report is received from the Commissioners, Parliament may or may not act upon it.

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Senator KEATING.—Does the honorable senator contend that the word "may" is not used compulsorily in section 13 of the Act?

Senator DE LARGIE.—I have not noticed all the instances quoted, but in the section providing for a redistribution of seats it is not compulsory.

Senator MILLEN.—Not in connexion with redistribution.

Senator DE LARGIE.—Yes.

Senator MILLEN.—That is absolutely compulsory.

Senator DE LARGIE.—In this Bill we insist upon compulsory enrolment. But compulsory redistribution is not provided for in the Act.

Senator MILLEN.—It is the compulsory issue of a proclamation, not enrolment.

Senator DE LARGIE.—If the Governor-General may or may not issue or refrain from issuing a proclamation, the whole principle of compulsory enrolment may be defeated. Therefore it is necessary to use the word "shall."

Senator KEATING (Tasmania) [4.11].—Senator de Largie has said that, in using illustrations of the word "may" in other parts of the Act, I drew upon parts where it is not used in the compulsory sense. Let me take the first illustration to which I drew attention. Section 13 of the Act reads—

> The Governor-General may appoint three persons in each State to be Commissioners, one of whom, if his services are obtainable, shall be the Surveyor-General. . . .

That is for the purpose of dividing the State. The previous section says—

> Each State shall be distributed into Electoral Divisions, equal in number to the number of members of the House of Representatives, to be chosen therein—

There is no doubt that the State has to be divided; that is compulsory. Then it is provided how the Governor-General may appoint three persons. I take it that "may" is not used there in an optional sense at all. What I am drawing attention to is that invariably, whether the word is used in an optional or obligatory sense in respect to the Governor-General, we have used the word "may." If we now adopt the word "shall" we may do a perfectly good thing, according to Senator Rae, in making the meaning abundantly clear, but the advantage of it will be more than counterbalanced by the disadvantage of the confusion arising in the interpretation of the word "may" used elsewhere.

Senator RAE.—Could we not make subsequent amendments to get over that difficulty?

Senator KEATING.—That would involve the amendment of the whole Act, and several other Acts. If we were to put in the Bill a clause to the effect that wherever "may" is used in the Act, it is to be taken as "shall," we should then use "shall" in cases where "may" is used in an optional sense. By adopting "shall" in this clause, we will cast doubt on the use of "may" where no doubt exists at present in respect of a number of other sections of the Act. How far-reaching the consequences may be it is hard for me or anybody else at this juncture to say; but I think that the Minister will be well advised in adhering to the established practice in draftsmanship. He need not entertain any doubt as to what will be the consequences of the adoption of the word, but he must indulge in a good number of speculations as to what will be the consequences of using "shall" in this provision and "may" in several other provisions, in which a duty is assigned to the Governor-General.

Senator VARDON (South Australia) [4.13].—I think that one would search an English Act in vain to find "shall" used in relation to the King. It should be remembered that the Governor-General is the representative of the King in the Commonwealth. Suppose that we say that the Governor-General shall by proclamation do a certain thing. He cannot move except on the advice of his Ministers. When the Ministers come to the Governor-General and say that they desire a proclamation to be issued, he may sign it. Wherever the King or his representative is referred to in an Act "may" is used, because the responsibility lies with his Ministers. It would create confusion throughout the Electoral Act if in this case we altered "may" into "shall." If we are to have compulsory enrolment, the Government will have to take steps to secure that enrolment, and one of those steps will be for them to go to the Governor-General and ask him to issue a proclamation. Surely honorable senators will not depart from an old-established custom, especially when they know that we cannot use an imperative term in regard to the King, and, therefore, not in regard to his representative.

Senator ST. LEDGER (Queensland) [4.15].—Senator de Largie has urged that, inasmuch as we are going to institute

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compulsory enrolment, therefore the proclamation which is to give effect to the principle is to go in a compulsory form to the Governor-General. The Defence Act is based on the principle of compulsion. Compulsory service is created in the Act. But what do we find in section 140? It says that the Governor-General may by proclamation exempt from training certain persons.

Senator RAE.—That is an exemption from compulsion.

Senator ST. LEDGER.—The basis of the Defence Act is compulsion; and in order to give effect to the Act certain proclamations have to be made, and certain things have to be done through the Governor-General. But in every section "may" is used in regard to the Governor-General. It occurs twice on the page I have before me. Again, in the Naval Defence Act, I find four sections dealing with proclamations by the Governor-General. Sub-section 1 of section 7 reads—

> The Governor-General may appoint a Board of Administrators for the Naval Forces to be called the Naval Board.

Section 16 of the Act says that—

> The Governor-General may appoint any person to be an officer, or promote any officer—

In any provision relating to an act to be done by the Governor-General "may" is used. Take section 22—

> The Governor-General may raise, maintain, and organize such Permanent and Citizen Naval Forces as he deems necessary for the defence and protection of the Commonwealth and of the several States.

The present Government are entirely responsible for the wording of the Naval Defence Act.

Senator RAE.—Do you think that if we put in "shall" it will invalidate this measure?

Senator ST. LEDGER.—No one is talking about that. This is a matter which, unfortunately or fortunately, the Minister himself has raised. Hitherto we have used "may" in our Acts in relation to the Governor-General, even in Acts containing the principle of compulsion.

Senator RAE.—If "may" means "shall," what is the objection to putting in "shall"?

Senator ST. LEDGER.—Because it would make the Bill look utterly stupid. Any person reading the Bill as a document, and seeing "may" used in some parts, and "shall" used in other parts, would be liable to form a misconception as to what was meant. He might say, "This section is permissive," and "That section is mandatory."

Senator DE LARGIE.—But we have not a multitude of Governors-General.

Senator ST. LEDGER.—We all know that. But, notwithstanding all that knowledge, it has been the invariable practice of Parliament, for excellent reasons, not to make any distinction as to the acts of the Governor-General, and to always use the word "may." Because, as a matter of constitutional practice, "may" means "shall" with a certain alternative only attached to it, that is, where he will not take the advice of his Ministers in matters arising under an Act in which "may" is used. Ministers have a power over the Governor-General all the time, because if their advice is not taken they can at once tender their resignations. Once or twice it has happened. Fortunately it does not often occur.

Senator DE LARGIE.—Except as regards the question of taste or politeness of language, I see nothing at all in the point raised.

Senator ST. LEDGER.—Why is "may" right when it is used throughout the Defence Act, which is based on compulsion? What mysterious thing has happened in the consultation between the Minister in charge of the Bill and the Attorney-General? If the object of this alteration is only to give effect to compulsion, the whole Defence Act is gone. Do honorable senators want compulsory enrolment to be more fast and more binding on the Governor-General by employing the word "shall" than they want the Defence Act to be binding on him so far as administration and authority are concerned? Is he to say, "I am more distinctly bound down by Parliament in the compulsory enrolment provisions of the Electoral Act than in the Defence Act"? Unless there is some new legal light thrown on the matter by reason of the consultation with the Attorney-General, the more his proposal is explained and analyzed, the more indefensible it becomes, and the assumptions given by the Government supporters only help to make the thing more ridiculous.

Senator MILLEN (New South Wales) [4.25].—I again ask the Minister to consider the point I raised as to the possible confusion in the minds of the electors, who are to-day filling in a card and making a claim, as to the obligation which is sought

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to be thrown upon them by this clause. It seems to me that the difficulty is bound to arise. I ask the Minister to seriously consider whether it is worth while to launch this Bill with the almost certainty of confusion arising in the minds of the electors? The Minister will see what I mean if he reads the clause with the words "as directed by a proclamation" omitted. The clause now states—

> Provided that where an elector has been enrolled in pursuance of any claim signed by him as directed by a proclamation and is correctly enrolled he shall not be required to sign and send in any further claim—

I say that the proclamation mentioned must mean a proclamation after the passing of this measure, but the Minister, in his statement just now, showed that he intends it to apply to claims filled in before the passing of this measure. Under the clause it is mandatory on an elector to make his claim after the proclamation is issued, but the electors are filling in their claims to-day. I say that they will have to fill in other claims. The Minister says he does not desire that, but I say that, if we pass the clause as it stands, the electors will have to fill in other claims. If the Minister agrees to the omission of the words "as directed by a proclamation," the necessity of electors having to make two applications will be obviated. If those words were left out, the enrolment which is taking place to-day would be made good. It is obvious that, under the clause, electors will be put to a lot of unnecessary trouble. The omission of the words "as directed by a proclamation" would validate the enrolment which is now taking place.

Senator FINDLEY (Victoria—Honorary Minister) [4.27].—I am inclined to think that Senator Millen does not grasp the effect of the provision in the Act. In my second-reading speech I said we had power under the principal Act to compel people to enroll. He did not doubt that for a moment.

Senator MILLEN.—I denied that there is power.

Senator FINDLEY.—The honorable senator said that if there had been a provision in the Act on which such a construction could be placed, it would not have been passed by Parliament, but the principal Act does give power to the Government to compel people to enroll.

Senator ST. LEDGER.—Where do you find that?

Senator FINDLEY.—Section 32 of the principal Act provides—

> New rolls for any polling places subdivisions divisions or States shall be prepared whenever directed by proclamation and in the manner specified in the proclamation or prescribed by the regulations.

In compliance with that provision, a proclamation has been issued.

Senator MILLEN.—If it is tested, it will go to pieces.

Senator FINDLEY.—The proclamation is clear, and can be easily understood by every man and woman who receives a copy of it. Paragraph 3 of the proclamation provides that it shall be the duty of each person in a State who is entitled to enrolment as an elector to fill in and sign a form of claim for enrolment in accordance with the directions contained in the form. The proclamation goes on to provide that the elector shall hand the form so filled in and signed, or cause it to be handed, to a collector, or forward it to the Electoral Registrar for the subdivision in which he claims to be enrolled.

Senator MILLEN.—Then section 32A is unnecessary.

Senator FINDLEY.—We have power to compel the people to enroll, and we have issued a proclamation telling the people that they must enroll. They have been supplied with cards, and when they have filled in those cards and forwarded them to the Electoral Office no policeman or Department will chase them with an intimation that further cards must be sent in. At some time it may be necessary to issue a proclamation saying to the people throughout the Commonwealth that on a certain day, or at certain periods, cards must be filled in, but those who have been supplied with cards, and who have returned them, will not be required to fill in new cards. I believe I am correct in saying that almost every person entitled to vote has been supplied with a card, in this State, at any rate. If people who are entitled to vote in the other States have not been supplied with cards, they will be supplied with them, because it is the desire of the Government that everybody shall have the fullest and freest opportunity to enroll. When the people get the cards and send them in, there will be no obligation on them to send in other cards unless they move from one district to another.

Senator SAYERS.—Will the Government prosecute people who have been supplied with cards and have not sent them in?

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Senator FINDLEY.—The Government will do what is necessary to enforce the law.

Senator MILLEN (New South Wales) [4.31].—I never dreamt for one moment when I spoke on the clause that the Minister was going to rely on a proclamation previously issued, under which an attempt is being made to bluff the electors into the belief that there is power to compel them to enroll.

Senator FINDLEY.—There is no bluff about it. It is in the Act.

Senator MILLEN.—There is no power in the Act to compel people to enroll. I repeat that the introduction of the card system was a sheer piece of bluff to make the electors believe that there is already power to compel them to enroll. If there is that power this clause is not wanted.

Senator FINDLEY.—We do not want any possible shadow of doubt to exist.

Senator MILLEN.—Then there is a shadow of doubt?

Senator GARDINER.—I would like your ruling, Mr. Chairman, as to whether the clause is under discussion, or an amendment.

The TEMPORARY CHAIRMAN (Senator HENDERSON).—There is an amendment on clause 7 before the Chair.

Senator GARDINER.—I would like to ask you, sir, whether Senator Millen is discussing the amendment or the clause?

Senator MILLEN.—I am discussing the amendment.

The TEMPORARY CHAIRMAN.—Senator Millen has been quite in order up to the present.

Senator MILLEN.—It is clear, from the fact that the Ministry have brought in proposed new section 32, which sets out specifically that there is power to compel electors to enroll, that they have the gravest doubt as to whether section 32 in the Act gives them the power they claim. I have no hesitation in saying that it is necessary to pass proposed new section 32 if it is desired to compel electors to enroll. The power to compel electors to enroll is not contained in the Act. It follows that the proclamation that has been issued will be ineffective for the purposes of this measure. Only a proclamation issued after the passing of the Bill can be effective. If the Minister likes to take up an obstinate attitude, and to jeopardize the successful launching of this proposition, I cannot help it.

Amendment agreed to.

Consequential amendment agreed to.

Senator MILLEN (New South Wales) [4.34].—I would like to ask the Minister, in connexion with this clause, which is, of course, the operative clause dealing with the preparation of our rolls, whether any arrangement was arrived at by which joint rolls were collected for the States and the Commonwealth? If that has been done, how far is this new system going to upset any joint arrangement that has been operating?

Senator FINDLEY (Victoria—Honorary Minister) [4.35].—I believe that there is a joint arrangement between the State of Tasmania and the Commonwealth for the preparation of rolls.

Senator MILLEN.—This new system will destroy that arrangement.

Senator FINDLEY.—I do not know that it will.

Senator MILLEN (New South Wales) [4.36].—The Minister states that there is one State which has come to an arrangement with the Commonwealth for a joint roll.

Senator FINDLEY.—Our roll will be compiled in our own way.

Senator MILLEN.—Of course it will be compiled in our own way. I have not the slightest doubt the Minister intends that. I wish to point out that in previous Bills we strained a great many clauses for the express purpose of enabling us to meet the States, in order that a joint roll might be used for State and Commonwealth purposes. It is quite obvious that the introduction of this new element will not only destroy the arrangement made with Tasmania, but will render still more difficult the fulfilment of that hope which has been held out to us of at some time having a joint roll for the States and the Commonwealth.

Senator SAYERS (Queensland) [4.38].—It is provided in sub-section 2 of proposed new section 32A that the regulations "may prescribe penalties not exceeding £2 for any contravention of any regulation." Why should not the word "may" be changed to the word "shall" in that case as well as in the two instances in which that has already been done? If enrolment is to be compulsory, there must be penalties provided for people who do not enroll. The Minister has amended the clause to provide that the Governor-General in Council shall do certain things, and I think that if we are to pass the clause we should provide that there must be penalties inflicted if the regulations are broken. We must not leave it optional for penalties to be prescribed, or

the clause will have no effect. Unless the amendment I suggest is made, any person reading the section will say, "The first part of the section is compulsory, but the second part is not compulsory."

Senator DE LARGIE.—The honorable senator is very rough on his colleagues, who have been arguing the other way.

Senator SAYERS.—I heard the arguments used. I heard Senator St. Ledger speak about the word "shall," and refer to the Naval and Defence Acts. I want to know why the word "may" should be left in in this case, whereas in previous portions of the clause we have changed "may" to "shall."

Senator MILLEN.—What the honorable senator says is that, although "shall" may be wrong, it ought to be put in here as we have it elsewhere.

Senator SAYERS.—Yes. I did not see the reason for changing the word "may" to "shall"; but, as it has been done, it should be done in this case.

Senator LYNCH.—Two wrongs do not make a right.

Senator SAYERS.—Does the honorable senator admit that the Honorary Minister has committed two wrongs?

Senator LYNCH.—No.

Senator SAYERS.—I do not want to say anything about whether it is right or wrong. I simply call attention to the fact that the Minister insisted on the word "shall" going in elsewhere. Why, therefore, should the word "may" be left in this place?

Senator MILLEN (New South Wales) [4.41].—Does not the Minister intend to alter the word "may" as here used to make the Bill uniform?

Senator FINDLEY.—The honorable senator is surely not serious. He said that the word "shall" was wrong previously. Now he wants it to be inserted.

Senator MILLEN.—As the Minister said that "shall" was the proper term to use, he should, to be consistent, insert it here, because this is where the element of compulsion comes in. This is the really operative part of the Bill. If there is any virtue in the use of the word "shall"—which I have not been able to detect—it ought to be manifested here.

Senator SAYERS (Queensland) [4.43].—Will the Minister say "Yes" or "No" to the question that has been put to him?

Senator READY.—Stand and deliver!

Senator SAYERS.—I have a right to ask a question, and do not intend to be bluffed by such a new chum as the honorable senator. When a question is put courteously, the Minister ought to answer it.

Senator MILLEN (New South Wales) [4.44].—Is not the Minister prepared to listen to the argument on this subject? At all events, he should take advice about it. We do not want to pass legislation in such a way that it will be a cause of confusion afterwards. This is not the first time that Bills have been so ill-considered that the High Court has had practically to sweep them off the statute-book. We have defended the use of the word "may" as used elsewhere, because, when used in regard to the Crown, it signified action. But here the word is not sufficient. It is not intended to give an option to the individual elector. The object of the Bill is to compel him to enroll. If it is to be left optional with him, the system of compulsion breaks down.

Senator GARDINER (New South Wales) [4.45].—I wish to ask the Minister whether there will be power by regulation to exempt from compulsory enrolment sections of the community who have conscientious objections to participating in elections in any way? I think there is a section who decline to take any part in electoral affairs. Do the Government reserve to themselves the right to allow such persons to excuse themselves from enrolment? Their objections are worth considering; and this is the time for considering them. I make the suggestion in a friendly way, feeling sure that it is not desired to harass unduly any section of the community.

Senator FINDLEY (Victoria—Honorary Minister) [4.46].—Of course, there is in this community a section that objects to any form of compulsion. Some strongly object to parliamentary institutions of any kind. There is, for instance, the Anarchistic section, who believe, with Emerson, that "the best government is the worst government." Some believe that no good will come to this earth, or to these sunny lands of Australia, until people refrain from exercising the vote on election day. There is another section, strongly Socialistic—I do not know whether they are as strong in other States as they are in Victoria—who very vigorously advocate their objection to the Liberal party, the Labour party, and to all parliamentary action. I must admit that I have a great admiration for some of them, because of their sincere and consistent advocacy of their principles. Such people, if they do not object to enrolment, would certainly object to the exercise of their votes. I do not know, however, of any religious sect that objects to enrolment.

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Senator GARDINER.—I know of one religious body that objects to voting.

Senator MILLEN. — Senator Gardiner voiced the position of those who object on conscientious grounds.

Senator FINDLEY.—The inference from the honorable senator's remark is that the Socialists and Anarchists are not actuated by conscientious motives.

Senator MILLEN.—There may be objections quite apart from what we ordinarily mean by conscientious objections.

Senator FINDLEY.—There is a sect known as the Plymouth Brethren, of whom I know a few—I have a great regard for them—who, I believe, have a strong objection to compulsory voting. But I do not think that it will be well for us to take these objections into consideration now, because if we open the door to those who have conscientious objections, we shall not be able to close it against others who fail to enroll. I cannot hold out any hope to Senator Gardiner that those of whom he spoke can be provided for under this Bill.

Senator DE LARGIE (Western Australia) [4.52].—I offer no opinion as to conscientious reasons that might be advanced by various sects concerning this Bill. Senator Gardiner has opened up a very big question; but to provide for such persons would require a whole clause, which would have to be very carefully drafted. I have risen to offer an opinion on the question of the use of the words "may" and "shall." Whilst I am in accord with the principle of compulsory enrolment, I should certainly oppose the insertion of the word "shall" in this sub-clause, because the effect of it would be that the provision as to the infliction of a fine would be made quite rigid. It would have to be imposed even when there had been no attempt to avoid enrolment.

Senator MILLEN.—The insertion of the word "shall" would not enforce the fine. That would rest with the magistrate.

Senator DE LARGIE.—There may be instances where enrolment will be very difficult. In other cases, good cause may be shown why a person has failed to enrol. In such instances to say that a fine "shall" be inflicted would be unnecessarily harsh.

Senator SAYERS (Queensland) [4.55].—We have not yet had an answer from the Minister to the objection which has been raised. I think that Senator de Largie was wrong in his contention. It will be left to the magistrate hearing a case to say whether a fine shall be imposed or not. All that we can do is to prescribe that persons failing to comply with the Act shall be liable to a fine. We cannot enforce the payment of a particular fine in every instance. We can provide that the penalty shall be £2, but the magistrate hearing a case will have the power to say that the penalty in that case should be only a shilling, or it might be the costs of the prosecution. No one contends that the Minister should have the power to impose all fines. The Government propose that the Governor-General in Council "may" prescribe a penalty or not; but in dealing with the issue of a proclamation they use the word "shall." The Committee is entitled to some consideration, and the Minister cannot expect to force the Bill through by refusing to answer reasonable questions. I ask him now to say why the word "may" is used in some of the clauses and the word "shall" in others?

Senator LYNCH (Western Australia) [4.59].—I think that honorable senators opposite are "barking up the wrong tree." I remind them that the proposed new section does not specifically refer to the refusal of any person to be enrolled, which was the point to which they have directed all their attention. It provides that the regulations—

> may prescribe penalties not exceeding Two pounds for any contravention of any regulation made in pursuance of this power.

That does not necessarily imply that the Government will shrink from imposing a penalty upon any person for refusing to be enrolled. The first part of sub-section 2 of the proposed new section amply provides that it shall be the duty of the Government to make regulations, and do everything necessary or convenient, for carrying a system of compulsory enrolment into effect.

Senator MILLEN.—But suppose the elector does not do it?

Senator LYNCH.—There is an obligation cast upon the Government to do all that may be necessary to see that it is done. There is a power then to impose necessary penalties, but that may have reference to any form of offence under the Bill, and not merely to a refusal to become enrolled. It may refer, for instance, to a person giving a wrong name, or to a refusal to have his name changed from one roll to another within the proper time.

Senator MILLEN.—It is limited entirely to compulsory enrolment. The general power to make regulations is dealt with in the last section of the existing Act.

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Senator LYNCH.—Does not the honorable senator see that the first portion of sub-section 2 of the proposed new section imposes upon the Government the obligation of providing regulations to prescribe all that may be necessary to carry the system of compulsory enrolment into effect.

Senator MILLEN.—There is no element of compulsion until we say to electors that, if they do not enroll, they will be punished.

Senator LYNCH.—I have already said that the penalties referred to might apply to various offences against the Act, and not necessarily to a refusal to be enrolled.

Senator GARDINER (New South Wales) [5.2].—I wish to submit an amendment. I move—

That the following words be added to the proposed new section, "Provided that the regulations may exempt from enrolment any person who conscientiously objects to participate in elections."

I do not wish to deal with persons who merely say that they object to vote at an election, but I think the regulation should be so framed as to exempt from enrolment persons who send in applications for exemption on the ground of conscientious objections. If there are conscientious objectors —I do not care whether they are many or few—and they desire to escape the troubles which all who are compelled to enroll will have to go through, it is, I think, only fair to give them the alternative, if they conscientiously object to fill in cards of application for enrolment, of filling in cards of objection to enrolment. That should be considered sufficient to exempt them from being compelled to have their names placed on a roll for elections in which they have no desire to participate in any way whatever.

Senator VARDON (South Australia) [5.4].—I have very great pleasure in supporting the amendment. It has been represented to me that there are a number of persons who object to vote at elections. They belong to a certain religious sect. I do not know their numbers or whether they are represented in every State in the Commonwealth, but they hold that they ought not to take any part in either municipal or parliamentary elections.

Senator DE LARGIE.—Does their objection extend to enrolment?

Senator VARDON.—Yes; they will never enroll their names on a parliamentary or a burgess roll. City valuators generally put their names on burgess rolls because they are ratepayers, but they never exercise a vote and never go near a poll. I intended to move a similar amendment by proposing the insertion, after the word "shall," of the words "unless he or she has conscientious objections to so doing." But the amendment submitted by Senator Gardiner covers the ground quite as well. I think that the conscientious objections of any person should be respected. We have recognised this in the Defence Act, and have provided that those who object to fighting need not go into the firing line.

Senator DE LARGIE.—That is quite different.

Senator VARDON.—Admitting that, I say that the principle of consideration for conscientious objectors is recognised in the Defence Act, and no harm will be done if the same principle is recognised here. The number of persons who conscientiously object to record a vote may represent but a very small percentage of our people; but that is no reason why we should not give them an opportunity to make a declaration that they have conscientious objections to vote. I support, with all my heart, the proviso submitted by Senator Gardiner. We shall do no injustice to any one by adopting it.

Senator LYNCH (Western Australia) [5.7].—I hope the Minister will not accept the amendment. Senator Vardon has said that a similar provision is to be found in the Defence Act. But there is hardly any parallel between the two. Persons who have conscientious objections to military enrolment or discipline are not, under the Defence Act, completely exempted from the obligations cast upon every person to defend the country.

Senator VARDON.—But the principle is recognised, and that is all I said.

Senator LYNCH.—They are obliged still to take a very important share in the defence of the country. I think Senator Gardiner must recognise that it is quite possible that some people will suddenly awaken to the fact that they have a political conscience, and, having an aversion to being compulsorily enrolled, may conveniently fall back upon his amendment, if it be agreed to, to escape the obligation which this measure would otherwise cast upon them. I think that the place of those who have no desire to take part in elections should be down near the South Pole, far removed from human society. But while the honorable senator might desire to meet the wishes of a very insignificant number of such persons, he must see that his proposal would open a door

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by which the provisions for compulsory enrolment would be defeated. A man might say, "My conscience leads me to believe that it is not right that I should be called upon to be enrolled against my will. I shall, therefore, on the ground of conscientious objection, refuse to be enrolled." If that course were followed to any extent, this measure would become an absolute nullity. I am sure that honorable senators do not desire that. While we might like to take into consideration the feelings of the people to whom Senator Vardon has referred, the amendment might be taken advantage of to escape enrolment for entirely different reasons. I think it would be very unwise to agree to the amendment.

Senator FINDLEY (Victoria—Honorary Minister) [5.10].—I sincerely hope that Senator Gardiner will not get anything like a following for his amendment, because we might as well abolish compulsory enrolment if we once allowed those who state that they have a conscientious objection to enrolment to stand in a different position from those who are prepared to take an active and intelligent interest in the government of the country. There are some persons in the community who have a conscientious objection to compulsory education, but no person nowadays will say that a provision should be inserted in the Education Act that those who do object should have an opportunity of keeping their children away from educational institutions, and that the children should be left to grow up in the way which their parents thought fit. There are persons who have a conscientious objection to any kind of work being performed on a Sunday. We had an instance of that kind of objection in Victoria a short while ago, when a Premier, not long deceased, was waited upon by members of a religious organization—I think it was the Lord's Day Observance Society—who had a conscientious objection to the running of trains on Sunday afternoon. He, after listening to the arguments advanced, said that he had been impressed by what they had stated, and that he would consider, and, I think, consult the Cabinet, as to the advisability of giving effect to their conscientious objection to the running of trains, not merely on Sunday afternoon, but during any part of that day. When it was proposed to stop the running of the afternoon trains it was all right, but when it was proposed to stop the running of all Sunday trains it was a different thing. I have not heard any more of these persons since that time. The stopping of the church trains would, of course, have made a considerable difference to some members of the deputation. In the community, too, we have a very large number of persons who have a conscientious objection to war. Quakers do not believe in war, or in militarism in any shape or form.

Senator W. RUSSELL.—And they are good people, too.

Senator FINDLEY.—Yes; those I have known have been exemplary citizens. During the progress of the war between Great Britain and South Africa, some of these persons were called by all sorts of offensive names. Epithets were hurled at them by so-called Christian people, who ought to have been ashamed of themselves for indulging in such language and conduct. But, after the war was concluded, it was found by a number of thinking persons that the Quakers had taken up the right attitude. The Quakers in Australia petitioned Parliament, and circularized every one of its members, in regard to compulsory military service, because of their conscientious objection to militarism or war in any shape or form, but we did not exempt them in the Defence Act. If war did break out, they would have to perform work which would be perhaps less pleasant to them than the work which otherwise they would be called upon to perform.

Senator LYNCH.—Much safer, too.

Senator FINDLEY.—What solid reason can this religious sect have to allowing their names, occupations, and addresses to appear on a printed document?

Senator ST. LEDGER.—Suppose they put it the other way about, and asked you, "In the name of common sense, why do you want that?"

Senator FINDLEY.—Whilst we have parliamentary institutions and governments as we understand them to-day, we want people to take an interest in their country, and to exercise their votes in the way that is necessary to insure proper representative government.

Senator MILLEN.—These people will not vote, and you do not propose to make them vote. Then what is the sense of compelling them to enroll?

Senator FINDLEY.—Why should we legislate for a section of the community, who, it is alleged, will not exercise the franchise if their names are on a roll? We are not legislating at the present time for compulsory voting, but for compulsory enrolment, and we want every adult citizen to be on a roll. I cannot understand why

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any objection to enrolment is raised. It may be that these people have a conscientious objection to enter the arena of politics. That is another matter, and they are not alone in that regard. I could name at least half-a-dozen organizations—fairly strong numerically, and pretty strong mentally—which object to compulsory enrolment, to compulsory voting, and to parliamentary institutions, but we are not going to legislate for such persons yet. I hope that the Committee will not seriously entertain the amendment of Senator Gardiner, because, if to-day we were to permit one small section to be free from the obligation of compulsory enrolment, to-morrow, or the day after, somebody else would be moving for some other organization or sect to be freed from that obligation. Once we opened the door, we would create a danger in regard to a system which we want to be given a fair and legitimate trial, and for that purpose it is, in the opinion of the Government, imperative that all adult citizens should be compulsorily enrolled.

Senator RAE (New South Wales) [5.20].—I intend to support the amendment. I do not think the Minister's arguments are sufficiently sound to furnish anything like a valid objection to it. His arguments, if they are sound, mean that parliamentary institutions are only maintained by compulsion, that they are in such general discredit with the people that if we once allowed what he termed the open door in regard to these matters the number of persons who object would increase and increase so much that eventually there would be no one left to elect any of us. I consider that, if parliamentary institutions are falling into such discredit with a majority of the people, if we once allow the liberty permitted by the amendment by-any-by there will be no one left to elect members of Parliament, and, I suppose, no one left to be elected. If there is anything approaching to such a position it is clear that parliamentary institutions have outlived their usefulness, and society will be prepared to manage things differently. I feel quite certain that the Minister does not believe that the amendment, if carried, will do more than perhaps give the Department a little trouble in seeing that it is not abused. To imagine, as he does, that the opening of this door will lead to fearful disasters is, I am sure, a mere rhetorical flourish. Let us examine for a moment the value of his comparisons. Why do we have compulsory military training? It is for the purpose of defending the Commonwealth against aggression which we think could not be fairly accomplished, with the means at our disposal, in any other way. But does any one argue for a moment that the abstention of a limited number of persons from enrolling for conscientious reasons would lead to a breakdown of our electoral system? Can any one imagine for a moment that a person who has no conscientious objection to enrolment will go to the trouble of filling up a form in order to escape enrolment, and thereby cause a breakdown of the electoral system? If there is any argument in favour of compulsory enrolment at all, it is that a vast majority of persons desire to vote, that as they can please themselves when they enroll the policy of drift which is common to nearly all of us will lead them to put off the day, and as the election approaches they will find that they have not the means of voting, however much they desire to vote. It will merely be a method of promoting and inducing persons to fulfil their duty, as it were, to save themselves, as we so often require to be saved. I take it that the Minister himself believes that the bulk of the people of the Commonwealth are behind him, or he would not propose compulsory enrolment. That being so, the bulk of the people would have enrolled if there had been no compulsion, and, therefore, will not refuse to enrol any the more now that there is compulsion. It has frequently been urged that a policeman has no terrors for a man who is not an evil-doer, either actually or in intent. If a policeman has no existence for a well-doer, in the same way this compulsory clause will not affect a man or a woman who has always enrolled, but it is supposed to affect a person who has a conscientious objection to vote. It seems to show the inconsistency of the whole business of compulsion when we compel persons who have conscientious objections to the whole of the electoral machinery, to enroll, and yet permit them to refuse to exercise the suffrage. Speaking broadly, those who do enroll, and who believe in parliamentary institutions, are the proper persons to run them, and those who have to be driven to vote at the point of the bayonet are not of much use to any party. I think that, in our laws, we should, as far as possible allow the utmost freedom to those who have conscientious objections. Certainly no one would go to the trouble involved in filling up the card or form which would secure him exemption unless he had a conscientious objection, because

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the trouble involved therein would be quite equal to the trouble involved in enrolling. I trust therefore, that the good sense of the Committee will be in favour of passing this amendment, notwithstanding the arguments of Senator Lynch and Senator Findley. I can see no danger whatever, if our parliamentary institutions are worth preserving, in allowing people who have conscientious objections the right, not only to voice their objections, but to give effect to them.

Senator GARDINER (New South Wales) [5.26].—One of the arguments put forward by Senator Findley, as an objection to the amendment, was that education is compulsory. He quite seriously said that there are people who have conscientious objections to educating their children. There is no analogy between that case and the case with which we are dealing. The non-education of children is an injury to the State.

Senator RAE.—And to the children.

Senator GARDINER.—It is an injury to the children in the first place, and to the State in the second place. No injury is done to the State by allowing a man's name to remain off the roll. A child is unable to protect himself, so the Government steps in. It provides that he must be educated, and protects itself by having an educated people. In connexion with people who have conscientious objections to enrolment I would point out that we can make the means of getting exemption more difficult than the means of getting on the roll. We can so frame these provisions that those who have conscientious objections to being enrolled will not be saved any trouble. This is purely a matter of whether those who are strong are going in any way to consider the weak.

Senator MCGREGOR.—You and Senator Rae are not weak, and you are for the conscientious objectors.

Senator GARDINER.—Senator McGregor and Senator Findley may use a giant's strength in a way they should not use it, but, in a few years' time, there may be a Socialistic party on the benches they are occupying now.

Senator DE LARGIE.—Is this not a Socialistic party?

Senator GARDINER.—I do not want to quibble on that point. I will say a more Socialistic party. There may be a Government which will go a step further than the present Government, and say, "We will compel all the people, whom you compelled to enroll, to vote." What would happen then?

Senator W. RUSSELL.—I think it would be a good thing.

Senator GARDINER.—There are members of certain religious sects who object to voting. They would be compelled to vote, or would be summoned before a magistrate, and fined.

Senator MCGREGOR.—Did those people ever read the advice of Christ—"Render unto Cæsar the things that are Cæsar's"?

Senator GARDINER.—I have no doubt the people to whom I refer could even hold their own in biblical quotation with the honorable senator. I, in my humble way, am endeavouring to prevent Cæsar taking more than his share, whether Cæsar is represented by this Government or some other Government. There is another section in the community who have conscientious objections to voting. I refer to the Anarchists, who have higher ideals than the Socialists. The Anarchists believe that the community should be a law unto itself. They believe that the people should be so pure that they would not injure any one, or do any wrong, and that, therefore, no laws should be required to regulate the community. The Anarchists believe that they, and other people, are so pure and good that Governments are out of place. They believe that our form of government is merely government of the weak by the strong, and that many powers are exercised in the name of government which should not be exercised at all. If there are people who conscientiously object to participating in the government of the country, why should we compel them to enroll? Very few people will be affected by the amendment proposed, and if they are few in number, and are weak because of their lack of organization, the greater the reason why we should consider their objections. We will not only be doing no injury by allowing this exemption, but we will be showing even to those few people that this Senate and this Parliament are prepared to consider the claims of any section of the community. It is reasonable for any man to refuse to have his name enrolled, and we should respect his objection. This Parliament, in my opinion very wisely, gave the franchise to women. Quite a number of good women in this community refuse to exercise the franchise. Quite a number of them refuse to have their names placed on the roll. If they conscientiously object to having their names placed on the

roll, and refuse to be enrolled, I suppose they are to be hauled before the Court by the Federal Government, and fined. I did not put these aspects of the question in moving the amendment because I thought it spoke for itself. I thought that the Government would deal with this measure in the same way as nearly every other measure is dealt with, and that any reasonable proposition put forward would be accepted. In connexion with military training I recognise that the danger which menaces Australia compels us to prepare against an invasion, and, therefore, every able-bodied man should be trained to resist an invasion. It is necessary also that there should be compulsory education, but compulsory enrolment is not necessary. No injury can be inflicted on any one by people who have conscientious objections to enrolment being exempted. The State does not suffer in the slightest degree.

Senator FINDLEY.—Do you not think that some of those indifferent citizens who suffer from *ennui* should get a prod now and again?

Senator GARDINER.—I would make it more difficult to get an exemption than to get on the roll. Some Legislatures have made vaccination compulsory. If I were living in a community where vaccination was compulsory, I would have to go to gaol on account of my objection to vaccination, on my own behalf and my children's behalf. I am prepared to go to any extent in maintaining my objection; and I want to put before the Senate the interests of other people similarly situated in a matter which is not of so much importance to the community. If the Government refuse to accept the amendment, I hope the Senate will carry it. It is not proposed that those people who have conscientious objections to enrolment should be allowed to be exempt simply by remaining idle. The regulations for exemption can be made as drastic as possible; but those who do not wish to enroll should be allowed to say whether or not their names shall go on the roll.

Senator DE LARGIE (Western Australia) [5.35].—Senator Gardiner has spoken twice now to his amendment, but he has not mentioned a single religious sect the members of which hold that putting one's name on a parliamentary roll is a wrong thing to do.

Senator MILLEN.—If there is no such sect, the amendment will be useless.

Senator DE LARGIE.—That is so. The amendment is nonsense.

Senator GARDINER.—I cannot speak for any other religious body, but time after time the Plymouth Brethren have told me they object to taking any active part in election matters.

Senator DE LARGIE.—An election is one thing, and enrolment is another.

Senator FINDLEY.—Why should the Plymouth Brethren be the only sect mentioned if there are several others?

Senator DE LARGIE.—Seeing that no one can have a conscientious objection to his name being placed on a parliamentary roll, there is no necessity for the amendment.

Senator MILLEN.—It does not follow that your conscience is the same as other people's.

Senator DE LARGIE.—Let Senator Millen point out a religious sect that has an objection to enrolment.

Senator RAE.—It might be an irreligious sect. It would be entitled to the same consideration.

Senator DE LARGIE.—Then let Senator Rae point out an irreligious sect which objects to enrolment. The mover of the amendment, and honorable senators who have supported it, have failed to show any necessity for it.

Senator RAE.—No one so blind as those who will not see.

Senator DE LARGIE.—In this case, there is nothing to see. We have not got the lively imagination of Senator Rae, and cannot see something that does not exist. I hope the Minister will not allow any nosensical amendments to go into the Bill.

Senator LYNCH.—This is an amendment favoring the Anarchists.

Senator DE LARGIE.—The only prominent Anarchist I know of in this neighbourhood is one whose name usually figures in the press when he has called for the protection of the police. Evidently he wants some system of government more often than most people. The case of the Quakers has been referred to. The opinions of the Quakers are well known. The objection which they hold to political matters has nothing to do with enrolment. I am quite sure this Parliament, and every other Australian Parliament, has always respected the religious scruples of people when passing legislation; but it has not been shown that there is any religious sect in Australia—and we have members of almost every religious sect in our midst—the members of which hold that it is a wrong thing to enroll their names on a

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parliamentary roll. There are reasons for enrolment other than the use of the roll merely for election purposes. It is the duty of the Commonwealth Government to provide certain statistics; and how are you going to provide those statistics unless you have a roll of this kind?

Senator RAE.—You will have a list of the objectors, and you can add them to those on the roll. If you have nothing more difficult to put than that, you should sit down.

Senator DE LARGIE.—Than what?

The CHAIRMAN.—I must ask the honorable senator to address the Chair.

Senator DE LARGIE.—This roll will be of assistance in connexion with Census returns, and for statistical purposes of a hundred and one kinds; and we should have it for that purpose, if for no other purpose. Some reference has been made to the exemptions under the Defence Act, but I do not know that those who are exempt get any advantage. Because we find, reading the Act, that, whilst they may be exempted from taking part in the fighting, they are not exempt from service. Those who refuse to serve in the ranks may be requisitioned for hospital service, and other duties. The persons exempt under the Defence Act are Judges of Federal and State Courts, ministers of religion, members of Parliament, persons employed in lighthouses, and persons who satisfy the prescribed authority that their conscientious beliefs do not allow them to bear arms. Senator Gardiner and those who are supporting the amendment have failed to point out a single religious sect which entertains religious beliefs in antagonism to compulsory enrolment.

Senator ST. LEDGER (Queensland) [5.44].—There is a great deal of reason in the arguments of Senator Gardiner for this amendment. The right to exercise an influence over the government and legislation of a free country by a person who has come to adult age and is of sound mind is, in my opinion, inherent. It is almost as much a right as is the right to live.

Senator FINDLEY.—The honorable senator's new-born zeal for the Plymouth Brethren is remarkable.

Senator ST. LEDGER.—I am speaking in defence of the principle of liberty of conscience.

Senator MILLEN.—Why should Senator Findley despise the Plymouth Brethren?

Senator FINDLEY.—I do nothing of the kind.

Senator ST. LEDGER.—I do not care whether a man is a Socialist, an Anarchist, or a member of the Plymouth Brethren, from the point of view of determining this question. In a free country it is a man's inherent right to vote as he likes. If that be admitted, does it not follow that he has an inherent right not to vote if he does not choose to do so? Who is injured by his refraining from voting? He does not injure the rest of the community. He may injure himself, but that is his affair. There may be a number of candidates standing for election from the whole of whom an elector entirely disagrees. The whole of their principles may be antipathetic to him. Why should he not have a right to say, "I will not vote for any of these men"?

Senator RAE.—What we really want is a negative vote, so that an elector may be able to vote against a candidate.

Senator ST. LEDGER.—If that were permitted, the negative vote cast against some candidates would be overwhelming. It is tyranny to force a man to exercise his voting power when he does not choose to do so. I am against compulsory enrolment altogether, and I do not believe that the provisions of this Bill in regard to it are worth the paper on which they are printed. It is argued that the Government of the country compels people to have their children educated, and also compels youths to participate in the defence of the country. But the reason why we insist on the education of people is because it is believed that an uneducated person is a menace to the community. Similarly, we insist on a certain amount of military service because we believe that that is essential to the safety of the community. But because we believe that the national welfare and the national safety require persons to do certain things, it does not logically follow that the national well-being requires every person to vote. I do not care how few may be the persons who have conscientious reasons for not voting—their motives ought to be respected. We are very careful under our Constitution to keep separate the State and the Church. We guarantee liberty of worship to every individual who comes under our jurisdiction. That, in itself, implies respect for the conscientious beliefs of the people. Why not respect their conscientious scruples in regard to enrolment and voting?

Senator MCGREGOR.—If a cannibalistic section sprang up in the country, would the honorable senator insist on being eaten because of their conscientious beliefs?

Senator ST. LEDGER.—The mind of the Vice-President of the Executive Council is too gigantic, and his thought soars too high, for me to follow him. It is absolutely unthinkable that a Minister should seek to draw an analogy between cannibals and persons enrolling themselves under our electoral system.

Senator McGREGOR.—Has not a cannibal a conscience?

Senator ST. LEDGER.—What has that to do with the question? I doubt whether there is a deliberative assembly in the world in which a responsible Minister would make such a frivolous remark concerning a serious question. Of course, I regard this compulsory-voting proposal as more or less of a circus demonstration on the part of the Government, and probably the Vice-President of the Executive Council is doing his best to bring the circus part of the business into prominence.

Senator DE LARGIE.—The honorable senator should keep away from comparisons about circuses.

Senator ST. LEDGER.—Why? Because there are so many clowns sitting in front of me? This amendment ought to be entertained, because we know that there are many persons who object to exercise, not only the parliamentary, but the municipal franchise. What harm can it do to respect their feelings? The Government of the country ought to be tender towards the conscientious susceptibilities of its people. In the name of liberty and conscience, we should respect them, even if there are only a dozen in the community.

Question—That the words proposed to be added be added—put. The Committee divided.

Ayes	...	...	11
Noes	...	...	16
Majority	...	...	5

AYES.

Cameron, Lt.-Colonel	Rae, A.
Chataway, T. D.	Sayers, R. J.
Gardiner, A.	St. Ledger, A. J
Keating, J. H.	Vardon, J.
McColl, J. H.	*Teller:*
Millen, E. D.	Walker, J. T.

NOES.

Barker, S.	O'Keefe, D. J.
Blakey, A. E. H.	Pearce, G. F.
Buzacott, R.	Ready, R. K.
de Largie, H.	Russell, E. J.
Findley, E.	Russell, W.
Henderson, G.	Story, W. H.
Lynch, P. J.	
McDougall, A.	*Teller:*
McGregor, G.	Long, J. J.

Question so resolved in the negative.

Amendment negatived.

Senator SAYERS (Queensland) [6.0].—I should like the Minister to say whether he believes the proposed new section will be effective if the word "may," in sub-section 2, is retained?

The CHAIRMAN.—I point out to the honorable senator that we have already dealt with an amendment at the end of the clause, and it will not be competent for him to move an amendment in an earlier part of the clause.

Senator SAYERS.—I do not propose to move an amendment; but I wish the Minister to be courteous enough to reply to my question. If he will tell the Committee that he is satisfied that the proposed new section will be all right, with the word "may" in the latter part of sub-section 2, and the word "shall" in earlier parts of the proposed new section, I shall be satisfied. Our numbers may be small, but we deserve courtesy from the Minister.

Senator FINDLEY.—This is the form usually followed in respect of the matters included in the provision about which the honorable senator is so much concerned. As he is so persistent in the matter, why did he not move an amendment.

Senator SAYERS.—I asked the question long ago, and if the Minister had had the courtesy to say that he was satisfied that the proposed new section would be all right, I should have had to accept his statement. He explained why it was necessary to substitute the word "shall" for the word "may" in two other parts of the proposed new section, and it was only natural that I should ask whether the word "may" should not be altered to "shall" in the latter part of sub-section 2. I should like the Minister to explain that he is satisfied that these penalties can be enforced without the substitution of the word "shall" for the word "may."

Senator FINDLEY.—Of course I am satisfied.

Senator VARDON (South Australia) [6.3].—I should like to know how this proposed new section is going to be enforced. Sub-section 2 provides—

> The regulations shall prescribe anything necessary or convenient to be prescribed for carrying a system of compulsory enrolment into effect and may prescribe penalties not exceeding Two pounds for any contravention of any regulation made in pursuance of this power.

A person entitled to enrolment might be liable to penalties for breaches of three or four of these regulations, and I wish to

know if there is any simple and easy means of enforcing this proposed new section if we pass it. It is of no use to insert a clause in a Bill if it is going to be a dead letter, and I think that is what is likely to take place in this case. The Minister of Defence, in introducing the Bill, told us that about 20 per cent. of our population live a nomadic life, and are continually on the move from one district to another. It is going to be a big contract to see that all those persons conform to every regulation which may be laid down in connexion with compulsory enrolment. Unless there is some way of easily and speedily detecting those who fail to comply with the regulation under this provision, it will not be worth the paper on which it is printed. The Government might have indicated what they intend to do by regulation to insure that this provision shall be a living force in the measure. So far as I can see at present, I do not think that the proposed new section will be of any use in the betterment of our electoral rolls.

Senator MILLEN (New South Wales) [6.7].—I should like to direct the attention of the Minister to the case of residents of Australia who, I think, will be compelled under the proposed new section to be enrolled, but whom it would clearly be undesirable to enroll in any circumstances. I speak of people who merely visit Australia, such as wool-buyers, for instance, but who stay here long enough to qualify for enrolment, and would, therefore, under this provision, be compelled to enroll. In no sense can they be regarded as citizens of Australia. When they became entitled to be enrolled, they might be on the eve of returning to the country from whence they came.

Senator McGREGOR. - Most of them would require to be naturalized.

Senator MILLEN.-- Does the honorable senator mean to say that most of the people who visit Australia as members of theatrical companies, or as wool-buyers, would require to be naturalized. If so, he can know very little about the subject.

Senator FINDLEY.—I have met a number of foreign wool-buyers, but one would think, to hear the honorable senator, that there is an army of wool-buyers in Australia.

Senator MILLEN. The honorable senator's interjection is disheartening to one who is trying at this stage to perfect the Bill. I have fought some of the provisions of the measure, and will fight others; but I am dealing now with a matter which should not be open to a suspicion of party feeling. Numbers of persons visit Australia as members of theatrical companies, as tourists, wool-buyers, and men in various walks of commercial life. They may stay here in the one electoral district for six or seven months, and so become entitled to be enrolled. This Bill makes provision that if a person is entitled to be enrolled he shall be enrolled. I am suggesting to the Minister merely that he should take some power by regulation to deal with such cases. It may be said that sojourn in Australia is not residence, but if the Minister will look at the Act he will find that the qualification is in respect of a person not under twenty-one years of age, male or female, married or unmarried, who has lived in Australia for the prescribed period. There is no question of domicile, but merely of residence, in Australia for the prescribed period. If a person is entitled to vote the compulsory provisions of this Bill will apply to him. The Minister should take, for himself or the Department, the power by regulation to say that no one who is merely a visitor shall be compelled to enroll, since he would in no sense be a citizen of Australia. It is not desirable to load up our rolls with the names of visitors of that kind. I suggest that the Minister should take power to frame a regulation to meet cases of that kind.

Senator FINDLEY (Victoria—Honorary Minister) [6.10].—I wish the Leader of the Opposition to understand that there is no desire to unnecessarily load the electoral rolls of any State. From time to time, as he has stated, persons engaged in the musical, theatrical, and other professions, and wool-buyers come to Australia, but I do not know that it will be safe to say that because they may live here for only six or eight months they should be relieved altogether from responsibility in regard to compulsory enrolment. I do not expect that any one of them could give a guarantee as to how long he will be in Australia, unless, of course, he was under a specific engagement with musical or theatrical *entrepreneurs*. But to meet any case of seeming hardship or apparent injustice——

Senator MILLEN.--I am prepared to rest my objection on this ground, that it is undesirable to put on the rolls persons who are not citizens of Australia.

Senator FINDLEY.—There is no desire on the part of the Government to do that.

Senator MILLEN.—You cannot get away from that.

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Senator FINDLEY. — The honorable senator suggested that in drafting the regulations something might be done in the direction he indicated.

Senator MILLEN.—If you take power in the Bill to frame such regulations.

Senator FINDLEY.—If an imaginary injustice which may be done to some visitors to Australia can be remedied by regulation, the honorable senator can depend upon it that his suggestion will receive consideration.

Senator MILLEN (New South Wales) [6.12].—The Minister has quite overlooked the fact that it is of no use to talk of remedying anything by regulation unless the power to frame a regulation is taken in this measure. If, however, the clause is passed as it is, he will not be able to make a regulation to provide for these cases, because it is obligatory that everybody who has lived in Australia for a certain time, and in an electoral division for a certain period, has to enroll. I am not dealing with the provision from the stand-point of an injustice being done. I do not know that it would be a particular injustice to ask any one who had lived here for six months to enroll his name. The point I urge is that it is undesirable that we should have on our electoral rolls the names of persons who are not citizens. These rolls are supposed to represent the people in whose hands rest the political future of this country. To load them up, even with a sprinkling of visitors, seems to me to be entirely undesirable.

Clause, as amended, agreed to.

Clause 8—

After section sixty-one B of the Principal Act the following section is inserted :—

"61C.—(1.) It shall be the duty of every person, who is entitled to be enrolled as an elector and who is not so enrolled, to fill in and sign, in accordance with the Act and the regulations, a form of claim for enrolment as an elector and to forthwith send or deliver it to the proper officer.

. . . . . .

Senator FINDLEY (Victoria—Honorary Minister) [6.14].—In order to correct a printer's error, I move—

That the words "section is" be left out, with a view to insert in lieu thereof the words "sections are."

Amendment agreed to.

Senator VARDON (South Australia) [6.15].—I want to move an amendment in sub-sections 1 and 2 of proposed section 61C. We ought not, I think, to enumerate in an Act the duty of a person. We have already passed a clause which will compel persons to enroll, and I suggest to the Minister that sub-section 1 of proposed section 61C should be so altered as to read—

Every person who is entitled to be enrolled as an elector and who is not so enrolled shall—

That alteration, if made, will improve the wording of the provision, and specify what has to be done by a person. We ought not to say that it is the duty of an elector to do this, that, or the other, but to say that he "shall" do a certain thing. The Minister might, I think, accept my suggestion to delete "It shall be the duty of," and to substitute "shall" for "to" before the word "fill."

Senator FINDLEY (Victoria—Honorary Minister) [6.16].—Senator Vardon has stated that if the amendment which he has suggested were adopted, it would delete superfluous words and simplify the provision. There may be something in the suggestion. At the same time, I am not prepared to adopt it, because we are desirous that the Committee shall pass the Bill in the way in which it has been drafted.

Senator MILLEN (New South Wales) [6.17].—I only rise to express my disappointment at the evident determination of the Minister, no matter whether there is reason or no reason for it, to resist any suggestion for a change. Senator Vardon has referred to one of the matters to which I directed attention in my second-reading speech. The reason I urged why this provision was open to criticism was that it was quite novel to have what I termed a little moral lecture set out. Nowhere else in the Bill do we find it set down that this, that, or the other thing is the duty of a person. Even the clause, which states that the Registrar shall be the Electoral Registrar under section 61, does not set out that it shall be his duty to do so and so. It says that he shall do a certain thing. Similarly in this clause, with a desire to be simple and brief, we ought to say that the elector shall do that which a previous clause imposes upon him.

Senator McGREGOR. — Sometimes he wants to be reminded of his duty.

Senator MILLEN.—If the purpose of the provision is to give the elector a moral lecture, well and good, but it is getting away from that simplicity of drafting which marked the Acts of this Parliament for many years. The late Mr. Kingston always tried to delete unnecessary verbiage, and he succeeded, very much to our advantage; but now we are asked to go back and adopt a phrase which, as far as any legal value is

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concerned, is utterly useless. Senator Findley need not fear that if the superfluous language were deleted it would in any way weaken or destroy the effect of the clause. If he is influenced by that fear, I shall be satisfied if he will say that, while not willing to adopt the suggestion now, he proposes to take further advice, and if he finds that the clause will not be weakened or destroyed by the suggested alteration it will be recommitted later for that purpose.

Senator VARDON (South Australia) [6.20].—In moving an amendment I have no desire to injure the Bill in any way. I move—

That the words "It shall be the duty of," line 3, be left out.

The late Mr. Kingston tried to make the provisions of a measure as plain, clear, and imperative as he possibly could. What is the use of inserting in the clause the words "It shall be the duty of"? It has already been provided that every person shall enroll, whether he considers it his duty to enroll or not. Instead of loading up the clause with unnecessary verbiage, why not make it absolutely plain that every person who is expected to do a certain thing shall do it? Surely, if an amendment is to be rejected, no matter how good it may be, simply because it comes from this side, it is a poor compliment to pay to the Ministry or to the draftsman of the Bill. I submit the amendment, not in a spirit of hostility, but simply with a desire to improve the drafting of the clause, and to make its meaning absolutely clear. I am surprised that the Minister cannot see his way to accept it.

Senator SAYERS (Queensland) [6.22].—Will the Minister state his objection to the omission of the words "It shall be the duty of" from sub-sections 1 and 2 of proposed section 61C? I cannot see what good their retention can do, and certainly their omission would make the provisions clearer and plainer. At present they tell persons what is their duty. I think that every man has an idea of what his duty as an elector is, and he does not care to have a lecture addressed to him in an Act of Parliament. The Minister will not accept an amendment from this side. He has simply stated that these words are in the provision, and must be carried. I ask him if he really thinks that there is any danger in omitting them? I am sure that no one on this side wishes to lead him into a trap. I do not wish to take any course which would weaken the Bill. In fact, I think that this clause would appear much stronger to an ordinary person if the suggested amendment were made. Surely the Government are not going to take up the stand that, no matter what amendments may be proposed, it shall not be made. The Minister recognises, I think, that the words objected to are not required.

Senator MILLEN.—He admits that.

Senator SAYERS.—I think the Minister sees that. There has been an error in draftsmanship, and it should be corrected. In the introductory words of the clause there was a verbal error, and the Minister called attention to it.

Senator FINDLEY (Victoria—Honorary Minister) [6,26].—I ask the Committee to allow progress to be reported. I will look into the point that has been raised. If it will not affect the Bill to make an amendment in the direction indicated, I shall be only too pleased to accept such an amendment.

Progress reported.

Sitting suspended from 6.27 to 8 p.m.

SUGAR INDUSTRY.

Motion (by Senator CHATAWAY) proposed—

That a return be tabled showing the following:—

1. The total amount, yearly, of Excise received from sugar from the commencement of the Excise Act to date, showing also the different States which got credit for their three-fourths of it, and the respective sums so received, until the operation of the Braddon clause of the Constitution ceased. All columns to be totalled.

2. The tonnage of sugar produced in the several States of Australia, yearly, from 1st January, 1870, to 31st December, 1910.

3. The importations, and value thereof, in bond, of sugar, yearly, into Australia, showing also the country of origin, for the period 1890-1900, both inclusive, and showing the class or classes of sugar, if possible.

4. The same information for the period 1900-1910, both inclusive, and for the half-year ending 30th June, 1911.

5. The various Customs duties imposed on sugar and also the Bounty, or other form of payment, if any, given on production, or export, in the following countries:—

Germany, France, Austria-Hungary, Belgium, the United States of America, Italy, Russia, Spain, Canada, Great Britain, and New Zealand.

6. The area under cane and the area harvested in Queensland, New South Wales, and Victoria, respectively, each year from 1st January, 1880, to 31st December, 1900.

7. The same information from the commencement of the Excise and Bounty legislation to 31st December, 1910, separating the areas comprised in the four "Districts" created by the Regulations under such legislation.

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8. The quantity of sugar used each year, from 1st January, 1901, to 31st December, 1910, in the making of preserves, such as jams, sauces, pickles, and the like; also, separately, the quantity used in brewing.

9. The quantity, and value thereof, of jam exported yearly from Australia from 1st January, 1901, to 31st December, 1910, and the relative amounts of drawback allowed to the exporters.

10. The estimated consumption, in tons, yearly, of sugar in Australia from 1st January, 1901, to 31st December, 1910.

11. The quantity, and value thereof, yearly, of sugar imported into Australia from 1st January, 1901, to 31st December, 1910, and for the half-year ending 30th June, 1911—

(*a*) for the purpose of refining;
(*b*) for direct consumption.

12. The amount yearly received from sugar factories and refineries respectively by way of licence-fees.

Senator FINDLEY (Victoria—Honorary Minister) [8.2].—When this motion was called on this afternoon the Vice-President of the Executive Council said "Not formal," and when he said that, of course he took into consideration the comprehensive nature of the return desired by Senator Chataway. Since that time we have had an opportunity of consulting with the Minister of Trade and Customs, and I desire to tell Senator Chataway and honorable senators that we have every desire to give all possible information of the kind asked for in the motion. Senator Chataway will realize that he is asking much.

Senator CHATAWAY.—I appreciate the Government's action in the matter.

Senator FINDLEY.—All that can be done will be done to get the information which the honorable senator desires. It will probably take some little time, but the Department will move the responsible officers in order to collect the information as speedily as possible.

Senator MILLEN (New South Wales) [8.5].—In view of the statement of the Minister, which I am sure the House will accept as an extremely satisfactory one, I have a suggestion to make. It is obvious that some time must elapse before the Department can furnish the Minister with the information asked for in some of the paragraphs of the motion, but the information asked for in a great number of other paragraphs would be available in a comparatively short time. I would suggest that as soon as the Department is in a position to furnish the information asked for in a number of the paragraphs it should be presented. It is hardly desirable to hold that information over until the whole return is complete. When the Minister has obtained it, he might present it to the Senate, and later on supplement it with the information which it will take a longer time to compile.

Senator FINDLEY (Victoria—Honorary Minister) [8.7].—I give the Leader of the Opposition the assurance that I will bring his request under the immediate notice of the Minister of Trade and Customs.

Question resolved in the affirmative.

CITIZEN DEFENCE FORCE.

LIMITATION OF SERVICE.

Senator RAE (New South Wales) [8.8].—I move—

That, in the opinion of the Senate—

1. The Defence Act should be so amended as to clearly set forth that the object of creating a Citizen Defence Force based upon universal compulsory military training and service is for the purpose of defending the Commonwealth against possible foreign aggression, and, therefore, under no circumstances should any person so enrolled be compelled to bear arms against any fellow Australian citizen notwithstanding anything contained in the oath of allegiance or in any other conditions of compulsory service.
2. That the foregoing resolution be conveyed by message to the House of Representatives for its concurrence.

I am sorry that honorable senators on both sides of the House will not accord this motion the same genial treatment that was accorded to the motion which has just been dealt with. I feel convinced that no person with any real regard for democratic government can seriously oppose this motion. I think I might well ask our democratic Government to accept it, and to endeavour to embody the principle which it contains in the law. I have been met with one or two objections, which I will deal with briefly. I have been told that the Constitution Act stands in the way of the Defence Act being framed in the manner which the motion affirms to be desirable. I have not studied the whole of the Constitution recently, but the only section I recollect bearing upon that question is section 119, which provides that the Commonwealth must protect every State against invasion, and, at the request of any State, against domestic violence.

Senator WALKER.—Does not that section seem to the honorable senator to be contradictory of the motion?

Senator RAE.—As far as I can see, that is the only section of the Constitution which bears upon the subject-matter of my motion. But I think that it is an

entire misapprehension of the meaning and effect of the section to say that my proposal is a negation of it. For one thing, I do not ask that any part of the Commonwealth, or any State, should be exposed to domestic violence. I do not seek to bring about a state of things in which one State might take up arms against another, or in which a State might take up arms against the Commonwealth.

Senator WALKER.—There might be an insurrection against the Commonwealth in a State.

Senator MILLEN.—In the event of that happening—What?

Senator GIVENS.—Suppose the Premier of a State did anything similar to what Joe Carruthers did in New South Wales, when he seized the wire-netting?

Senator RAE.—I am not desirous that any such condition of things shall arise as that any part of the Commonwealth shall be exposed to domestic violence or to aggression from any other part. Nor do I think that the terms of my motion, if translated into law, would have such an effect. I do not think that it would prevent the Commonwealth from doing what was necessary in the event of an insurrection, or an industrial upheaval, or such an event as occurred in connexion with the wire-netting seizure. I do not wish to shirk the consideration of such possibilities, but I do not think that my motion would have the effect of allowing domestic violence to proceed unchecked. I will, however, pursue my own line of argument, and my critics can deal with the subject in their own way afterwards.

Senator MILLEN.—As far as I understand the honorable senator's argument, his own motion does not square with it.

Senator RAE.—I am going to endeavour to show, in my own way, that my motion is quite consistent with the views I have just expressed. In the first place, I wish to point out that no one can seriously contend that in any civilized country of the world—or, at any rate, in Australia—there would be any possibility of inducing the majority of the electors to consent to a system of compulsory military training and service were it not for the fear of outside aggression. The menace of attack from Germany, or from Japan, or from any other Power which may hereafter loom up on the international horizon—the fear that some foreign Power may, at some time, cast covetous glances on Australia, and ultimately carry out its designs by invading this country—is really at the bottom of the whole system of compulsory military training, and the justification for its institution. I venture to say that no one will seriously contend that there would have been any possible chance of securing universal military service within the Commonwealth were it not for that fear. It is only since that fear has loomed up largely, and in a tangible form, owing to the success of Japan in her war with Russia, that people have seriously considered the possibility of invasion, and sought to provide against it. Of course, for as many years back as I can recollect there were periodical Russian and other scares from time to time. But they were mere flashes in the pan, and never seriously aroused the whole people to a realization of the possibility of danger from a well-defined quarter. That possibility has been the real cause for the agitation for compulsory military service becoming crystallized in the form of legislation. The same reason also has probably actuated other civilized countries which have adopted compulsory military service or conscription. If it were possible to banish entirely from the minds of the community those fears, which, undoubtedly, do exist—that no matter how peaceful our intentions may be we may be menaced by an outside foe—it would be impossible for any Government or any Parliament to enforce any system of compulsory military service. I say, therefore, that a person who is compelled to enroll in order that he may do his share in defending his country in its hour of need is so enrolled for that purpose and that only; and that were any other purpose, or any other object, set forth as the justification for universal military training, it would be the death knell of the system. That leads me also to state this point of view. No person who voluntarily becomes a member of any permanent military force can be otherwise than aware of the fact that he must obey orders, go wherever he may be sent, and do whatever he may be told. He accepts service under those terms and conditions, and with the clear knowledge that the requirements that I have indicated may be expected from him at any time. But the Government of the Commonwealth now gives no choice—and I say rightly so—to the young citizen, as to whether he shall serve or not. The law of this country says to him, "You must serve." If he says he does not wish to do so, or if his parents say, "Why should he?" the only

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answer is: "As every man enjoys the measure of civilization and liberty which our Constitution provides for us, it is his duty to do his share in defending those advantages, and in defending the great possession which he shares with the rest of his fellow-citizens in this continent." The demand for service from our youths and men is based entirely on those grounds. My contention, therefore, is that as the young soldier is enrolled for one object, and as that object is the only justification for compelling him to serve, the defence of this country against aggression should be the only duty imposed upon him. If anything more is wanted from him in the nature of military service he may, if he pleases, volunteer; but he should not be compelled to serve otherwise. If there were no system of compulsory military service at all, there would be nothing to prevent a man from serving under whatever banner he chose or in whatever service he chose. Therefore, if my motion were carried, there would be nothing to prevent every one of our recruits who is now enrolled from volunteering for the suppression of domestic violence. But my object is to lay down the principle that not one of these compulsorily enrolled recruits shall be compelled to bear arms against his fellow Australian citizens if he does not desire to undertake that service.

Senator LYNCH.—Then the honorable senator would have a kind of Pinkerton gang?

Senator MILLEN.—Suppose one State revolted?

Senator RAE.—I take it that Senator Lynch's allusion to the Pinkerton gang refers to the possibility of the raising of paid mercenary troops by some huge capitalistic concern such as Carnegie's, in America, where capitalists, not being able to avail themselves of the services of the Federal troops, armed private detectives—a privately-enrolled soldiery—to shoot down strikers. But that is absolutely the opposite to what would occur under my motion. The argument used by many persons in justification of compulsory enrolment is that if there were any domestic violence, one side would be as well prepared as the other. I have heard numbers of workers and Labour supporters say that they only approved of compulsory military training, and only consented to it because, whichever side was on top for the time being, the other side would be well able to defend itself, possessing the training and the arms to enable it to do so; so that, if there were any trouble of the kind, the two sides which took a hand in it would be almost on equal terms. But I point out that if there were an industrial upheaval, a strike of a serious nature, a revolt, or anything of the kind, the position would be this: that the persons employed by the Defence authorities would, in the pursuance of their duties and obligations, be able to shoot down any one who resisted them, whilst the persons who resisted, and who utilized the training and the arms they possessed to defend themselves, would, in the eyes of the law, be traitors and rebels, and liable to be shot or punished in some other way. So that, whilst the two parties might contend on physically equal terms, there would be no real equality between them, because, while the one party would be doing its duty, the others would be traitors. Where equality comes in under such circumstances I cannot see. I contend that, in the event of such an occurrence as Senator Millen referred to just now, the position would be this: First of all, you have a certain number of paid soldiers in the Commonwealth, and probably we shall always have some. There must be a staff of permanent artillery men and of officers and instructors. You would also have all those who might be willing to volunteer for service, no matter how enrolled. These would constitute a powerful force. But no one should be compelled to shoot down his fellow Australians, or run the risk of being ordered to do so, simply because he obeys the law with regard to compulsory military service. He should be excused from that kind of service, and kept to that for which the system was created, namely, to defend the country from outside aggression. In reference to the wire-netting episode in New South Wales, which Senator Givens has mentioned, it has been said—and it was urged at the time of the occurrence by some individuals—that the Federal troops should have been called out to effect the arrest of those who acted under the orders of the State Premier at the time; and that, by force, the wire-netting should have been restored to the place where it was landed. But could any one say, in view of the excitement that prevailed at that time, that the result of the forceful seizure of the netting would have been as satisfactory as what followed from the action which the Federal Government took? The Law Courts were resorted to in the ordinary way to determine whether the State Premier acted rightly or whether the Federal Government was in

the right. Was anything lost to the "peace, order, and good government" of the Commonwealth because, instead of the hasty counsels that some urged being followed, the Government gave an opportunity for heated feelings to cool down, and appealed to the Law Courts in the ordinary manner? Let us see what would have happened if compulsory military training had been in force at the time, and the desire of those who wanted military action to be taken had been carried out. I am prepared to say—and I think that honorable senators from New South Wales will agree with me, both those who sit in Opposition and those who sit on my own side of the Senate——

Senator W. RUSSELL.—The honorable senator is not speaking for this side to-night.

Senator RAE.—I was in New South Wales at the time of the dispute, and I say that public feeling, wrongly, I believe, was on the side of Sir Joseph Carruthers. I honestly believe, and I think the other New South Wales representatives will agree with me, that the State Premier, by his dramatic and perhaps rather tactful move—from a political point of view—fired the imagination of a very large proportion of the people of New South Wales, who were with him in the wire-netting raid.

Senator GIVENS.—That is a very uncomplimentary thing to say about New South Wales.

Senator RAE.—I am not here to bandy compliments, whether they affect my own State or any other. I am dealing with facts.

Senator MILLEN.—As the honorable senator has referred to other New South Wales representatives, I may say that I do not share his opinion as to the view of the people of New South Wales with reference to that incident.

Senator WALKER.—Hear, hear!

Senator RAE.—It is a matter of opinion. At any rate, Senator Millen cannot dispute this fact: that whether there was a majority for Sir Joseph Carruthers in New South Wales or not, certainly a large number of persons openly expressed their admiration for and approval of the Premier's action on that occasion.

Senator WALKER.—Anti-Federalists, no doubt.

Senator RAE.—Not necessarily; but we need not quibble about matters which we cannot prove. There was a large body of the people, and I believe a majority at the time, in favour of the action taken by the Premier of New South Wales. At any rate, the number of persons who approved his action was so great that, had it been resolved to resort to military force on that occasion—which I think would have been a fatal blunder—and had the compulsory military principle been in operation for a few years, what would have happened would have been that New South Wales citizens would have been called upon to conduct active military operations against a large body of personal relatives and fellow countrymen, who honestly believed that Sir Joseph Carruthers did the right thing. There might have been civil war within the State, and father, son, and brother might have been shooting each other down. It is rather far-fetched, I admit, to suppose that any sane Government would force things to that length when the matter might be settled in a Court of Law. But if the views of extremists had been carried into effect under our compulsory military service, that would have been the position in which citizens of New South Wales would have been placed.

Senator GIVENS.—What would have been the good of appealing to a Court if there had been no army to enforce its decisions?

Senator RAE.—That is a very pertinent interjection, I admit, but I say that if what I propose in this motion were a part of the law——

Senator GIVENS.—There would have to be an army to enforce that.

Senator RAE.—I cannot reply to three or four interjections at a time. Supposing the principle affirmed by my motion had been a part of our Defence Act at the time, as well as the principle of compulsory military service, if it had been considered necessary to conduct military operations against New South Wales, probably a large majority of the citizens of the other States would have been found willing to suppress the revolt in New South Wales, and to shoot down its citizens. But in that case no citizen of New South Wales would have been called upon to imbrue his hands with his brother's blood, or against his will to shoot down his father, at the word of command of any authority. Further, let me say that even those citizens of New South Wales who believed in suppressing the rebellious State would have been just as free to do so had my motion formed a part of the Defence Act as they would be under the Act as it stands. Again, the paid officers and men of the force in New South Wales would have been free to take part in suppressing that State.

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Senator MILLEN.—Then the honorable senator has no objection to officers shooting their fathers and brothers?

Senator LYNCH.—Not so long as they are paid for it, apparently.

Senator RAE.—I have no objection, so far as these men are concerned, because, if Senator Millen will do me the justice to try to understand my proposal, instead of raising quibbles against it, he will see that I consider that a man who enlists as a paid soldier knows that he may have to undertake these unpleasant duties at any time.

Senator MILLEN.—But the bulk of our officers are not paid.

Senator RAE.—Some would be paid, and what I say would apply only to them. When they take pay as soldiers, they accept the risk of having to fulfil these unpleasant and, perhaps, revolting tasks. But, under the Defence Act, we force every citizen, against his will in many cases, to become a soldier, to fulfil the patriotic duty of defending the country against an outside foe. But we may also, unless the Act is amended in the way I suggest, force him to shoot down father or brother should there be a disturbance in any part of the Commonwealth. That is an absolutely unfair, unjust, and undemocratic position to put any man in, and still more to put a boy in. For some years the defenders of the Commonwealth under our Act will be under the age of twenty-one years, and for all time there will be in succession a certain proportion of them under that age. It is entirely unreasonable, in my opinion, to provide that a mere boy may be compelled at any time to shoot down his fellow Australian citizens at the word of command of any Government. We may not always have a Government as democratic as that now in office, though we may have one more democratic. Still, we must bear in mind that, in times of crises, men possessing supreme temporal power are prepared to go to any length, and to strain any law, in order to put down by force what they believe to be inimical either to the welfare of the country or their own rule. I do not pretend to try to bring about the millennium, when all our swords will be converted into ploughshares, pruning hooks, or other crude agricultural implements, but I do say that those who take up arms very much against their will, and who, in their hearts, are opposed to all forms of militarism, and consent to compulsory service only because of what they deem to be the absolute necessity of defending this country against foreign invasion, should not be swerved from the duty on which practically all people are agreed into the performance of quite another duty, in order, it may be, to accomplish the designs of some ambitious authority over which they have little or no control. The adoption of my motion would never deprive Australia of the power to suppress any revolt or insurrection so long as the Constitution and laws of the country are worth preserving. When a country has sunk into such a condition of decadence that the people have lost all confidence in its forms of government and its rulers, when insurrections spring up at all manner of times and places, the probability is that it would be a good thing if the Government of such a country were wiped out of existence.

Senator W. RUSSELL—That is done through the ballot-box.

Senator RAE.—I am sure that Senator W. Russell will not contend that I have been any more backward than himself in advocating reforms through the ballot-box. I say that it is only when a country has sunk to such a low condition that it is not possible by political means to secure industrial peace and contentment that the people will revolt against all governmental agencies. In such circumstances, we should find people fighting amongst themselves, no matter how beautiful the paper Constitution under which they lived. So long as we have a form of government in accordance with the will of the vast majority of the people, we need have no fear of any serious insurrection, or any resort to violent revolutionary methods such as those at present adopted in China. It is only when a democratic government absolutely fails, becomes a mere shadow, and ceases to be effective, that the people in any large numbers resort to violence and revolutionary methods.

Senator MILLEN.—Did democratic government fail in the United States prior to the Civil War?

Senator RAE.—I say that it did absolutely. Senator Millen must know, as well as I do, that under a constitutional provision similar to ours, it was equal representation of the States, in one House of the Legislature, making it practically impossible for the democratic majority in the other House to legislate in accordance with the will of the people, that led to the trouble. That was the cause which ultimately produced results that brought about the Civil War.

Senator LYNCH.—That was not the real cause of the war.

Senator RAE.—There were many other factors which assisted to bring it about.

Senator LYNCH.—Slavery.

Senator RAE.—If the honorable senator had read the history of America he would know that slavery would have been abolished, perhaps by peaceful and gradual methods, many years before the Civil War took place, if the Senate, bolstered up by the State Rights theory, had not prevented that being done in accordance with the desire of the democratic majority in the House of Representatives. No paper Constitution can prevent a civil war when the people have lost faith in the forms of government of a country. In the case of minor revolts, or small insurrections, on the part of ill-advised sections of the community, I have no hesitation in saying we should be able to get volunteers to suppress them in any part of the Commonwealth if they believed those taking part in them to be in the wrong. What does the allusion to the United States prove? It proves that while a very large and important section of the people refused to obey the will of the majority, it did not require a compulsorily enrolled military defence force to quell the revolt. Great and serious as it was, the Civil War in America was conducted by voluntarily enrolled soldiers. So that the reference to that war tells in favour rather than against my proposal.

Senator W. RUSSELL.—Compulsory military service is part of the Labour platform.

Senator RAE.—The honorable senator's interjection has no bearing upon my remarks. I am a strong advocate of compulsory military service, and I very much regret that the place in which I live puts members of my family beyond the reach of training, because an inefficient and incomplete system does not permit the training of youths unless they are within a few miles of a railway. I am sorry that our system is not more complete and effective than it is. While I am a strong advocate of compulsory military service, I believe it cannot be justified for any other purpose than that of operations against outside aggression. I object that a force raised for one purpose should be compulsorily used for another. No member of the Senate, and no member of any Government in Australia, would ever dare to propose compulsory military service for any other purpose than the defence of the country against possible outside aggression. That being so, what right has any Government, more especially one which claims to be democratic, to use all its power and machinery to set up a citizen defence force, avowedly for one purpose, and then presume to use it for a purpose that is not only opposed to the spirit of the age, but opposed to the objects of the people of Australia when they consented to the compulsory military system? To repeat, to some extent, what I have said in regard to industrial upheavals, there will always be plenty of persons who are compulsorily enrolled willing to give their services whenever they may be required to suppress any rising or insurrection. All that my motion asks is that no man shall be compelled, by the terms of that service, to use his arms against a fellow-Australian. A man who cannot see the very wide difference between the service which should be exacted from a person who is compelled to enter the Military Forces whether he likes it or not, and the service which may fairly be asked of one who voluntarily becomes a paid soldier, probably does not wish to see it. In all seriousness, I urge the adoption of my proposal in the interests of the compulsory system. It will cut the ground from under the feet of those who base their objections to compulsory service on the argument that it is only building up a strong military force, which may ultimately result in the arms of that force being turned against the people who have created it and paid for it. If honorable senators wish to reconcile this system with the views and principles of the average Australian, they must first convince him that it is not raised for one purpose ostensibly to be used for another purpose actually, but that it is raised for one purpose and one purpose only, and that is the defence of Australia against outside aggression; that if any means are required to protect any portion of Australia from domestic violence other measures will be brought into use to fulfil that end, and that no compulsorily-enrolled and compulsorily-trained citizen shall be compelled to bear arms against a fellow-Australian. If this motion is not carried now, I have no doubt that the publicity which will be given to the principles I have endeavoured, in my humble and feeble way, to give utterance to will be widely taken up and dealt with

by abler men, and that I shall see the triumph of the proposal which I have the honour to submit.

Senator PEARCE (Western Australia) [8.45].—I think that Senator Rae had not spoken many words in support of his motion before he discovered in it a very weak point, which he skilfully evaded, and never returned to.

Senator RAE.—I did not see a single weakness in it.

Senator PEARCE.—Towards the close of his address, the honorable senator asked, "Why should we compel a person to take up arms against a fellow-Australian against his will." Let me ask the honorable senator the same question in a slightly different form. "Why should we compel a person to take up arms against foreign aggression when he may be quite favourable to it?" In our law we have the power to compel the son of a Frenchman—I take this illustration because I think that France is the nation least likely at present to attack us—to resist aggression from the country of his birth. He may desire to see the flag of his forefathers waving over Australia. And yet Senator Rae has no objection to such a person being compelled to take up arms to prevent France from effecting a landing here. The honorable senator also made a statement which shows the entire lack of necessity for any such alteration of the law as he suggests. He said, "So long as we have a Government which is representative of the people there is no fear of any domestic outbreak in Australia which will make it necessary to call out a military force." Exactly so; and there you have the only thing which needs to be stated to show that no such alteration of the Federal law as is proposed is necessary.

Senator RAE.—Oh, no; that does not prove it at all.

Senator PEARCE.—Unless we agree to that, we must say that we are already convinced that democratic government is a failure; that government of the people by the people and for the people has been found wanting; that the people cannot be trusted; that there is a danger of the people using force against themselves.

Senator RAE.—No; but there is a danger of a man in temporary authority doing it.

Senator PEARCE.—The honorable senator must remember—and I think that in discussing the question we should remember—that we are dealing with a law passed by a Parliament which is responsible to, and representative of, the people of Australia, which is absolutely the product of majority rule, and that whenever a Government in the Federal arena disregards the view of the majority, it will pay the penalty, especially if it disregards their view in such a sense as to use military force to do what they think should not be done.

Senator RAE.—Would the ejection of a Government be a recompense for a killed man?

Senator PEARCE.—The honorable senator also made a statement which had not much to do with the question, but which I am going to contradict, because it has been made so often. He incidentally remarked that the majority of our defenders are under the age of twenty-one years, and that we have no right to force them to take up arms against their fellows. The Defence Act does not lay the obligation of active service on persons under the age of eighteen years. The reason why I take this opportunity to make this contradiction is because a well-known journal has repeated the statement almost weekly, the Sydney *Bulletin*, although it ought to know, because it has been a strong advocate of compulsory military training, that persons under the age of eighteen years are under no liability to bear arms in active service, and that the number of the adult forces outnumbers very considerably those who are over the age of eighteen and under the age of twenty-one years. I take this opportunity to point out first that the statement is not correct, and secondly that those who are over the age of eighteen years and under twenty-one years, and who cannot be called children by any means in Australia, are outnumbered by the adult forces. While in the latter part of his address the honorable senator said that it was absolutely impossible to believe it; in other parts he seemed to contemplate a time when some great question is going to be settled by an appeal to arms, and he desires that the people shall then be free to take whichever side they like without being branded as traitors.

Senator MILLEN.—With no one even to keep the ring for them.

Senator RAE.—I did not say anything of the kind, and the Minister has no right to misrepresent me.

Senator PEARCE.—That is exactly what the honorable senator contemplated if any meaning can be given to his words.

Senator RAE.—My words did not remotely bear any such construction.

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Senator PEARCE.—I would not have chosen the occurrence to which the honorable senator referred, but as he did so, I want to show him that he could not have quoted a more unfortunate occurrence, and that is the now almost forgotten wire-netting episode.

Senator RAE.—It was brought up to me. I did not use it.

Senator PEARCE.—What was the position there? The Federal attitude was that of an appeal to law and not an appeal to force; but the State attitude was an appeal to force, and that is what the honorable senator forgot. The State seized the wire netting by force, and kept possession of it by force, and it never appealed to law. The honorable senator ought to have followed up the case.

Senator RAE.—The Federal authorities beat the State with law.

Senator PEARCE.—Yes, the Federal authorities said, "We will not fight; we will not call out the military, but will appeal to law." Suppose, however, that the State authorities had been foolish enough to refuse to accept the judgment of our Court. What would the honorable senator have done? Would he have said, "Very well, we will publish in the *Gazette* an appeal for volunteers to enforce the law?" According to his statement that is what he would have said.

Senator RAE.—You would not have had to publish much in the *Gazette*. They would have rushed it.

Senator PEARCE.—That is exactly what the honorable senator has told us he would do. He said, "You have no right to call out men and send them to suppress domestic violence when they are in favour of it." That is, I am glad to believe, an impossible contingency in Australia, at any rate at present. It is a contingency which ought not to be contemplated, because it is impossible, and I am only contemplating it because Senator Rae, in dealing with the question, did not see how it cuts away the whole ground of his argument.

Senator RAE.—I was only replying to an interjection. I did not choose it.

Senator PEARCE.—I know that the honorable senator only brought in the statement in response to an interjection, but I want him to follow it out to its logical conclusion, and then he will see that it cuts away the groundwork of what he has been saying. I would also point out that no persons would be foolish enough to take up arms to-day in a modern State unless they first of all had some sort of military organization, possibly a secret one. The State has an organization ready to hand in its police force, and in the case I mentioned the State would have had an organized police force bound and sworn to obey its orders. Senator Rae would put the Federal authorities in the position of having on the spur of the moment, and after the revolt had occurred, to organize a police or military force to enforce the judgment of its Court. He apparently had no objection to the State having an organized force to enforce its law, but he objected to the Federal authorities having an organized force.

Senator RAE.—That is poor reasoning.

Senator PEARCE.—The honorable senator said that universal military service was not brought about for the purpose of suppressing domestic violence. I heartily agree with that, in fact we all do. I am glad to believe that nobody in Australia is so pessimistic as to think that we cannot settle our differences, whether they are between State and State, or between State and Commonwealth, without an appeal to arms. I, at any rate, am optimistic enough to believe that we can. I suppose that if, after the close of the War of Independence, the people of the United States had been told by any person that within a certain time their sons would be taking up arms one against the other, that the people of the Northern States would be seen in armed camps prepared to fight against the people of the Southern States, they would have branded him as a fool, and laughed at the idea. Yet that came to pass. One of the bloodiest wars in history was fought in that country between people with like ideals, of almost a common stock, with a common religion, and in a republic with the freest and most representative form of government on earth at that time.

Senator RAE.—And settled without compulsory service.

Senator PEARCE.—With a clear recollection of that war, can we shut our eyes as to what is possible in human affairs? I would draw the attention of honorable senators to the fact that a nation exists by law. Law is the only element so far discovered by which communities can be kept together in units as nations. We have in order to maintain ourselves as a nation to uphold the laws of our nation, not only against foreign aggression, but also against internal aggression. The whole duty of

government is summed up in that. It is to uphold and enforce the law. The people of Australia have declared that they will have a military system for the defence of Australia as a nation, and I say that that does not merely mean that we will defend Australia from foreign aggression, but that we will defend the laws of Australia, no matter from where the attack may come, if that attack takes the form of force. There is a legitimate way in which our laws can be altered, and the people of Australia have declared emphatically that if those laws are to be altered, they are to be altered through the ballot-box. I say that if any person takes up arms in Australia to alter the law by force, the community is justified in meeting force with force, and preventing him doing what he desires to do. Therefore, I say that our Defence Force is raised and maintained not merely for the purpose of defending the country against foreign aggression, but also to defend the laws which have been framed, through Parliament, by the majority of the people of this country. Senator Rae says he does not object to the section in the Constitution which has reference to the protection of a State against domestic violence. He said he is not desirous of any portion of a State being exposed to domestic violence. That is a very pious wish. We are all anxious and hopeful that no portion of a State may be exposed to domestic violence, but if there is a revolt by a State against the other States, or by a portion of a State against the other portions of the Commonwealth, that pious hope will not carry us very far unless we are prepared to say that if that State, or part of a State, takes up arms against the community's wish, as expressed in the laws of the Commonwealth, then the rest of the Commonwealth will take up arms to defend the laws which the majority of the people have made through Parliament. Senator Rae says that if his motion is given effect to, it will not interfere with that protection from domestic violence, but that it will prevent any member of the Defence Force being used to suppress domestic violence. At present, as far as I know, the only way by which the Commonwealth Parliament is able to protect itself, or a State, from domestic violence, is by its Defence Force. We have not the control of the police forces of the States, except so far as, under our Federal Constitution, the Courts and the police of the States are called upon to enforce the laws of the Commonwealth. But the police are maintained and disciplined by the States, and not by the Commonwealth. The peculiar portion of Senator Rae's address to me was that he is quite prepared to maintain a permanent force, and allow it to be used to suppress domestic violence.

Senator RAE.—No.

Senator PEARCE.—If the honorable senator says, "You should only use a volunteer force," he is forcing us into this position. Either we must organize a volunteer force in a time when there is no domestic violence for the express purpose of suppressing domestic violence, should it occur, or wait until that disturbance occurs, and then appeal for volunteers to suppress it. I wish to point out that Senator Rae apparently overlooked the fact that under our Defence Act the volunteer system will in a year or two be swept away. We will have no volunteers, as such. We will have only a citizen Army, maintained on the basis of compulsory training and enlistment. No domestic violence can occur that cannot be easily suppressed by the police, unless it is organized violence. To say that the Commonwealth, which has to defend the law, is to be placed in the position of having to wait until violence is organized, and has expressed itself by acts of violence before it proceeds to organize a volunteer force to suppress that violence, is ridiculous. I want to put the position in this way. In my opinion, the Commonwealth has the purest form of Democracy that any country has yet reached. The will of the people finds expression upon its statute-book by the votes of the majority of the people. There are no class or property distinctions in the franchise of the Commonwealth Parliament. There is, therefore, no class law, and no class rule. The Defence Force is raised for the express purpose of protecting the Commonwealth, and enforcing the laws which have received the approval of the majority of the people, who expressed their views through the ballot-box. This Government, or any Government, if there is to be government, has the obligation of defending the laws which are upon the statute-books of the Commonwealth, whether the attack on the law comes from without or from within, and I say that anything short of that is anarchy, and not government at all; anything short of that is licence, and not law. No Government can be true to its trust unless it is prepared to take up that position. Civil war in Australia, as I have already said, is inconceivable. The policy, not only of the present Government, but of the party it represents,

is to have a citizen defence force as opposed to a standing army. Our policy is directly opposed to the idea of keeping a standing army for the suppression of domestic violence, or for protection from foreign aggression. If the laws of our country are opposed by force, are we to allow the lawless minority to tyrannize over the peaceful majority? We say that the people have expressed their will. If they do not approve of the laws, they can alter them. We say that the Defence Force of the Commonwealth has been raised for the express purpose of defending those laws, and it is a legitimate thing to use the Defence Force for that purpose. My earnest request to Senator Rae is to withdraw the motion. I think it is absolutely unnecessary. I think many of Senator Rae's own statements prove it to be unnecessary. It contemplates one of two things—either that you shall raise a standing army if there is any danger of domestic violence—and if there is no danger the motion is unnecessary—for the purpose of suppressing domestic violence, or that you shall give to any minority in the Commonwealth the right to defy, by armed force, the laws made by the majority, and, until they do that, you shall take no action, but, when they do it, you shall appeal for volunteers to defeat them. No such proposition would receive the support of any deliberative assembly, and I am satisfied that if Senator Rae is so ill-advised as to take the motion to a vote, he will be in a hopeless minority. The motion is unnecessary, uncalled for, and unwise.

Senator GARDINER (New South Wales) [9.11].—If any proof of the necessity of this debate were needed, and if any further confirmation of the strength of the position put before the Senate by Senator Rae were needed, we have it in the exaggerated arguments and statements of the Minister of Defence. He commenced by saying, in effect, "Why should we compel a person to take up arms against a foreign foe?" and he immediately pointed out that we would compel some Frenchmen to take up arms against their country should this land be invaded by France. I say that the Commonwealth has no power to do such a thing. The son of a Frenchman within our walls can claim the protection of his nation, and he need not become naturalized.

Senator PEARCE.—I can show where a Frenchman born in Australia has been compelled to undergo military training. That is the Crown Solicitor's opinion.

Senator GARDINER.—The fact that the honorable gentleman has to quote such extreme cases shows how much at sea he is upon this matter. What is the intention of the motion? It simply says that those whom we compel to undergo military training in order that we may be prepared to repel an invasion shall not be used for the purposes of participating in a domestic brawl. Now, if the whole of the government of this Commonwealth were under the charge of the Commonwealth Parliament, and if it rested with this Parliament to say whether the troops should be sent out or not, there might be something in the contention put forward by Senator Pearce; but he must know that if a request for military assistance to put down domestic violence were made by the Premier of any State, although that violence might have been brought about by the action of the Government of that State, the forces of the Commonwealth would have to be used for its suppression.

Senator PEARCE.—Not without the consent of the Commonwealth.

Senator GARDINER.—I am not going to look forward to any such impossible thing as civil war. No one would be fool enough to take up arms without secret organization. We are free from the possibility of anything of that kind, but we are not free from the possibility of a State Government trying to precipitate a riot with a view to strengthening its position. I have seen that occur at Broken Hill, and so has the Minister of Defence. I have seen the police force of New South Wales try to create a riot in the interests of the party controlling New South Wales at that time. Just imagine the contingency that might arise if the Wade Government were returned to power in New South Wales. I hope to God that will never occur. There might be a dispute at Broken Hill over a matter in which the miners were absolutely in the right, and that Government, exercising the tyranny which it exercised in the past, might endeavour to disperse a public meeting by means of the armed police force of the State. The people, heated and excited, and objecting to the encroachment on their liberties, might resist. At the request of the Premier of New South Wales, the Minister of Defence would have to call upon the Defence Force to suppress the disturbance. Who would be the first members of the Defence Force who would have to be called out? They would be the sons of the miners whose liberties were being ridden over roughshod.

Senator PEARCE.—The Minister of Defence is not compelled to do it.

Senator GARDINER.—The Minister may say that he is not compelled to do it, but section 119 of the Constitution Act provides—

> **The Commonwealth shall protect every State against invasion, and on the application of the Executive Government of the State against domestic violence.**

If the Executive of New South Wales made application to the Federal Government—say to the present Government—for an armed force to suppress what they considered to be domestic violence, I say that the Federal Government could not refuse, without a breach of the Constitution, to send that force to restore order and uphold the law, as the persons governing the State for the time being would probably demand that they should do it. Let us imagine a case occurring in Coolgardie or Kalgoorlie. We will say that, instead of having, as is the case at present—a Labour Government, in Western Australia, the opponents of Labour were in power, and that some great industrial trouble arose there. Suppose that such trouble occurred as has happened in other parts of the world, when the down-trodden toilers have revolted. I was in Great Britain when the railway strike occurred there. If there was one thing more than another that made me feel warm, it was to see the signal-boxes and the railway stations occupied by armed soldiery with fixed bayonets, ready—for what?

Senator PEARCE.—Senator Rae does not object to that?

Senator RAE.—But I do object to it.

Senator GARDINER.—There were soldiers well supplied with ammunition, and with fixed bayonets, ready to use them against men who were simply seeking for a little increase of wages. They were doing no more than strike for a living wage.

Senator SAYERS.—They were using force against their fellow men.

Senator GARDINER.—I know that, whenever a strike occurs, violence is liable to creep in. But it is never until the men are driven, either by force of circumstances, or by ill-treatment, to resort to violence, that that occurs.

Senator SAYERS.—Or by agitators.

Senator GARDINER.—The man who believes that agitators can induce thousands and thousands of men to come out shows that he does not understand what he is talking about.

Senator SAYERS.—I was in Trafalgar-square, and saw what occurred.

Senator GARDINER.—The honorable senator knows that what I say is true. There is no objection to the Government maintaining and preserving order. The objection is that, under the pretence of training young men for one purpose, the Government could use them for quite another. The objection is that whilst the laws of this country impose upon the young men the obligation of drilling, they may at present be called out and utilized for quite another purpose than that for which they are being trained. Suppose there were trouble at Broken Hill, and the Wade Government was in power. The riots that occurred at Broken Hill during the last strike were due solely to the bad management of the police force, in my opinion. Suppose that matters had gone a little further. Suppose that similar trouble occurred to-morrow, and that an application was made to the Federal Government to call out the Defence Forces. In that event, the sons of miners on strike would be called out to fight against their own fathers. We cannot escape from that position.

Senator McGREGOR.—Within a few years the miners themselves will be members of the Citizen Forces. Does the honorable senator think that they will shoot down themselves?

Senator GARDINER.—I am not trying to exaggerate the position. I am trying to put reasonable probabilities before the Senate. The Military Forces in any one State may be called upon to put down by armed force men who are asserting the rightful claims of organized unionism, or endeavouring to obtain a better wage. It might be said that, in the course of their efforts, they had created a state of domestic violence that entitled the State Government concerned to claim assistance from the Commonwealth. But I say that it is a most unreasonable thing, a most unfair, and unjust thing, to say that our young men should be compelled to join the Military Forces and be trained to defend the country against invasion, whilst at the same time the laws of the country give power to order them to be called out by the Commonwealth to shoot down their fathers and their brothers. The people of Australia are the most democratic people in the world, and I maintain that this law can be altered. I venture to say that the Act of Parliament which enables such a condition of things to be brought about would never

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have been passed had it been realized that it contained such a provision. There are very many who would never have voted for it had they understood what it involved. As far as Senator Rae's proposal is concerned, it simply asks the Senate to consider the undesirableness of mixing up the training of our young men to defend the country against invasion with the utilization of armed force in any other way whatever. The resolution declares that these young men ought not to be used as a police force, or in any other manner, to suppress disorder, simply because a State Premier—possibly anxious, above all things, to create disorder—may declare that he needs Commonwealth assistance.

Senator RAE.—Perhaps the Commonwealth Government in power might be only too ready to back up a State Premier under such circumstances.

Senator GARDINER.—The situation would be still more unfortunate if there were a Commonwealth Government in power which refused to carry out the constitutional obligation. I would rather see the Commonwealth Government carry out the terms of the Constitution, irrespective of the consequences, than see them false to the position which they occupy by declining to do the clear duty that lay before them. It is because I want to clear the way of difficulties such as may occur in the future that I feel so strongly on this question. There has recently been a strike at Mount Lyell. Fortunately, there has been no breach of the peace there. With the present Tasmanian Government in office, had there been a breach of the peace, what would have occurred? The men are out on strike for a good cause. If ever a strike could be justified anywhere, this strike was. Conditions of tyrrany have prevailed at Mount Lyell, perhaps, unequalled in any other country. Time after time men have been discharged, simply because they dared to act in certain capacities for their union. That sort of thing has been going on for years. Those who do not know that it has been going on have been simply sitting inside, and not making themselves acquainted with what has been occurring. The grievance that led up to the strike has been the fact that man after man, who has become a leader of his union, has had to forfeit his position as a workman there.

Senator READY.—That has been going on for years.

Senator GARDINER.—I am glad that Senator Ready confirms my statement. Yet, if domestic violence occurred there, what would be the position of the most democratic Government supported by the most democratic party in the world—the Labour party?

Senator LONG.—Here is a living example of the sort of thing that has occurred at Mount Lyell.

Senator GARDINER.—Senator Long himself has suffered from the treatment to which I refer. What would have been the position if domestic violence had occurred at Mount Lyell? Suppose that the Tasmanian Government declared that a state of domestic violence had occurred, and that they required the assistance of Federal troops? The most convenient Federal troops would probably have been the compulsorily-trained troops of the State. Consequently this most democratic Government, and its most democratic party, would have made themselves the laughing-stock of the democratic world. The Government would have to carry out the obligations of the Constitution, which it is their duty to obey. They would have had to send troops to shoot down men who had been fighting the battles of Labour for years.

Senator LONG.—Does not the honorable senator think that industrial laws, based on equity and justice, will soon make strikes impossible?

Senator GARDINER.—There is no man who looks forward more hopefully than I do to the accomplishment of legislation based on equity and justice.

Senator MILLEN.—Will the honorable senator explain how the carrying of Senator Rae's motion would relieve any Federal Government from its constitutional obligation?

Senator GARDINER.—The motion is not intended to relieve them of their constitutional obligations. I do not wish to relieve them. But I do say that the young men, whom the law of the Commonwealth compels to become trained troops, ought not to be called out under any circumstances to fight against their fellow-Australians, who, in many instances will be fighting their own battles. It is not a question of the Federal Government shirking responsibility. I said before, and I say again, that I would not support a Government for five minutes if I thought that it would shirk its responsibilities for one moment. If the Constitution needs to be altered, alter it. If our Defence Act is wrong, let us, in times of

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peace and quiet, when there is no panic and no violence, alter it, and bring it down to the grounds of reason and common sense. But we have a Government in office which, with its supporters, represents, I venture to say, the most democratic party that exists in any country in the world, and yet we have listened to a Minister giving utterance to the most Tory sentiments ever expressed in a democratic assembly. The Minister's speech made it appear that he put constituted authority before every other consideration.

Senator W. RUSSELL.—I think the speech was a splendid one.

Senator GARDINER.—Here is an otherwise fair-minded and democratic man who thinks that the Minister's speech was a splendid one. When he reads it two or three years hence he will, perhaps, realize that the Minister has been so much influenced by the development of his defence sympathies that he has lost some of his Labour sympathies.

Senator PEARCE.—Does the honorable senator say that I have lost my Labour sympathies?

Senator GARDINER.—I do not say that the Minister has done so yet, but I do say that a few years hence the speech of to-night will be pointed to as one which marks the point where the Minister got on to the wrong path—where he lost the track. When we hear a representative of the greatest Democracy in the world speak as the Minister of Defence spoke to-night; when we hear him quibbling and twisting the arguments of his supporters, I do not know to what extent I am entitled to go in my references to him.

Senator W. RUSSELL.—He smashed up the arguments of the supporters of this motion.

Senator GARDINER.—He never met them in a fair, manly and straightforward spirit. He did not answer Senator Rae's arguments, and he failed to meet the point that, under the pretence of training young men for the defence of this country, they are being drilled so that they may be used for a different purpose altogether, without being told that they may be required for such purpose. The Minister of Defence, and those who support him, cannot deny for a moment that the people who are entitled to say what is domestic violence within their State, according to the reading of the Constitution, are the Executive Government of that State. There is no getting away from that position. The decision is not left to this Parliament, but to the Executive Government of the State which claims that there is domestic violence within its territory. Take the present elections in this peace-loving Victoria. I venture to say that if the party who are hanging on to office thought that they could create a condition in which they could lead the public for the time to believe that domestic violence was occurring, they would gladly do so—just as a drowning man is supposed to grasp at a straw—in order that they might remain in power a little longer. I dare say that the crowd, who would be excited if they were being unjustly dealt with, and would not submit to their tyranny, would be the lawbreakers. Under our democratic Constitution, a Federal Government is in the unfortunate position that, if a State Government says that domestic violence is occurring within its territory, it is compelled to send a Federal force to quell the violence.

Senator PEARCE.—You are absolutely incorrect now.

Senator MILLEN.—Who is to compel them? Will a State policeman come along to compel them?

Senator GARDINER.—If there is one thing more than another which will compel any man holding a responsible position to do a thing, it is the fact that his duty lies clear and plain. And if a greater compelling force than that is necessary, I hope that we shall never have a Government which requires it. Section 119 of the Constitution reads—

> The Commonwealth shall protect every State against invasion and, on the application of the Executive Government of a State, against domestic violence.

It is here laid down that the Commonwealth Government shall not extend this protection because in their judgment there is domestic violence, but shall do so on the application of the Executive Government of a State.

Senator CLEMONS.—Who is to decide what is domestic violence?

Senator GARDINER.—According to this section, the decision rests with the Executive Government of the State concerned.

Senator CLEMONS.—Certainly not. The Executive Government of the State may apply to the Commonwealth Government for protection, but the latter is not bound to comply with the application.

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Senator LONG.—The application of the Executive Government of a State is the only evidence required by the section that domestic violence is occurring in the State.

Senator GARDINER.—Exactly.

Senator RAE.—Of course, it makes the lawyers laugh, but the facts remain the same.

Senator GARDINER.—I believe that this is the very interpretation which, under other conditions, our honorable friends opposite would put on the section. I believe that it is not capable of any other interpretation, except, of course, a strained one.

Senator CLEMONS.—If you say that, you put the Commonwealth Military Forces practically at the caprice of a State Government. You can imagine a State Government saying, "This is domestic violence," when it may be nothing of the sort. Is the Commonwealth going to listen to that?

Senator GARDINER.—I believe that the Commonwealth Forces are really the reserve forces of the States for preserving order if the States so require their services.

Senator MILLEN.—If a couple of tipsy men made a riot in George-street, Sydney, and the State Government made an application, do you think that the Federal Government would send troops over to Sydney to quell it?

Senator RAE.—It does not follow because Senator Millen quotes an absurdity that, if there was a colorable case, they might not do so.

Senator GARDINER.—Let us take even the absurd proposition of Senator Millen. If the riot assumed such a magnitude that the Government of New South Wales thought it necessary to have the assistance of the Defence Forces, I venture to say that the Commonwealth Government would not be worth their salt if they did not give an order for the Defence Forces in Sydney to be called out immediately for that purpose. We are right up against that proposition. We have instituted a system of compulsory training, under which we compel every youth and young man to be drilled; and I quite agree with that policy. But, side by side with the requirement for a young man to fit himself as an efficient defender of Australia, we have no right to say to him that he shall be put, if need be, in the position of shooting down his fellow-man for fighting for something which he considers just. I remember that, when the unfortunate strike was proceeding in England a few months ago, the officer in charge of a detachment ordered a soldier to fire at a man who was climbing over a fence. The soldier refused to obey the order, was brought before a Police Court, and punished. He was asked to do an outrageous thing. He was under military law, and I suppose he should have done the thing; but he did not, and he had to pay the penalty. A distinction must be made between a man who volunteers for paid service and a man who in his full manhood accepts a duty which may put him in an unenviable position. When the former is taking the oath of allegiance he knows that, the moment he becomes a member of the Defence Forces, certain possibilities may happen. He joins the service knowing full well what his responsibilities are. But that is altogether different from the position of the compulsorily-trained men. Some of them may enter upon their training reluctantly. They may regard it even as an infringement of their liberty, as it compels them to give up their Saturday afternoons —to give up the leisure—which, perhaps, they were putting to better use. While we compel men, against their will, to undergo this drilling we go a step further, and do a grave injustice to them by saying, "Not only shall we compel you to do this, but in a case of domestic violence occurring within a State we shall compel you to be at the bidding of a State Government, which may use your services to suit its own ends." I do hope that honorable senators will try to view this matter in the light of the experiment which we are trying. Take the section of the community which I represent here—the unionists. How often have we, as unionists, found ourselves up against the injustices of State Governments? When we had everything to recommend our claim—when it was being fought out by law-abiding citizens, as peaceably and as reasonably as could be expected, how often has the stupidity of the governing forces put many of these law-loving and law-abiding citizens in a false position? As recently as at Broken Hill, in the shearers' strike, and in the strike of 1890——

Senator MILLEN.—Do not leave out the Lithgow strike.

Senator GARDINER.—I was away from Australia at the time, and so am not well acquainted with that business. My honorable friend should not smile, because the

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Commission which has been holding an inquiry quite justifies the strikers. I know the result of the inquiry.

Senator WALKER.—The inquiry was as to the quality of the steel, and not about the strike.

Senator RAE.—And the quality of the employer, too.

Senator GARDINER.—Take the Labour movement in New South Wales. I venture to say that the Labour party in the State Parliament of 1891 was almost the direct result—the logical sequence—of the blundering action of the Government in sending a force to Newcastle, having gatling guns, to be trained, if need be, to shoot down working men who were only asking for better wages and better living conditions. I know that that was the case, and I have no doubt that Senator Millen and Senator Walker do, too.

Senator WALKER.—Mr. Bruce Smith has distinctly stated that he never said that.

Senator RAE.—We are not talking about what Mr. Bruce Smith said, but about what was done.

Senator GARDINER.—I do not intend to make any accusation against the Honorable Bruce Smith, but to say that but for the fact that Sir Henry Parkes was Premier and Colonial Secretary during the strike of 1890 the marines would have been landed in Sydney. Sir Henry Parkes told Mr. Bruce Smith and Mr. McMillan, at a Cabinet meeting held at his bedside, that he was in charge of the police force, and that the marines should not be landed from the war-ships without his order. As regards what Mr. Bruce Smith was reported to have said at the time, I have never uttered a charge against that gentleman on a platform, and never will do so. I have only repeated what I heard directly from a principal who was engaged in the business.

Senator LYNCH.—Sir Henry Parkes said at the time that he was the Premier.

Senator GARDINER. — Sir Henry Farkes was Premier, and was confined to his bed with a broken leg. The desire of his colleagues was to use force to put down the strike, but, with his greater foresight, he saw that the trouble would expend itself if dealt with in a statesman-like way, and so Sydney was saved from bloodshed on that occasion. Do honorable senators think that we are past all these troubles? Do they think that we are any nearer to the millennium when there will be only good government and good laws? I recognise that we are only at the beginning of our troubles, and because we are at that point, I desire to have the law of this country altered so that when the people who have to struggle the hardest for the little they get are engaged in an industrial struggle, a Government which is not sympathetic shall not be able to turn the arms of their children against them in their fight for better conditions. That is the position now. The honorable senator who is at the head of the Defence Force can make the most of his Tory attitude in placing before the Senate the absurd inferences which he drew, but which he had no right to draw, from the remarks of Senator Rae. He tried to twist them, and put the honorable senator and his supporters in the position of persons who are trying to carry some wild or absurd proposal. We are trying to make more acceptable to the people who disagree with it the system of compulsory training. Smoothly as the system has been working, let there be in one part of the Commonwealth a great strike which stirs the hearts of the workers; let there be one section of organized labour fighting for better conditions, and one bullet fired by compulsorily-trained soldiers, and your compulsory-training system will crumble to pieces like dust.

Senator RAE.—Hear, hear; I hope that it will whenever that happens.

Senator GARDINER.—What hope will there be for a system which is now in its infancy being nursed and brought to maturity if honorable senators turn the sympathies of the workers against it? I venture to say that even the speech of the Minister of Defence to-night is calculated to do that. It was a speech of the kind which we would expect to hear if an honorable senator on the other side were occupying his position. It contained not one sentiment of sympathy, not even a recognition of the fact that he is prepared to use the force he levies for one purpose for another purpose.

Senator PEARCE.—That is not fair.

Senator GARDINER.—If, in my excited state, I have overstated the case, I apologize to the Minister, because I am always sorry for doing that. I know that occasionally I overstate a case, but always without intent. I was glad to hear the honorable senator make that interjection. I am pleased to know that there is a glimmer of the old Democracy left in him.

Senator FINDLEY.—That is a bit unfair.

Senator GARDINER.—Is even that unfair?

Senator PEARCE.—You have heard of the Pharisee, have you not?

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Senator GARDINER.—I think that I am looking at two.

Senator PEARCE.—Read the story again. Evidently, there is one righteous man in the Senate.

Senator GARDINER.—I dare say that there are thirty-six very righteous men here—if we take them at their own estimation.

Senator GIVENS.—That is an important qualification.

Senator PEARCE.—You have your doubts about the other thirty-five, I think.

Senator GARDINER.—I am not even going to claim that that is an unfair interjection.

Senator PEARCE.—No?

Senator GARDINER.—Because the man who could peer into my mind, and say what I believe, and what I doubt, could only be a man with great intellect like the honorable senator. It is only a man with a great mind who can say what another man is thinking about. I have spoken strongly upon this question, because I feel strongly upon it. I have no doubt that the Minister in his exalted position feels that he has a right to say what he likes in any manner he likes, and that after he has spoken no man shall open his mouth. I can even sympathize with a Minister who takes up that attitude. If I am making a mistake as to my estimate of the Minister, I know that he is strong enough to live the estimate I have made of him down. Anything I have said about him on this occasion has been provoked by the effect his speech had on me. I heard it with shame and regret. I have heard speeches of a similar kind from the other side of the chamber on similar occasions, and I can assure honorable senators that I could detect very little difference between the Minister's speech and the speeches which I have heard from the other side. There was the same false sentiment running through the whole of it—the sentiment that constituted authority should take precedence over human rights. I do not agree with that, and I will not agree with it even when a Minister belonging to my own party puts it before the Senate. I think that human rights and human justice come first. The Minister boasted about constituted authority, and what it is going to do, and that is the whole difference between us. He twisted the meaning of the resolution. It was he who tried to put impossible positions, and to twist the statements of Senator Rae into impossible meanings. I did not try to do so. I am trying to follow the Minister in his twistings and turnings. The question is simple and plain. Australia, through its Parliament, has decided to compel the youth and young men of this country to be trained for military service, in order to repel any foreign invasion, and we simply say now that while we do compel them to be trained to resist a foreign invasion, we are not going to compel them to do anything more than that. The object of training the youth of this country is to defend Australia from invasion, and if we want to train them for any other purpose, let us say so in an open manner. I hope the motion will be carried, and that the Senate will carry it altogether free from the misrepresentations which have been made as to its purpose. The object of the motion is to make it clear that the youths and young men called upon to undergo military training for the purpose of repelling any foreign invasion, shall not he used for the purpose of participating in domestic violence within the States.

Senator RAE (New South Wales) [9.45].—I regret that any heat has been imported into the consideration of this matter, but I say deliberately that Senator Pearce, whether intentionally or not, has certainly in the heat of his opposition to my proposal flagrantly misrepresented many of the arguments I used. For one thing, he said I was in favour of a paid standing army to suppress domestic violence, but that I objected to the compulsorily trained soldiers doing so. I said, and I think I said it clearly, that I was not attempting to bring about the whole millenium at once, and that my object was merely to provide that those who are enrolled ostensibly for one purpose shall not be used for any other purpose, I pointed out, incidentally, that there were paid men in our Forces. and I said that they would still be available if required to lead any force that was necessary to suppress domestic violence. I pointed out that in addition any of the compulsorily trained recruits who chose voluntarily to remain in the service, and to do what was asked of them, would still be at liberty to do so. I said that if they voluntarily chose to undertake such work they would still be under the control of their officers, and of the authorities generally. I merely wished to protect those who had been avowedly trained for one purpose from being used for another purpose. I venture to say that the Minister of Defence and certain honorable senators who may be prepared to vote at his bidding, misunderstand the effect of my motion.

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Senator W. RUSSELL.—I do not misunderstand it.

Senator RAE.—I am sure the honorable senator does.

Senator W. RUSSELL.—I do not understand you as a Labour man.

Senator RAE.—I do not understand the honorable senator as a Labour man. Any one who says that I am in favour of a standing army is making one misrepresentation. Any one who says that I am opposed to the compulsory training system being effective is making another misrepresentation. My words cannot fairly bear such an interpretation. I have all along believed in the possibility of this country being invaded by an outside force, and for that reason I am not only anxious, but willing that my sons shall be trained to do their part in defending the country to which they belong, and to which they owe their existence. I go further than that. I was absolutely opposed to the provision in the Act which exempts members of Parliament from service. Whether old or young, whether twenty-one or fifty, if we are able to eat and walk about we are able to put up a fight.

Senator WALKER.—Would you exempt senators over seventy?

Senator RAE.—I would not care whether they were 170. I think it is a very mean thing to ask others to do what we, as members of Parliament, deliberately exempted ourselves from doing. The argument that Parliament will be necessary to manage affairs in the event of a war is answered by the fact that there would be plenty of people willing to take our places if we were shot down. In my opinion, a man who will not vote for this motion does not understand Democracy, and I believe that the Democrats of this country will not very long tolerate as its representatives those who deliberately vote against it.

Senator W. RUSSELL.—You are preaching minority rule.

Senator RAE.—I do not expect the honorable senator to understand anything unless it is a matter which is in the interests of the South Australian "cockies."

Senator W. RUSSELL.—You are a dangerous man.

Senator RAE.—I should be dangerous to the honorable senator if I were in his electorate. He certainly has not a glimmer of an idea what the motion means, or he would not make such senseless interjections. The motion is one which will appeal to the Democracy of this country, which, like the Democracy of other countries, is sometimes a good deal ahead of its "wishy-washy" representatives in Parliament. While I have the utmost respect for the Minister of Defence and the utmost confidence in his integrity, I believe, as Senator Gardiner indicated, that his mixing up with the military people has already, to some extent, impaired his outlook. The more he mixes up with them, the more weak he will get in his advocacy of those democratic principles which distinguished him as a member of the rank and file of the workers. That may be an argument as to why there should be pretty rapid changes of Ministers, if not of Ministries. The Minister spoke about the Civil War in America. It is strange that he should have reiterated arguments that I had replied to in advance. He cited the case of the American Civil War to show that, remote as any possibility may seem, it is beyond the power of man to say what may happen. That is true enough, but he went further, and said that we should be prepared to meet remote possibilities. In another place he said that anything in the nature of armed violence in the Commonwealth was inconceivable, and then he conceived it. Let me ask what bearing the American Civil War has on the question of compulsory military service? Was there compulsory military service in that country during the war, before the war, or after the war.

Senator PEARCE.—There was, in the South, during the war.

Senator RAE.—The honorable senator says that there was compulsory military service in the unsuccessful portion of the country, and that tells against his argument. The United States had no compulsory training of the youth of their country in times of peace in the way we are attempting it.

Senator VARDON.—Perhaps there would not have been such a bloody war if there had been.

Senator RAE.—The suppression of the rebellious States, which, according to Senator Pearce, had compulsory service, was effected by voluntarily enrolled soldiers, who rallied to the defence of the Federal Union to suppress the rebellion.

Senator MILLEN.—If the Union Government had had in existence a compulsorily enrolled force, do you say they would not have been entitled to use it to maintain the Union?

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Senator RAE.—My argument is that, whether the violence were on a very big scale or a medium one——

Senator LONG.—Domestic violence and open rebellion are quite different things.

Senator RAE.—The term "domestic violence" is very wide.

Senator MILLEN.—In your motion, the words "under any circumstances" are used.

Senator RAE.—I use those words because it is impossible to define and limit circumstances. Senator Millen used the extreme illustration of a couple of drunken men rioting in a street in Sydney. Even that would be domestic violence, but I never did anticipate that any State Government in its wildest moments would ask for assistance under such conditions as those. I say that in the event of a State rebelling against the Commonwealth, without compelling the trained recruits in that State to take up arms against their fellow citizens, in all probability there would be an overwhelming rush to the assistance of the Federal Union as against the revolting State of recruits perfectly willing to continue their service. The Civil War in America shows that even were an exemption allowed to persons who did not wish to take up arms against their fellow citizens, there would be sufficient soldiers who would volunteer to stamp out any rebellion. The fact that no Government with anything like a decent case would be at a loss for volunteers is a reasonable ground for requesting that no man should be compelled to take up arms in such a case if he has conscientious reasons for objecting to do so. Again, the Minister of Defence misrepresented my remarks. He said that either you must, in time of peace, constitute another force to suppress possible internal troubles, apart altogether from the force to repel invasions, or you must wait until a crisis occurs, and then hastily call for volunteers. He knows that is not the position at all. If it was desired to suppress any violence, all that would be necessary would be to get those men who were trained—and they all will be trained in a few years—to remain in the service. Those who volunteered to do so would still be at the service of the Government. What I say is that those who do not like to do so, should not be compelled to serve. When the people generally understand the object of this motion, I feel confident that what it embodies will be made the law of the land, and that in the near future.

Question—That the motion be agreed to—put. The Senate divided.

Ayes	...	...	4
Noes	...	...	19
Majority	...	...	15

AYES.

Gardiner, A.	
Long, J. J.	*Teller:*
Rae, A.	Ready, R. K.

NOES.

Buzacott, R.	O'Keefe, D. J.
Clemons, J. S.	Pearce, G. F.
de Largie, H.	Russell, W.
Findley, E.	Sayers, R. J.
Henderson, G.	Story, W. H.
Keating, J. H.	Turley, H.
Lynch, P. J.	Vardon, J.
McColl, J. H.	Walker, J. T.
McGregor, G.	*Teller:*
Millen, E. D.	Barker, S.

Question so resolved in the negative.

ADJOURNMENT.

TASMANIAN ELECTORAL ADMINISTRATION.

Motion (by Senator MCGREGOR) proposed—

That the Senate do now adjourn.

Senator LONG (Tasmania) [10.3].—Under cover of the motion for the adjournment of the Senate, I desire to make a personal explanation in order that I may remove an impression which, I understand, was made upon the minds of some honorable senators last night when I was criticising the section of the Electoral Act under which postal voting occurs. I made a statement with regard to the wholesale abuse of the postal voting system in Hobart during the elections of 1906. It appears that some honorable senators were under the impression that I reflected upon the administration of the Minister at the head of the Department, and of the electoral officials in the Denison electorate, whose duty it was to administer the electoral law. I am sorry that any honorable senator should have derived that impression, because nothing was further from my mind than to suggest that either the Minister, or any of the officials, was other than absolutely impartial. What I wished to point out was that abuses crept in because, under the law, it was impossible for the electoral officers in Denison to detect them. Those who laid themselves out to profit by the abuses were, of course, sufficiently clever to carry on their practices without being detected. I make this explanation in order that honorable senators may clearly understand that my

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statement applied only to the individuals who were in the pay of one of the candidates, and by no stretch of imagination should they have been regarded as applying to the officials charged with the administration of the law. I should not have felt called upon to make this explanation, except for the remark made by Senator Vardon this afternoon, from which I gathered that he had inferred that I had reflected seriously upon the Minister, and the officials. I say, again, that I had no such intention.

Question resolved in the affirmative.

Senate adjourned at 10.6 p.m.

House of Representatives.

Thursday, 2 November, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

WHARF LABOURERS' STRIKE.

Mr. GREENE.—Is the Attorney-General in a position to give the House information as to what steps, if any, he intends to take in regard to the wharf labourers' strike in Sydney?

Mr. HUGHES.—I am not in possession of any facts other than those published in the press. I am aware that the men of another branch of the industry have ceased work, but the position so far as jurisdiction is concerned is not altered by that fact. The President of the Court is of the opinion that he has no jurisdiction. As I promised the honorable member, I am inquiring into the matter.

MOORE-STREET MONEY ORDER OFFICE.

Mr. FRAZER.—With reference to a question asked by the honorable member for East Sydney on the 26th ultimo, which implied that inconvenience was being caused to the public in obtaining money orders owing to inadequate space being available in the temporary office in Moore-street, Sydney, and to my promise to have inquiries made in the matter, I have now received the following report from the Deputy Postmaster-General, Sydney:—

The public are not inconvenienced in obtaining postal notes or money orders owing to inadequate space at Ocean House, Moore-street, such space being ample and commodious. Occasionally temporary congestion arises when a large number of the public clamour for immediate attention, and, in order to minimize this, a redistribution of the tellers has just been effected. A rearrangement and extension of the counter accommodation has also been determined on, and when this is completed it is expected that the accommodation and attendance will be adequate for all demands.

TRANSFER OF STATE OFFICERS.

Mr. ARCHIBALD asked the Postmaster-General, *upon notice*—

1. Have State clerical officers who entered the State service since 1901 any right of transfer to the Commonwealth Clerical Division?
2. If so, in what regulation is it set forth?
3. Is the State Civil Service examination of South Australia considered to be of the same standard as that of the Commonwealth Clerical examination?
4. Is it a fact that a junior State clerical officer was recently transferred from a State Department in South Australia to a clerical position in the Correspondence Office, G.P.O., Adelaide?
5. If so, in what way had the transferred officer qualified for the position?
6. How were his qualifications ascertained?
7. How long had he been in the State service of South Australia?

Mr. FRAZER.—The Public Service Commissioner has furnished the following information:—

1. No right is conferred upon such officers, but they are eligible for appointment under the provisions of the Public Service Act.
2. Section 34 of the Public Service Act.
3. It is considered to be practically equivalent.
4. Yes. No candidate was available at the time by examination, nor was there any officer eligible for transfer from the General Division.
5. His eligibility under section 34 of the Public Service Act.
6. See reply to 5.
7. From 1st October, 1909.

PATENTED ARTICLES.

Mr. HEDGES asked the Attorney-General, *upon notice*—

Whether articles patented in the Commonwealth can, without the patentee's permission, be made and used by the Commonwealth Government without compensation being paid to the owner of the patent?

Mr. HUGHES.—No.

JESSOP V. *LESSER.*

Mr. MATHEWS (for Mr. McDOUGALL) asked the Attorney-General), *upon notice*—

1. Whether his attention has been drawn to the report in the Coleraine *Albion*, of the 26th October last, of the case of *Jessop* v. *Lesser*, heard recently at Hamilton?
2. Is it true that, during the hearing of the case referred to, Mr. Morley said:—"That, being of the same shade of politics as Mr. Lesser, he would not push for so heavy a fine as he might otherwise have done," and also that

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"in view of the conviction and the plea of guilty in the three cases he would make a certain recommendation to the Department, though he could not bind the Department to accept it"?

3. If this report is true, what action does the Minister intend to take in the matter?

Mr. HUGHES.—The answers to the honorable member's questions are—

1. Yes.

2. As regards the first quotation, I am informed by Mr. Morley that the report is altogether incorrect, and that on first seeing it, two days ago, he wrote to the editor requesting its correction.

The second quotation is believed to be a correct report. Where a defendant is charged with a series of similar offences, it is usual to select a few of these for prosecution, and, if a conviction with substantial penalties is obtained upon those, not to proceed with the others. Mr. Morley's observation was quite in accord with the practice in such cases, and with his instructions.

SUGAR COMMISSION.

Mr. BRUCE SMITH asked the Minister of Trade and Customs, *upon notice*—

1. Is he aware that, in the columns of a Queensland Labour newspaper, the manager of which has been made a member of the Royal Commission on the Sugar Industry, an article appears, entitled "The Sugar Problem," in which the questions to be investigated by that Commission are apparently prejudged in the following statements:—

> "The Royal Commission is given ample scope by its creators; and when it commences its work, it will find that scope considerably enlarged."
>
> "The production of sugar, as a finished article, is in the hands of unscrupulous private enterprise."
>
> "It is imperative that the people establish a refinery; and the forthcoming Commission will find some solution of the problems."
>
> "Wages all round will then adjust themselves, and the people will get their sugar at a reasonable price, there being no huge middleman dividends to support."
>
> "As a set-off to the recent sugar strike, that mammoth sucker, the Colonial Sugar Co., promptly shot the price-list to a height unheard of and undreamt of."
>
> "The State will have to build refineries; and its reluctance to do so will be met by the two-bladed sword of bounty and duty, which the Commission must not hesitate to use."
>
> "Private enterprise, with its scandalous price-list, can then be made to feed out of the hand"?

2. Does the Minister consider that this series of statements, apparently prejudging the issues submitted to the Royal Commission, and appearing in the columns of a newspaper controlled by a member of that Commission, is calculated to impress the people with its trustworthiness as an impartial tribunal, or its fitness to investigate the facts of one of the country's most important industries?

Mr. TUDOR.—The answers to the honorable member's questions are—

1 and 2. I am not aware any member of the Sugar Commission holds the views expressed in the article referred to, which I have not seen, nor did I hear of it until the honorable member brought it under notice.

The only member of the Commission, within my knowledge, in any way associated with a newspaper was the Honorable A. Hinchcliffe, who, I am advised, was business manager of the Brisbane *Worker*, but was in no way responsible for the articles which appeared in that publication.

LAND TAX.

Mr. THOMAS BROWN asked the Treasurer, *upon notice*—

1. Is there information available which will permit of a statement being prepared showing the number of land-owners assessed under each progressive section of the Land Tax Assessment Act; the areas so assessed; and the amount of revenue collected in each such section?

2. Will he have a return prepared and made available for public information, showing in each State—

(*a*) The number of owners assessed in each progressive section;
(*b*) The number of holdings so assessed;
(*c*) The amount of revenue collected under each such progressive section?

Mr. FISHER.—Returns in connexion with the land tax are being prepared, and will be submitted to Parliament as soon as available.

PARLIAMENTARY REFRESHMENT BAR: SALE OF INTOXICATING LIQUORS.

Mr. FINLAYSON (Brisbane) [2.37].—I move—

That, in the opinion of this House, the sale of intoxicating liquors should be prohibited within the precincts of this House.

In introducing a similar motion last session, I paid particular attention to the purely local aspect of the question, but to-day I shall direct attention to a wider horizon, and ask honorable members to consider the matter as one of national importance. The sale of intoxicating liquors within the precincts of this House affects not only honorable members and others who have access to the refreshment rooms, but also the citizens of Melbourne, the electors of Victoria, and the people of the whole Commonwealth. No question within the realm of politics more deeply concerns the nation than *this* matter of the use of intoxicating liquors. It is of all questions a universal problem, and, indeed, the most perplexing with which the world has to deal to-day. It is the one item that is demanding of every

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Parliament a reasonable solution, and this, the National Parliament of Australia, cannot view with unconcern the sale of intoxicating liquors, not merely in this building, but in the country generally. That that is the view taken by interested people outside the House is evidenced by the fact that yesterday I received the following telegram—

Queensland Good Templars wish you success. Gratified note abstemiousness Federal Parliament. Carrying resolution would have far-reaching moral effect, strengthening, encouraging reformers who are grappling drink problem. Australia's Parliament by raising prohibition standard—beginning at home—can assist great world movement for righteousness.

That telegram was signed by the Grand Chief Templar, Mr. Page Hanify. I received also a letter from the Sons of Temperance of Victoria, from which the following is an extract :—

I can assure you of the hearty sympathy and good wishes of every member of my society, and trust the members of your honorable House will rise to the occasion and set a noble example to our land by supporting you in your action, thus consummating the desire of so many in our cause.

The letter is signed by Mr. Herbert R. Francis, General Secretary. These letters, together with over a hundred telegrams and letters upon the same subject that I received last year, show that there are outside this House a large number of people who are looking at this question from the national point of view, and are not merely concerned with its local aspect. I was rather interested last year in the public notice given to my motion, and particularly pleased with some comments made by the Melbourne *Herald*. I had the honour to draw from that newspaper a comparison between my own attitude and that of the late Right Honorable W. E. Gladstone, who was described by Disraeli as being intoxicated with the exuberance of his own verbosity. The *Herald* went on to point out how intemperate I was in my language, how extravagant I was in my illustrations, and how unfair I was to the members of this Parliament. I explained when I introduced this motion last session, however, that anything I might say with regard to it would have no reflection on, and no personal application to, the members of this Parliament. I repeat that statement to-day. I propose to discuss this question free from any personal application, and wish only to ask honorable members to realize that, since we are charged with the national affairs of Australia, and concerned with those things which are for the welfare of the Commonwealth, we cannot ignore our responsibility by refusing to consider what would be at least the moral effect of our action, in prohibiting the sale of intoxicating liquors in the Parliamentary Refreshment-rooms, and upon the whole question of the sale of intoxicating liquors throughout Australia. In order that honorable members and the public generally may not imagine that I am a lone voice crying in the wilderness regarding the viciousness of the liquor traffic, the degrading and debasing effects of the use of alcohol, and the national waste and the national loss, both in money and in lives, that result from this traffic—in order that honorable members may realize that I am supported in my attitude of uncompromising hostility to the traffic—I propose to make a few quotations from statements made by persons in all walks of life in regard to this question. I begin with a quotation from a speech made by the late Queen Victoria, when addressing some South African chiefs at Windsor in 1895—

I am glad to see the Chiefs. . . . I approve of the provision excluding strong drink from their country. I feel strongly in this matter, and am glad to see that the Chiefs have determined to keep so great a curse from the people.

Sir George Sydenham Clarke, when Governor of Victoria, said—

We cannot measure it, but we know what an amount of evil intemperance is causing amongst us. We know, for example, that it distinctly lessens the brain power, and therefore the intellectual and industrial productiveness of the people. We know that it imperils physical health and helps to fill our asylums. We know that it entails crime and squalor on thousands of homes; and, lastly, we know that it will stamp its baneful influence on generations and generations yet to be born.

Theodore Roosevelt, in *Munsey's Magazine*, wrote—

The friends of the saloon-keepers denounce their opponents for not treating the saloon business like any other. The best answer to this is that the business is not like any other business, and that the actions of the saloon-keepers themselves conclusively prove this to be the case. The business tends to produce criminality in the population at large and law-breaking among the saloon-keepers themselves. When the liquor men are allowed to do as they wish, they are sure to debauch not only the body social, but the body political also. The most powerful saloon-keeper controlled the politicians and the police, while the latter, in turn, terrorized and blackmailed all other saloon-keepers. If the American people do not control it, it will control them.

Mr. WEST.—I rise to a point of order. Since the honorable member's motion relates to the sale of intoxicating liquors

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within the precincts of this building, I wish to know, Mr. Speaker, whether he is in order in introducing matters relating to the sale of liquor in the United States of America, and the liquor trade in general? I contend that he is going entirely beyond the scope of his motion.

Mr. KELLY.—On the point of order——

Mr. SPEAKER.—I am prepared to give my ruling. I understand that the honorable member for Brisbane is merely bringing forward illustrations to substantiate his argument in support of the passing of his motion. He is in order in doing so.

Mr. FINLAYSON.—I can promise honorable members that before I have finished they will have ample argument to induce them, I hope, to decide that since the liquor traffic has these evil effects in other parts of the world it is our duty to take up an attitude of hostility towards it in this House.

Mr. WEST.—The honorable member is wasting the time of the Parliament, which might be used to some better purpose.

Mr. RILEY.—The honorable member ought to withdraw that remark.

Mr. FINLAYSON.—Viscount Wolseley, when Commander-in-Chief of the British Army, said—

> There are yet some great battles to be fought, some great enemies to be encountered by the United Kingdom, but the most pressing enemy is drink. It kills more than all our newest weapons of warfare, and not only destroys the body, but the mind and soul also.

Let me quote now what the statesmen say. These are the words of Richard Cobden—

> The temperance cause lies at the foundation of all social and political reform.

The Right Honorable Joseph Chamberlain says—

> If I could destroy the desire for strong drink in the people of England, what changes should we see? We should see our taxes removed by millions sterling! We should see our gaols and work-houses empty! We should see more lives saved in twelve months than are consumed in a century of bitter and savage war!

Lord Rosebery says—

> Though I am not a fanatic in temperance reform, I view the uncontrolled conditions of the liquor traffic as a serious danger for two reasons:—
>
> 1. No one can deny that there is a great deal too much drink in this country, and that much of the crime and much of the pauperism, and almost all the degradation prevalent in this country are attributable to the curse of Drink.
> 2. The liquor traffic is becoming too great a power in the State. I go so far as to say this—That if the State does not soon control the liquor traffic, the liquor traffic will control the State. The temperance movement has my most enthusiastic support, because it will put an end to a political ring which threatens to throttle and control the Commonwealth itself.

Lord Randolph Churchill wrote as follows:—

> Imagine what a prodigious social reform, what a bound in advance we should have made if we could curb and control this devilish and destructive liquor traffic. Imagine, if by some reasonable wise legislation, we could diminish the facility of recourse to the public-house, what a large proportion of these scores of millions spent on drink would be diverted from the liquor trade, and flow over to other trades and industries. All trades would benefit; more food would be purchased, and better kinds of food; more clothing and more furniture; more education would be given to the children, and better kind of education.

Viscount Peel, Chairman of the Royal Commission on Liquor Licensing Laws, wrote—

> It has come to be a struggle for mastery between the State and a trade, and the time has fully come for the decision of the question—who is to be master?

The following was the opinion of the Right Honorable W. E. Gladstone:—

> It has been said that greater calamities, greater because more continuous, have been inflicted on mankind by intemperance than by the three great historic scourges of war, famine and pestilence combined. That is true, and it is the measure of our discredit and disgrace.

Prince Bismarck said—

> If it were possible to extend the field of legislation, so that protection could be afforded to workmen against the demon of drink, a large portion of the Social question would be solved at one stroke.

An honorable member reminds me that the late King Edward and the present King George both said that they had no objection to, but would rather prefer, their health being drunk in water instead of wine. The Lord Mayor of London, at the annual meeting of the Post Office Total Abstinence Society, spoke as follows:—

> He could state from personal experience that he thoroughly believed in total abstinence. . . . Total abstinence from all intoxicants made for better health. Had they any doubt on that point? Had they ever reflected that, when a man wanted to obtain the best physical results, he became a total abstainer for the time being with that object in view? Athletes, for instance, invariably became total abstainers for the time being. . . . It was part of his duty to sit on the Bench and hear all kinds of trouble discussed in the cases which came before him. He had there discovered that drinking in excess was productive of an immense proportion of the trouble and the crime afflicting our nation, and disgracing more or less the national flag. He noticed in further confirmation of that view that

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the Posmaster-General had stated that intemperance was responsible for 35 per cent. of the dismissals and 66 per cent. of the loss of good conduct stripes in connexion with the Post Office. The experience of all departments of life was in the same direction.

The Right Hon. John Burns said—

If the waste stopped at the direct cost, the trouble would be large, though computable, but the bane of drink is that the chief mischief only begins when it has passed into circulation, and it returns after many days in crime, disorder, disease, squalor, and all the abominations drink causes.

Sir T. Whittaker, M.P., said—

The trade blasts and blights human happiness, degrades and pauperizes, shames the purity of women, darkens the home, and makes child life miserable, terrible, and horrible.

Mr. T. P. O'Connor, M.P., said—

I am not a teetotal fanatic, but never shall I lose an opportunity of saying that in this country those who have to make their living, and especially those who have to make it under great disadvantages, are little better than lunatics if they do not cast behind them the incalculable temptations and the infinite perils of moderate drinking. If I wanted living object lessons to preach this gospel to the world of youth, I could point it out on the Treasury bench of the House of Commons, at this very moment. There are three teetotallers at least on the Bench—Mr. Lloyd George, Mr. Runciman, and Mr. Burns—and there is not one that hasn't helped himself in life and that isn't the better and fitter for his work because of his teetotalism.

That reminds me of the fact that in this Parliament we are very fortunate in that regard. I believe that at least seven of the ten Ministers are teetotallers, and several of them have been life-long abstainers. The Hon. J. G. Appell, Home Secretary, in introducing the Liquor Bill in the Queensland Parliament last month, said—

The Government fully realize the importance of this measure in view of the great interests involved—the physical and moral benefit of the people of the State, and the great interests—the financial interests—connected with the liquor trade. . . . The question above everything else is the welfare of the people—irrespective of any loss that may be caused to the State revenue owing to a decrease in the amount of liquor consumed.

The Brisbane *Worker* in an article on 2nd September wrote as follows:—

When you are counting the ruling Powers of the earth, don't omit Bung. If you do, your estimate of the world's forces won't amount to much.

Bung is one of the greatest monarchs of our day. There is not another who exercises so wide a sway, or claims jurisdiction over a race so numerous, or has such absolute dominance over the bodies and souls of his subjects.

Yet Bung has no country of his own. He doesn't need one. He is more powerful in the countries of other sovereigns than they themselves are.

He does just what he pleases with their possessions; not infrequently it happens that the very king on the throne is his abject slave.

He goes into their courts of law, and dispenses what is known as justice.

He goes into the parliaments; and the legislation bears evidence of his work. Many of the things we call "laws" are only beer stains on the statute book.

He goes into the homes of the people, and fathers—even mothers—prostrate themselves before him, and strip their children bare to offer him sacrifice.

You can't afford to ignore Bung when you are reckoning up the ruling Powers of the earth. Under Capitalism—the supreme Despot—he is mightiest of the vassal kings.

Mr. Keir Hardie, M.P., said—

National greatness did not depend upon the size of our armies and our fleets only. The country that was the most righteous was the greatest. And it was because the drink traffic tended to hinder the realisation of that ideal that they of the working-class movement, especially the socialist element in that movement, were bound to be the most pronounced in their opposition to the success of democracy. There was no man who was engaged in public work, whatever his position in politics, who could fail to be impressed with the magnitude of the evil of intemperance. There must be differences of opinion concerning the question as to whether alcoholic liquors should be used at all, but there could be no question about the terrible evil which drunkenness inflicted upon our nation. Those best acquainted with the Labour movement would bear him out that the strongest ally there was on the side of reaction was intemperance. It made every movement more difficult, and tended to thwart many a well-meant effort.

Mr. Philip Snowden says on this matter—

The traffic is largely responsible for murder, suicide, immorality, and petty crimes; it is poisoning the bodies of the children before they are born; it sends thousands to the grave before they have learned to lisp; it gives to tens of thousands who survive a shattered constitution and weakened will; it predisposes them to every form of illness; it is destroying the capacity for motherhood, and weakening the natural instincts of the mother. It wastes all this human life, and it involves an incalculable loss of social wealth through physical inefficiency, mental incapacity, and loss of self-respecting ambition. It wastes the value of the lost time and expense through sickness, and the maintenance of prisons, police courts, homes, and asylums due to drink. Drink is, in fact, one of the most destructive evils, destroying mind and body, which curses the human race.

John B. Lennon, Treasurer of the American Federation of Labour, says—

I am against the saloon because I have been in the organized labour movement all my life and know what the saloon has done and is doing against the workers of our country. I know that every particle of influence that goes out from the saloon must mean the reduction of real wages, that every cent spent in the saloon is so much wasted. I am against the saloon because organized labour has always insisted that the children shall be kept out of the factories and

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work-shops; yet the saloon is driving them into industrial life faster than we are able to keep them out.

The numbers are increasing every day of those who are determined that this blot of the saloon, this infamous thing that is destroying our homes and our Government, that threatens the future of democracy, must perish.

Richard Trevellick says—

In my work of Labour reform I am brought face to face with the liquor traffic. It foils our efforts to get good laws. I must get the saloon out of the path to secure the elevation and prosperity of Labour.

Terence V. Powderly says—

Boycott the saloon, and in five years we will have an invincible host arrayed on the side of truth and justice.

John Swinton says—

The use of strong drink has always operated against Labour in its conflicts against the unfair encroachments of capital.

Mr. John Verran, Premier of South Australia, has taken a very courageous stand in regard to, not only drink, but gambling, which he calls the twin curses. He says—

I will make no uncertain stand about the questions of drink and gambling, the great twin curse. Although we hear a lot of clap-trap and filthy language being used against the Church of God, that Church is the one home and refuge to-day. Any man who goes into Parliament and is not prepared to fight for the Church is neglecting his duty to the country.

The late Robert Ingersoll, in one of his brilliant lectures dealing with the drink question, says—

Intemperance cuts down youth in its vigour, manhood in its strength, and age in its weakness. It breaks the father's heart, bereaves the doting mother, extinguishes natural affections, erases conjugal loves, blots out filial attachments, blights parental hope, and brings down mourning age in sorrow to the grave. It produces weakness, not strength; sickness, not health; death, not life. It makes wives widows; children orphans; fathers fiends; and all of them paupers and beggars. It feeds rheumatism, nurses gout, welcomes epidemics, invites cholera, imports pestilence, and embraces consumption. It covers the land with idleness, misery, and crime. It fills your gaols, supplies your almshouses, and demands your asylums. It engenders controversies, fosters quarrels, and cherishes riots. It crowds your penitentiaries and furnishes victims to your scaffolds. It is the life-blood of the gambler, the element of the burglar, the prop of the highwayman, and the support of the midnight incendiary. It countenances the liar, respects the thief, esteems the blasphemer. It violates obligations, reverences fraud, and honours infamy. It defames benevolence, hates love, scorns virtue, and slanders innocence. It incites the father to butcher his helpless offspring, helps the husband to massacre his wife, and the child to grind the paracidal axe. It burns up men, consumes women, detests life, curses God, and despises heaven. It suborns witnesses, nurses perjury, defiles the jury box, and stains the judicial ermine. It degrades the citizen, debases the legislator, dishonours statesmen, and disarms the patriot. It brings shame, not honour; terror, not safety; despair, not hope; misery, not happiness; and with the malevolence of a fiend, it calmly surveys its frightful desolation, and unsatisfied with its havoc, it poisons felicity, kills peace, ruins morals, blights confidence, slays reputation, and wipes out national honours, then curses the world and laughs at its ruin.

The *Catholic Encyclopedia*, Vol. I., page 276, says—

From a sociological stand-point we are compelled, by incontrovertible evidence, to acknowledge that it (alcohol) is, of all causes, the most frequent source of poverty, unhappiness, divorce, suicide, immorality, crime, insanity, disease and death.

The late Cardinal Vaughan said—

The houses of the liquor trade are as so many vampires that suck the life-blood out of the bodies of the poor. While we strenously defend the sacred rights of private property, how can we defend the property that depends for its value upon the physical and religious ruin of a countless number of human bodies and souls?

Cardinal Manning says—

The drink traffic is a public, permanent, and ubiquitous agency of degradation. . . . The drink trade is our shame, scandal, and sin, and unless brought under by the will of the people, it will be our downfall.

Archbishop Ireland says—

Would God place in my hand a wand with which to dispel the evil of intemperance, I would strike the door of every saloon, every distillery, of every brewery, until the accursed traffic should be wiped from the face of the earth.

Father McGory says—

You may ask where do I stand? You have a right to know.

Creep up close to the heart of God, who hates every evil thing. Ask Him where He stands, and put me down on that side.

Or, if that is too much trouble, go to the poor pale-faced woman, the ragged and half-starved children, the innocent victims of the accursed traffic. Ask them where they stand, and put me down there.

Or, if that is too much trouble, go out to your cemetery, and, creeping in among the graves of the victims of the demon drink, ask yourself as you contemplate their ruin, where in the name of all that is holy, a man should stand. When you have your answer put me down there.

I stand here to-night giving no quarter and asking none, conscious that I am sustained by Heaven, indorsed by every good woman and every honest man. But if I should stand alone here, I should stand, conscious that one with God is a majority.

Another authority says—

The saloon is the enemy of God. Its forces are against the forces that make for righteousness. It makes a brute of the being God created in His own image and likeness. Its very atmosphere reeks with blasphemy; it destroys all

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faith, all virtue, all love toward God, reverence for God, likeness to God; it is the organized expression of the kingdom of Satan among men.

The saloon is the enemy of man. It bloats his visage, corrupts his heart, weakens his will, sears his conscience, makes a common sewer of the body intended to be the temple of God's spirit, sends an immortal soul reeling into outer darkness.

The saloon is the enemy of the home. It puts out the fire, empties the larder, turns the protector of the family into a thing of terror and abhorrence, clothes the wife in rags, and brings the children to suffering and shame.

The saloon is the enemy of the State. It is the breeding place of all plots and conspiracies that threaten the downfall of society. It is the Gibraltar of bad politics, the gathering place of thugs and repeaters, the market of the purchaseable vote, the fountain head of municipal wrong doing.

The saloon is the enemy of the Church. Beside every sanctuary the Devil would open his pit. It builds up a barrier between the soul and Christ, fills men with hatred toward everything lovely and of good report, bars the way to the sanctuary, and laughs at the thought of God and eternity.

Henry Grady, speaking of the "Mission of the Liquor Traffic," says—

To-night it enters a humble home to strike the roses from a woman's cheek, and to-morrow it challenges this republic in the halls of Congress.

To-day it strikes a crust from the lips of a starving child, and to-morrow it levies tribute from the government itself.

There is no cottage humble enough to escape it, no palace strong enough to shut it out.

It defies the law when it cannot coerce suffrage. It is flexible to cajole, but merciless in victory. It is the mortal enemy of peace and order, the despoiler of men and terror of women, the cloud that shadows the faces of children, the demon that has dug more graves and sent more souls unshrived to judgment than have wasted life since God sent plagues to Egypt, and all the wars since Joshua stood before Jericho.

It comes to ruin, and it shall profit mainly by the ruin of your sons and mine.

It comes to mislead human souls and to crush human hearts under its crumbling weight.

It comes to bring grey-haired mothers down in shame and sorrow to their graves.

It comes to change the wife's love into despair, and her pride into shame.

It comes to still the laughter on the lips of little children.

It comes to stifle all the music of the home and fill it with silence and desolation.

It comes to ruin your body and mind, to wreck your home, and it knows it must purchase its prosperity by the swiftness and certainty with which it wrecks this world.

R. E. Glenn, Governor of North Carolina, says—

The curse of drink brings mourning instead of rejoicing, tears instead of laughter, rags instead of clothing, disease instead of health, insanity instead of strong mind, crime instead of law and order, death instead of life.

Dr. D. Wallace Smith says—

If drink makes it harder for a man or a woman to be honest, truthful, pure, upright, and efficient, it is a thing to be condemned. If strong drink robs men and women of their best qualities, their character, and their souls, then, in God's name, away with it.

According to the *Indianapolis News*—

The saloon is a running sore on the body politic. It is a vicious, contagious, dangerous plague spot. There is not room for it and liberty both to live. One or the other must go.

This is Abraham Lincoln's opinion—

Whether or not the world would be vastly benefited by a total and final banishment from it of all intoxicating drink seems to me to be not now an open question. Three-fourths of mankind confess the affirmative with their tongues, and I believe all the rest acknowledge it in their hearts.

Then General Grant tells us that—

The intoxicating cup is of the devil, and leads to hell, and we will neither touch, taste, or handle the poisonous liquid, nor have any fellowship with those who fatten on the woes and miseries of mankind by its sale and manufacture.

Drink is the greatest curse, because practically all crime and all disaster are the result of it. Nearly every great disaster in the country, barring accidents of nature, is due to drink. . . . Ninety-five per cent.—I will make it no less—of desertions and acts of lawlessness in the army is due to drink. If I could, by offering my body as a sacrifice, free this country from this fell cancer, the demon drink, I would thank the Almighty for the privilege of doing it.

General Booth is of the opinion that—

The mighty torrent of alcohol, fed by 10,000 manufactories, sweeps on, bearing with it, I have no hesitation in saying, the foulest, bloodiest tide that ever flowed from earth to eternity.

The late Dr. MacLaren, of Manchester, says that—

No single vice drags after it more infallibly such a multitude of attendant demons as the vice of drunkenness, which is the crying sin of England to-day. . . By the soul only are the nations great and free, and a nation can be neither where the drink fiend has its way.

Another divine, the Rev. W. Walsh, of Scotland, has expressed himself in these terms—

A monopoly, the most gigantic, determined, and unconscionable that ever dug its fangs into the vitals of mankind, is represented by the traffic in alcoholic liquors. It is bound up with the selfish interests of every class in the community—from the working man, up through the parson and the bishop, to the M.P. and the peer—and from the legislature's triumphant height looks down upon the shaking or the fall of other institutions; while they crumble and totter, it apparently flourishes in immortal youth.

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A French authority, the late Professor Brouardel, of Paris, wrote—

> This invasion of alcoholism ought to be regarded by every one as a public danger, and the principle that the future of the world will be in the hands of the temperate ought to be inculcated as a truth that is incontestable.

Let me now turn to the statements of authors and poets. Rudyard Kipling tells how, in the city of Buffalo, he saw two young men get two girls drunk, and then lead them reeling down a dark street. He writes—

> Then recanting previous opinions, I became a prohibitionist. Better it is that a man should go without his beer in public places, and content himself with swearing at the narrow-mindedness of the majority; better it is to poison the inside with very vile temperance drinks, and to buy lager furtively at back doors, than to bring temptation to the lips of young fools, such as the four I had seen. I understand now why the preachers rage against strong drink. I have said 'There is no harm in it taken moderately,' and yet my own demand for beer helped directly to send these two girls reeling down the dark street to—God alone knows what end. If liquor is worth drinking, it is worth taking a little trouble to come at—such as a man will undergo to compass his own devices. It is not good that we should let it lie before the eyes of children, and I have been a fool in writing to the contrary.

Marie Corelli, writing on the subject, says—

> As for the drink evil, I wish that every one into whose hands this book may fall would honestly try to realize the widespread misery, disease, pauperism, crime, and lunacy for which that hideous vice is responsible, and would add his or her wish to mine, in a strong prayer that the wicked financial fortunes derived by the few out of the physical debasement of the many may be checked and finally come to naught, so that the British people, released at last from the dominant sway of the liquor traffic, may rise to the best of everything in them—the best of brain, the best of work, the best of health, and the best of life. A temperate people must always be a strong people, and to hold our own in the days that are coming we shall need all the strength that sound minds and sound bodies can give us. There is no room in Britain for a national vice which betrays a national weakness.

Other authors whose opinions I might quote are Hall Caine, the late E. P. Roe, "Ralph Connor," and "John Strange Winter." In the centenary edition of the poems of Robert Burns is a short address to William Steward, one of his acquaintances. It gives the experience of one who knew the sufferings that come to every drunkard after a debauch, and is as follows—

> In honest Bacon's ingle-neuk,
> Here maun I sit and think;
> Sick o' the warld and warld's-folk,
> An' sick, damn'd sick o' drink.
>
> I see, I see, there is nae help,
> But still doun I maun sink!
> Till some day laigh enough I yelp:
> "Wae worth that cursed drink."
>
> Yestreen, alas! I was sae fou,
> I could but yisk and wink;
> And now this day, sair I rue
> The weary, weary drink.
>
> Satan, I fear thy sooty claws,
> I hate thy brimstane stink,
> And aye I curse the luckless cause,
> The wicked soup o' drink.

Drink is a foe that has overcome such great men as Pitt, Addison, Sir George Trevelyan, Charles Lamb, Hartley Coleridge, and "Bonnie Prince Charlie" in England, and Webster and Poe in the United States of America.

Mr. CHANTER.—No one recommends the abuse of intoxicating liquors.

Mr. FINLAYSON.—I shall deal with that objection later. I wish now to make a series of quotations of the views expressed by persons in the liquor trade. I have no quarrel with them individually. They must accept full responsibility for what they are doing, and are answerable to their own consciences, but it is the traffic with which I am at war. During the recent local option contest in New South Wales, Mr. Richard Kenna, the licensee and owner of the Grand Hotel, Bathurst, wrote—

> I have an interest in three hotel properties, and under these circumstances it is compulsory for me to handle filthy lucre accruing from the sale of detestable liquor. The public will be surprised to hear I abhor my hotel associations. Five years' experience convinces me that in any phase the liquor traffic which the union is attempting to defend is a curse and a scourge to humanity. I could wade through a category of deplorable scenes of crime, starvation, and ruin, of which I have been an eye-witness, through this cursed liquor traffic.

When before the Victorian Tariff Commission, Mr. Saul Joshua said—

> There is humbug in all trades, and that in the spirit trade is beyond description.

Referring to the evidence of Mr. P. Daly, the secretary of the Victorian United Licensed Victuallers' Association, the *Australasian* said—

> The public have long suspected that they were being slowly poisoned, and it will be consoling to receive the official assurance that their suspicions were perfectly well founded.

In an essay written by Charles Buxton, M.P., a famous brewer, and published in the *North British Review*, there occur—

> It is in vain that any
> that philanthropy can d
> we seek to benefit are h

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their faculties of reason and will—soaking their brains with beer, or inflaming them with ardent spirits. The struggle of the school, and the library, and the Church all united, against the beer-house and gin-palace, is but one development of the war between heaven and hell. . . Add together all the miseries generated in our time by war, famine, and pestilence, the three great scourges of mankind, and they do not exceed those that spring from this one calamity.

From a book entitled *Growing towards the Light*, written by Mrs. Henry A. Doudy, an Adelaide lady, I quote an advertisement, said to be genuine, written by a publican named R. P. Love, the owner of Eagle Bar, at Sumas, Washington—

Friends, I have opened a shop for the sale of liquid fire, and embrace this opportunity to inform you that I have commenced the business of making

DRUNKARDS, PAUPERS, and BEGGARS for the sober, industrious, and respectable portion of the community to support. I shall deal in

FAMILY SPIRITS which shall take men from the ranks of productive industry, and excite them to deeds of

RIOT, ROBBERY, and BLOOD,

and by so doing diminish the comfort, augment the expenses, and endanger the welfare of the whole community.

I will undertake, at a short notice, for a small sum, and with great expedition, to prepare victims for the

ASYLUMS, POOR-HOUSES, PRISONS, and GALLOWS.

I will furnish an article which will increase the amount of fatal accidents, multiply the number of distressing diseases, and render those that might have been cured, incurable.

I will deal in drugs which will deprive some of LIFE, many of REASON, most of PROPERTY; which will cause fathers to become fiends, wives widows, children orphans, all of these mendicants.

I will cause many of the rising generation to grow up in ignorance, and prove a burden and nuisance to the nation.

I will cause mothers to forget their offspring, and cruelty to take the place of love.

I will sometimes even corrupt the ministers of religion, obstruct the progress of the Gospel, defile the purity of the Church, cause TEMPORAL, SPIRITUAL and ETERNAL DEATH.

And if any should be so impertinent as to ask why I have the audacity to bring such accumulated misery upon a comparatively happy people, my honest reply is,

MONEY.

The drink trade is lucrative, and some professing Christians give it their cheerful countenance.

I have a LICENCE, and if I do not bring these evils upon you SOMEBODY ELSE WILL.

I have purchased the right to do my best to demolish the CHARACTER, destroy the HEALTH, shorten LIVES, and ruin the SOULS of those who choose to honour me with their regular custom.

I pledge myself [illegible] that I have herein promised [illegible] with any of the evils specified [illegible] brought in connection [illegible] their [illegible] to [illegible]

MEET ME AT MY BAR,

where I will, for a few cents, furnish them with the certain means of accomplishing their wishes.

A matter in which we are all interested is national efficiency, particularly for defence. I have here the full text of a speech on this subject delivered by the German Emperor a short time ago. Let me read some extracts from it—

I can assure you that in the course of my reign of twenty-two years, I have observed from experience that the greater part of the crimes which have been appealed to me for decision ought to be reported as the result of the alcohol evil. . . . The next war, the next naval battle, will demand from you sound nerves. Nerve power will decide the victory. Now, the nerves are ruined, damaged from youth by the use of alcohol. . . . The nation which absorbs the least amount of alcohol will carry home the victory.

By order of the Emperor, a copy of *Alcohol and Virility*, a German temperance publication, is handed to every recruit on entering the military and naval service. Vice-Admiral King Hall, who is now in charge of the Australian station, in an address at the Seamen's Institute on 4th May last, said—

A total abstainer all my life, and believing in it implicitly, I gladly say a word on the subject to-night. My father became an abstainer when he was captain of a man-of-war, and I followed his good and wise example. Personally it affects me favorably in three ways—I am better in health, in pocket, and in nerves. . . . At least 60 to 70 per cent. of our troubles come from alcohol, and therefore we must leave it alone. I personally, on leaving England, thanked His Majesty King George for permitting us to drink his health in water, and His Majesty said he was pleased to think so many did so.

In conclusion he said—

I have seen the evils of intemperance and the blessedness of total abstinence, and cannot but speak of what I know.

I have here a statement showing that—

A test of precision in marksmanship was made in the Swedish army. Out of thirty shots fired in quick succession the abstaining days gave an average of twenty-three hits.

On a second series of days, the men were allowed brandy containing alcohol equal to what one would get in two to two and one-half glasses of beer. Twenty to thirty minutes later they had their firing test. The record of the hits showed, on three days, an average of only three hits out of thirty shots.

Another series of tests was performed without alcohol. This gave an average of twenty-five hits.

The wind, weather, and light were all better on the alcohol days, so that, other things being equal, the marksmanship should have been better instead of far worse, but the soldiers thought they were shooting better.

I shall now give the House a quotation relating to the experience of one of our own British ships. Vice-Admiral King Hall states—

The H.M.S. *Natal* affords an interesting illustration of the effects of alcohol on the nerves. They keep a daily record of the big gun practice, and it has been noticed that there are distinct and regular gradations in the shooting record, which is at its worst the day after leave, and at its best at the day before leave. This the men call the "grog curve." A deputation waited on the captain and asked him not only to arrange the battle firing test for the day before leave, but also to postpone the giving of the daily portion of rum until the evening of that day, the result being that the *Natal* has won the battle-firing test two years running.

With regard to the effect of alcohol on national efficiency, I propose to make only one more quotation. The Queensland Royal Commission lately appointed to inquire into the question of the health of miners reported that—

Some attention was given to the part played by alcohol in connexion with the health of miners. The death register examined revealed a considerable number of deaths in past years reasonably ascribable to this cause, and although the relative proportions appear to have fallen of late, it is probable that its influence is still considerable. The free use of alcoholic drinks exercises a well-recognised predisposed effect in the production of tubercular pulmonary disease.

The late General von Moltke also made the significant remark on one occasion that there was more danger to Germany from beer than from the whole of the French army.

I leave the matter of national efficiency, and propose now to deal with the effect of strong drink on physical efficiency. The *Safeguard* writes—

A strong nation cannot be made out of weak citizens. No nation can be stronger than the band which binds its individual citizenship together. That band consists in the spirit of brotherhood in the hearts of the people. The genius of the liquor traffic is diametrically opposed to this spirit of brotherhood. The saloon has absolutely no respect for law. It obeys only when it must. This is true under any and all conditions. An evil tree cannot be made good by building a fence around it, nor can access to that tree be prevented by limiting the number of the entrances. An institution which thrives only as it destroys men will never hesitate to destroy laws.

Professor Sikovsky, of St. Petersburg, has said that—

Alcohol diminishes the rapidity of thought, makes the imagination and power of reflection commonplace and deprived of originality, acts upon fine and complex sensations by transforming them into coarse and elementary ones; provokes outbursts of evil passions and dispositions, and in this way predisposes men to strife and crime, and upsets habits of work and perseverance.

Then again we have the statement of Dr. Theo. B. Hyslop—

In spite of the evidence of the ravages of alcohol in filling our hospitals, our prisons, and our asylums, there is gradually creeping over the country a more intelligent appreciation of the fact that if we are to maintain our health, our morals, and our sanity, we must set ourselves with renewed vigour to the task of averting disaster by overcoming the curse of alcoholism.

Professor Sims Woodhead says—

People taking alcohol are interfering very seriously, first of all, with the building up of the body, and, secondly, with the getting rid of these waste and poisonous products which are constantly acting against our interests. Alcohol is a poison in itself—but it is worse than that—it interferes with the tissues of the body, and in getting rid of the poisons which ought to be gotton rid of.

Sir Victor Horsley has declared that—

We know that alcohol lowers the temperature of the body. It can only do that by diminishing the activity of the vital processes. It also diminishes very greatly the power of the muscles, and it diminishes the intellectual power of the nervous system. To call an agent that causes such diminution of activity throughout the whole body a food is ridiculous.

Sir William Gull, M.D., has said—

I should say from my experience that liquor is the most destructive agent that we are aware of in this country. A very large number of people are dying day by day, poisoned by alcohol, but not supposed to be poisoned by it. I hardly know any more potent cause of disease than alcohol.

Here, again, is a statement made by Professor Huxley—

I can say without hesitation that I would just as soon take a dose of arsenic as I would of alcohol under such circumstances (as a brain stimulant). Indeed, on the whole, I should think the arsenic safer; less likely to lead to moral and physical degradation. For no conceivable consideration would I use it to whip up a tired and sluggish brain.

Professor A. Forel, of the University of Zurich, Switzerland, has said that—

Alcohol in all forms and doses is a poisonous substance, which disturbs the human organism to its foundations, is extremely dangerous . . possesses not the slightest usefulness, and, therefore, should be absolutely excluded from human diet.

Sir Frederick Treves, in the course of an address delivered at the Church House, Westminster, made this statement—

I do not propose to trouble you with any detailed accounts of the effects of excessive drinking, and the lamentable diseases that follow from it. The train of physical wreckage that lies in the wake of drunkenness is, unfortunately, a matter of only too common knowledge.

I should like, rather, to occupy your time for ten minutes in dealing with the effect of alcohol on the body generally. . . . . As a work producer alcohol is exceedingly extravagant, and, like other extravagant measures, it is apt to lead to a physical bankruptcy. It is well known that troops cannot march on alcohol. I was with the relief column that moved on to Ladysmith. It was an extremely trying time apart from the heat of the weather. In that column of some 30,000 men, the first who dropped out were not the tall men, or the short men, or the big men, or the little men—but the drinkers, and they dropped out as clearly as if they had been labelled with a big letter on their backs. . . . There is a great desire on the part of all young men to be "fit." A young man cannot be fit if he takes alcohol. By no possibility can he want it. No one who is young and healthy can want alcohol any more than he can want strychnine.

I would now invite the attention of the House to a statement made by Mr. Thomas A. Edison, the famous inventor, who, in the course of an address delivered in England lately, said—

I think you people have too many whisky shops here. Coming down from Liverpool I noticed that at every place we stopped, it seemed to be all whisky shops, with just an occasional grocery store trying to squeeze its way. I am sorry, very sorry, for this is not a good thing for the people.

As to the effect of alcohol on physical efficiency, I propose now to refer to the experiences of Polar expeditions. Let me quote, first of all, a statement made by Professor David, of the Sydney University, at the great reception in the Town Hall, Sydney, given to him upon his return from the Antarctic—

Throughout the long journey, extending over at least four months, the party never had one drop of alcohol. On one occasion, for a comrade, it being a birthday celebration, they had just a little wine, and they found their resistance to cold dropped, so they dropped alcohol.

I would quote in this connexion certain interesting statements from a journal of the proceedings of the forty-third session of the Supreme Lodge, International Order of Good Templars, held at Hamburg in June last—

From the days of Commander Nares, who set out in 1875, with four Good Templars, to reach the North Pole, until the present time, total abstinence has been satisfacorily tested on all such expeditions. Nansen, the Norwegian explorer, returned the Scotch whisky sent to him as being useless to him on his Antarctic travels. Commander Peary, the American explorer, declares: "No man can drink alcoholic liquors who goes to the North. It would mean death to the man, and a menace to the expedition." Sir Ernest Shackleton, the British explorer, gives as his opinion that "alcohol is useless in these climates." Lieutenant Shirase, the Japanese explorer, and Captain Scott, the British explorer, both of whom (on separate expeditions), are now proceeding to the South Pole, have fitted out their expeditions on similar lines.

I propose now to follow my references to the experiences of Polar expeditions by some statements regarding expeditions in tropical countries. I have here an extract from *Across Papua*, by Colonel Kenneth Mackay, C.B., Chairman of the Federal Royal Commission, who crossed Papua in 1906—

Personally, I . . . have used tea as a daily drink from Beira to Cape Town, over 8,000 miles, in India, and from sea to sea in Papua, with such good results that I would never dream of drinking anything else in a tropical country, or when engaged in work that demanded constant and severe exertion.

Whatever may be said against tea, one thing is beyond all possibility of denial—alcohol is the very worst drink a man can indulge in in Papua. It is directly responsible for more breakdowns than all the diseases put together, and, indirectly, accounts for an enormous percentage of malarial deaths and recurrences. . . . The natives who are universally free from alcohol craving, call all liquor "silly white man's medicine." As regards Papua, they could not give it a better name.

Sir William McGregor, who had a wider tropical experience than perhaps any other living man has had, when Lieutenant-Governor of British New Guinea—now Papua—presented a report to the Victorian Parliament, in which he wrote—

In my experience people that are total abstainers in the Colony enjoy better health, and have a lower mortality than those that are not abstainers. There is a wide-spread popular belief that some stimulant is required in the tropics, especially by people that have in a cooler climate been accustomed to it. This will not stand the test of experience. It is a matter that any one not a total abstainer can prove for himself in a month. I have not known a missionary that was of intemperate habits; but it is easy to see that the missionary that has no alcoholic stimulant with his meals is healthier than he that has. The principle applies to all residents in the country, but it is easier to see in the case of the missionaries than among other classes, because their habits and practice are more regular and uniform. The missionaries that as a class are total abstainers are the healthier, and stand exposure better than others. The man that is a total abstainer bears very much better the onset of fever than the man that is not; and he is also less liable to other diseases.

One rather interesting feature of this question of the effect of alcohol on physical efficiency is the position taken up by railway companies in various parts of the world. Honorable members are no doubt aware that every railway company in the United States of America absolutely prohibits the use of intoxicants by its servants, who are subject to immediate dismissal if they are found indulging in them either when on or off duty. A somewhat similar practice obtains in Queensland.

Mr. THOMAS BROWN.—And also in New South Wales.

Mr. FINLAYSON.—The railway servants of Queensland are liable to immediate dismissal if found indulging in intoxicating liquors while on duty. I have here an interesting extract from a placard that appears on the railway stations in Berlin—

The use of alcoholic drinks is prohibited during working hours.

Mention of the injuries which the misuse of alcoholic drink causes the physical and intellectual powers of the employees has repeatedly been made. It has been proved, not only in railway service but in all other branches of labour, that the use of alcohol lowers capacity for effective work.

We have, therefore, strictly forbidden drinking during working hours, and now call attention afresh to this regulation. This prohibition includes all employees, watchmen, and common labourers, and is aimed not only against stronger drinks, but against all kinds of beer and wine. The bringing of such drink to work is forbidden. The violation of this prohibition will be punished with fine. Second offence dismissal.

In regard to the Prussian State railways it is stated—

The experience of the last five years of the prohibition of drinking during service has given good results in the railway personnel. Cases of the violation of rules and of quarrels among employees have become rarer. The number of cases of sickness due to alcohol has fallen. Knowledge of the danger from the use of alcohol wins ground constantly, especially among the younger men.

Aroused by the startling revelations in connexion with the South African War, King Edward appointed an Inter-Departmental Committee to investigate how it was that 60 per cent. of the volunteers for military service in South Africa were rejected by the doctors as unfit for military duty. The Committee's report stated—

Next to the urbanisation of the people . . . the question of drink occupies a prominent place among the causes of degeneration. The close connexion between the craving for drink and bad housing, bad feeding, a polluted and depressing atmosphere, long hours of work in over-heated and often ill-ventilated rooms . . . is too self-evident to need demonstration; nor unfortunately is the extent of the evil open to dispute. . . . . Drinking habits among women of the working classes are certainly growing, with consequences extremely prejudicial to the care of their offspring, not to speak of the possibility of their children being born permanently disabled. . . . . Evidence was placed before the Committee showing that in abstinence is to be sought the source of muscular vigour and activity.

One immediate result of the publication of that report was that over forty towns and cities in England spent money placarding the walls and hoardings with warnings in regard to alcohol and physical degeneracy. That movement originated, I believe, in France, where the people, aroused by the enormous decrease in the physical vitality of the nation, particularly among the young men, placarded Paris and other French cities and towns on the question. Here is an extract from a placard displayed in Paris in 1902 by order of the French Government—

Alcoholism causes a great variety of diseases, many of them most deadly—paralysis, insanity, disorders of the stomach and of the liver, and dropsy. It is one of the most frequent causes of consumption. It complicates and renders more serious every acute illness: typhoid fever, pneumonia, or erysipelas, which would be mild in a sober individual, will rapidly kill the alcoholic.

That movement also extended to Australia, and, I believe, the city of Ballarat has the honour of being the first in the Commonwealth to warn its citizens of the dangers of alcoholism. I have here a placard which has been distributed in Queensland, dealing with the proceedings of the French supervising Council of Public Aid in 1902, and giving extracts from the posters put up in the French cities by the French Government, and from the posters put up in British cities. I shall not read this placard, but will simply mention that it was submitted to the mayors of a number of Queensland towns, and was signed by the following:—H. Thompson, Mayor of Brisbane; Andrew Gillespie, Mayor, South Brisbane; R. Ruddell, Mayor, Bundaberg; Walter G. Amrose, Mayor, Gympie; J. F. Bergin, Mayor, Toowong; Thomas T. Burstow, Mayor, Toowoomba; E. C. Carl, Acting Mayor, Cairns; J. L. Pearson, Chairman, Mount Perry; Bertram T. De Conlay, Mayor, Warwick; James Lacey, Acting Mayor, Croydon, and Peter Neilson, Mayor, Laidley.

Even in India the same kind of education is proceeding. The following is an extract from a placard circulated by the Bombay Temperance Council:—

Liquor does more harm to body, brain and soul than anything else on earth. Liquor is man's greatest enemy because: It robs him of health, happiness, home and honour. It turns a good man into a bad brother, a bad son, a bad husband, a bad father, a bad workman, and a bad master. It professes to make a man strong, but makes him really so weak that he cannot stand up straight or walk straight when under its influence. It professes to make a man happy, but gives him a headache and a remorseful heartache after. It professes to make a man bright and smart, but makes him act like a madman instead. It makes a man cruel and heartless towards his loved ones, and also towards himself, as nothing else could possibly do. Liquor has been the means of blasting millions of most promising young lives, and destroying the happiness of thousands of homes. If you are wise and desire to live a happy and useful

life, please make a solemn vow that you will have nothing whatever to do with that dangerous liquid fire and poison called "Liquor."

Let me quote what leading doctors say on the question. Dr. Breinl, Director of the Australian Institute of Tropical Medicine, Townsville, in his report on the results of his journey to the northern parts of Queensland, indicates that alcoholism does much to impair the health of the Queensland cane-cutters. He says—

Is the white man able to stand the strain of cutting cane in the tropical parts of North Queensland without having his health permanently injured?

The consideration, and, if possible, the solution of this question, seems to be of vital importance for the development of the sugar industry in North Queensland, and would also throw some light upon the White Australia question generally. In my personal opinion, alcoholism and other debilitating habits do much more than cane cutting to impair the health of the workers.

Professor Anderson Stuart, of Sydney, stated lately, in a lecture—

It is by the muscular system of the body that we do work, and there is no more frequent excuse for the consumption of alcohol than that it increases the working power of the body. Well now, that is a little true and a great deal not true. It is a little true to this extent, that by the temporary stimulation of the heart it enables a man perhaps to do a little bit of a spurt, but that spurt is very soon over. The staying power has suffered; and you can ask yourself what is it in the world that does most—the spurt or the stay.

Sir Victor Horsley, in reply to a press correspondent, wrote as follows:—

My work as a surgeon commonly means a day of hard physical manual work, as well as intellectual, and I do it best on water. But I should like to add that as regards the instruments he mentions, namely, the pick and the shovel, I have had considerable experience of them, too. The last occasion on which I did continuous work of the kind was some years ago, when I was occupied for two or three weeks in excavating deep trenches in heavy boulder clay to explore some Roman foundations. My day's digging was always at least eight hours' long (usually more), my hands were kept in good condition by alcohol applied externally, and when at the end of the day I returned home I went to a refreshing tea, and did not narcotise myself in the public-house on the road.

Some day "Moderate Drinker" and his fellow citizens who subscribe so liberally to the maintenance of the drink trade will agree with me that no nation which habitually narcotises itself gives itself a fair chance in the International struggle for existence.

Professor Sims Woodhead says—

I want you to realise that those who have made a careful study of this alcohol question are satisfied that the best work is done by any individual—and I don't care who he is—if he abstains from the use of intoxicating liquors.

Dr. Lauder Brunton expressed the following views:—

We find that the highest powers of the mind are first affected by alcoholic drink—judgment, for example; the whole of the lower powers of the mind, such as imagination, being made more active than before. Herein consists the prime danger of such drinks; the true lights of the mind are quenched by them, and the false and misleading ones are kindled.

Dr. Lorenz, the famous Austrian surgeon, stated—

I am a surgeon. My success depends upon my brain being clear, my muscles firm, my nerves steady. No one can take alcoholic liquor without blunting those physical powers which I must keep on edge. As a surgeon I must not drink.

I have also some rather interesting statements on the question of how the capacity for hard physical toil is affected by the use of drink. An immense work is at present going on at the Barren Jack Reservoir, now being constructed in New South Wales, and no intoxicants are permitted on the areas of the works. With regard to the Panama Canal, the following has been published:—

The work of making a great canal from Panama to Colon, uniting the Pacific with the Atlantic, was commenced in 1879, but suspended in 1889. The district was called "the white man's grave," owing to the fearful death rate. The open saloon for the sale of intoxicating liquors to the workmen was considered by many one of the causes of this evil. In 1904 the United States Government purchased the property for $40,000,000 (£8,000,000), and by an International treaty agreed to construct the canal at a further cost of $140,000,000 (£28,000,000). In recommencing the work the canal commissioners determined to prohibit the sale of intoxicating liquors along the whole route, except at Panama and Colon, where the saloons were already licensed under the laws of the Republic. The results have been most advantageous. Sir Harry Johnston, K.C.B., says: "The whole of the canal zone (10 miles on either side of the canal banks) is 'teetotal.' No alcohol is sold by the canal commissioners at its hotels or boarding houses, and the general result of these stern measures—the improvement in health and the absence of crime—amply justifies this anti-alcohol policy. Of course, there still remain some Americans (and some Britons) who kill themselves with alcohol if it can possibly be managed, and so "alcoholism" emanating from the grog stores at Panama and Colon accounts for a few deaths among the employés—just enough to show one what a pandemonium might rage here in the little army of 26,000 men but for the prohibition policy of the Canal Commissioners.

Here is an interesting quotation with regard to the same matter—

In South Africa, during the General Election in Cape Colony (1909), Mr. Merriman, the Prime Minister, stated to a deputation of the W.C.T.U.; "The wine-drinking Latin races are notoriously healthy; in fact, the Italians actually endured conditions, while working on the

construction of the London Tube Railway, which the English navvies found insupportable." This statement was absolutely untrue. The general manager respecting this matter, said: "The statement that Italians were employed in the construction of London tubes because Britishers failed, is quite untrue. Italians might have been employed in some instances, such as to do Mosaic pavement work, at which they are experts, but for general labour they were not employed."

On the question of national crime and disorder, as affected by the sale of intoxicating drinks, let me quote a few authorities who know what they are talking about. Sir John Madden, the Chief Justice of Victoria, in a letter dated Government House, 23rd November, 1900, wrote—

I regret to have to say that excess of drink beyond all doubt or question, is either the cause or the object of a large proportion of the crime of our community. Much of the gravest crime is directly traced to the influence on or to the mental disablement produced by alcoholic liquor in those who commit it. On the other hand, a great deal of less grave crime is committed with the object chiefly of obtaining such liquor.

Sir Hartley Williams, of Victoria, said—

I have observed with painful interest the very numerous instances in which prisoners who have been tried before me, have, under the influence of drink, committed offences which it was manifested they would not otherwise have committed . . . I do not hesitate to say that one-half of those falling within the class of first offenders, who have been tried before me in the country, have committed the offence for which they have been placed upon their trial while under the influence of drink.

Judge Docker, is thus reported in the *Sydney Morning Herald*—

in dealing with an important licensing case connected with the borough of Mosman yesterday afternoon at the Darlinghurst Appeal Court, he took occasion to refer to the practice of drinking in its relation to crime. He thought that drink was responsible for a great deal of the crime that was committed, and in his position he had considerable opportunities of judging in this matter. He supposed that, if it could be prohibited, they would have a kind of Garden of Eden or an Arcadia.

Sir Charles Lilley, late Chief Justice and Premier of Queensland, said—

Constant observation has founded in my mind the settled belief that the use of intoxicating liquors is the prime factor in the production of crime. There are other vices and passions which occasionally tend to crime, but even there drink will very generally be found awakening and arousing them to destructive energy. In almost every crime of violence the drunkenness of the prisoner and his victim either urged on or tempted the criminal to the commission of the offence. I have further a firm conviction that if the women of this country would refuse to sanction the use of intoxicating drinks in their homes, and on festive occasions everywhere, and if they would furnish a constant example of abstinence themselves, they would bring a priceless blessing to their country, and secure the eternal gratitude of the future generations of Australia.

Mr. Justice Hodges, speaking in the Melbourne Exhibition Building on the 15th September, 1898, said—

I wish to say again to-night, that drink lies at the root of most of the evils of the community. I am not, and never have been, a member of any total abstinence, or even temperance, society, and am no faddist, but by virtue of the office I hold it is my duty to watch the causes which contribute to the falling of my fellow-citizens; I say this deliberately, that not only is drink responsible for more crime than any other single cause, but it is responsible for more crime than all other causes put together. The stages of most men's downfall are marked by the one pervading evil—drink. If you want to study the awful influences of drink on human life in one of its saddest phases, go to the Divorce Court. Almost all the wretchedness there paraded has its origin in drink.

Mr. Justice Hodges further said—

After close upon nineteen years' experience in the Criminal and Divorce Courts I can repeat what I said publicly some years ago, that drink is either directly or indirectly responsible for more crime, more sin, more domestic misery than all other causes put together. It is appalling to note the number of crimes that are traceable to drink, and still more awful to sit in a Divorce Court and hear detailed the squalor, the poverty, the domestic misery, the utter destruction of home life that result from indulgence to excess in intoxicating drinks.

A late Chief Justice of Victoria, Sir William A'Beckett, said—

I say advisedly that in nine cases out of ten that come before me judicially in Australia intoxication or the public house, was directly or indirectly the cause.

Mr. Justice Simpson, of New South Wales, said—

There is not the least doubt that drink is the cause of a good deal of crime. I have seen it in every phase of life during my experience as Crown Prosecutor, Chairman of Quarter Sessions, and as a Supreme Court Judge. I have no hesitation in saying that were it not for the drink there would be a very great diminution in crime. In the Divorce Court I see wretchedness and unhappiness and misery, all frequently brought about by drink. My experience is that many of the cases of cruelty that come before the Court are the result of drink.

Judge Molesworth, Chairman of the Metropolitan Licensing Bench, Victoria, said—

I think drunkenness is the cause of a great deal of the crime that exists among us.

Mr. Justice Kerferd, who went from the brewery to the Bar, said—

the calendar began and ended with drink.

Judge Dowling, of New South Wales, said—

Since 1849 he had sat either as a judge or police magistrate—and was in a position to

know what was the cause of our gaols being so full—and had probably tried more criminal cases in New South Wales than any other man. He felt convinced that if nine-tenths of the Colony's public houses were closed he, as a criminal Judge, would soon have nothing to do, and the gaols of the country would be almost empty.

Sir Frederick Darley, late Chief Justice of New South Wales, said—

Seven-tenths of the crime in the community can be traced directly, or almost directly, to drink. At the first assize at which I presided, every single case was directly traceable to drink.

Many years ago, Sir William Denison said—

In my position as Governor, not only of this Colony (New South Wales), but also of the neighbouring Colony of Tasmania, I have had full experience of the baneful effects of intemperance, and I can safely say that ninety out of every hundred of those unfortunate persons suffering the penalty of their crimes can trace their misfortunes to intoxicating liquors.

Then I have the report of the Inspector-General of Penal Establishments in Victoria, a statement signed by the warders of the Sydney prison, and other documents, all showing the evil effects of intoxicating liquor from the point of view of national crime. I must pass over the American and English authorities owing to want of time.

One startling fact is the loss of life entailed by the sale of intoxicating drink. Dr. Norman Ker estimates that yearly 120,000 deaths are directly attributable to drink; and Dr. Richardson says that in ten years in the United States drink creates 200,000 widows and 1,000,000 orphans. Life assurance tables give very striking evidence in this connexion. There are fourteen British life assurance companies who have special provisions all in favour of the total abstainer; and a rather interesting statement was made lately in regard to the Australian Mutual Provident Society, with which we are particularly concerned. Mr. Richard Teece, the actuary of that society, has, according to the *Rechabite*—

taken the favorable experience of the A.M.P. and compared it with the temperance section of the United Kingdom Temperance and General Provident institution with this result:—Actual deaths among select A.M.P. lives, 8,259; according to the British Temperance experience these would have been 7,607; excess in A.M.P. 652. The inference is that if all the A.M.P. policy-holders had been abstainers there would have been 652 fewer deaths among them; that their wonderfully low mortality would have been lower still. But this is only half the truth. If the abstainers in the A.M.P. were in a separate section—as they ought to be—and Mr. Teece had been able to compare moderate drinkers by themselves with abstainers, the contrast would have been much more striking. The many abstainers in the A.M.P. have helped to keep down the average death rate. As it is, Mr. Teece says:—"In view of the remarkably favorable mortality experienced in this society, this result should be a useful weapon in the hands of temperance advocates."

There is rather a pathetic aspect to this question in so far as it relates to children. Dr. Mary Stone, of Melbourne, said—

A large number of children of drinkers are physically or mentally abnormal—82 to 93 per cent., according to different authorities. . . . Dr. Sullivan personally investigated 600 children, born of 120 drunken mothers, and found 55 per cent. were still-born or died before they were two years old; and of the survivors, 4.1 per cent. became epileptic (the ratio in the general population being below ½ per cent.). Other investigators have found 12 to 15 per cent. of the surviving children of alcoholics have become epileptic. Also, the families tend to die out.

There is nothing more startling than the fearful mortality amongst children in consequence of the abuse of alcohol by parents. Sir William Broadbent says—

Children should never know the taste of any alcoholic drink, and stimulants should be absolutely forbidden during school life. In adolescence they impair self-control, and are a source of danger. At all ages when taken to relieve feelings of weakness or faintness, serious danger of falling under their influence is close at hand.

Dr. James Ewing, of Leeds, says—

What we want to drive home as members of the medical profession is that if people will not give it up for their own sakes as fathers and mothers they should give up taking alcohol for the sake of their children, because they might be implanting in their child the craving for drink, which it would be unable to resist when it came into the world.

Dr. Edis says—

Infant mortality is mainly due to two causes, the substitution of farinaceous food for milk, and the delusion that ale or stout is necessary as an article of diet for nursing mothers.

Sir Henry Parkes once gave a lecture on the subject, "The shocking effects of drink in parents and its baneful influence on the children." Sir Henry Parkes said—

When the innocent and promising boys and girls get up of a morning, let them feast their eyes upon the beautiful in nature, and not glasses and bottles, the remains of a night's drinking in the home; adorn the tables, the mantel, and the sideboards with flowers—cultivate the lovely plants yourselves; teach the little ones to plant and grow them about the home, and never under any circumstances allow them to see the beer bottle and jug brought into the house, or the effects of their maddening and debauchery contents, consumed with idle and backbiting chattermaggery and slander.

Speaking of drink and infanticide, a note in the *Lutheran Standard* says—

Eighty years ago, when the Norwegians were a drinking people, 300 of every 1,000 children born, died before they reached their first birthday.

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anniversary. Now, since they are a sober people, the ratio is 80 and 90 per 1,000. In Bavaria, where the drink evil still exists, of every 1,000 born, 300 do not survive a year. Of the 237,000 born last year, 6,500 were still-born, and 69,000 died within a year.

Although the mortality tables, as given to us by the Prime Minister, show that we in Australia are particularly fortunate in regard to our children as compared with other countries, the fact remains that we lose hundreds of young lives annually through the curse of drink.

I propose now to deal with another aspect of the question, namely, the evil of intoxicating drink as affecting national industry. In this connexion, the following figures taken from the *Commonwealth Year-book*, 1909, may prove interesting—

Industry.	Total Value of Output.	Value added in Process of Manufacture.	Total Wages Paid.	Number of Employés.
	£	£	£	
Tanneries	2,320,190	487,881	266,797	2,980
Soap and Candle Factories	1,275,823	463,020	139,959	1,582
Saw Mills	6,098,039	3,121,720	2,007,298	21,416
Agricultural Implements	1,227,339	668,198	356,710	4,081
Engineering, Ironworks, and Foundries	4,822,169	2,745,878	1,715,292	17,882
Railway Carriages and Rolling-stock, Railway and Tramway Workshops	3,234,955	1,808,413	1,628,379	13,176
Smelting, Cyanide, Pyrites, &c., Works	8,350,127	2,993,701	962,349	7,645
Bacon-curing Factories	1,268,441	242,578	74,825	821
Butter, Cheese, and Condensed Milk Factories	6,727,324	715,330	295,826	3,283
Meat and Fish Preserving, Ice and Refrigerating Works	5,838,158	929,766	389,256	4,216
Biscuit Manufactories	1,002,408	397,650	170,718	3,026
Jam and Fruit Preserving, Pickles, Sauces, and Vinegar Manufactories	1,412,512	512,550	204,059	4,081
Confectionery Factories	1,144,570	483,454	187,198	3,223
Flour Mills	7,822,137	1,198,503	294,559	2,676
Sugar Mills	1,658,170	733,220	283,692	4,377
Tobacco, Cigar, and Cigarette Factories	1,907,292	652,455	296,638	3,991
Woollen and Tweed Mills	596,665	293,382	155,675	2,965
Boot and Shoe Factories	3,112,212	1,307,768	900,812	14,023
Hat and Cap Factories	573,744	288,434	185,005	1,361
Coach and Waggon Building Works	1,378,169	826,456	518,958	7,101
Factories for Furniture and Cabinet Making and Billiard Table Making	1,193,308	695,673	492,493	5,645
Electric Light and Power Works	1,143,201	..	241,945	1,827
Gas and Coke Works	1,950,243	1,372,776	452,366	3,564
Breweries and Distilleries	3,101,529	1,825,638	443,315	3,471

There are two or three interesting comparisons which I wish to base on the figures just given. In the first place, let me compare the total value of the output of breweries and distilleries, and the number of employés engaged therein, with the value of the output and the employment given in a number of other industries. That is best shown by the following table:-

——	Number.	Output, 1909.	Employés.
		£	
Breweries and Distilleries	157	3,101,529	3,471
Boot and Shoe Factories	215	3,112,212	14,203
Hat and Cap Factories	73		
Coach and Waggon Building Works	720	3,179,282	14,543
Agricultural Implements	148		
Railway Carriages and Rolling-stock, and Railway and Tramway Workshops	68	3,234,955	13,176
Saw Mills	1,284	6,098,939	21,416

Let me now give the output of and wages paid in breweries and distilleries compared with the output of and wages paid in several other industries. It is as follows:—

——	Output, 1909.	Wages Paid, 1909.
	£	£
Breweries and Distilleries	3,101,529	443,315
Boot and Shoe Factories	3,112,212	900,812
Gas and Coke Works, and Agricultural Implements	3,177,582	809,076
Coach, Furniture and Hat Factories	3,145,221	1,196,456
Railway Carriages, Rolling-stock, Railway and Tramway Workshops	3,234,955	1,628,379

There is one worker employed for every £252 spent in hats and caps, for every £317 spent in furniture, for every £325 spent in boots and shoes, and for every £2,231 spent in alcohol, while Mr. Joshua, the great brandy manufacturer, has stated

that with 1,000 men he could drown the world in spirits. The annual expenditure on alcohol has been estimated roughly at £15,000,000. In the following table I have bracketed together the industries supplying the things that we eat, the industries supplying the things that we wear, and I have made a third group of the saw-mills and agricultural implement factories. Each of these groups of industries is compared with the breweries and distilleries.

—	Factories in 1909.	Value of Land, Buildings, Plant, and Machinery.	Employés.
		£	
Bacon-curing	70		
Butter and Cheese ..	550		
Meat, Fish, and Ice ..	167		
Biscuits	31		
Jam	116		
Confectionery ..	83		
Flour Mills	231		
Sugar Mills	50		
Total	1,298	8,932,284	25,703
Woollen Mills	24		
Boot and Shoe ..	315		
Hat and Cap	73		
Coach and Waggon ..	720		
Furniture	345		
Total	1,477	3,091,039	33,095
Saw Mills	1,284		
Agricultural Implements	148		
Total	1,432	3,091,965	25,497
Grand Total ..	4,207	15,135,288	84,295
Breweries and Distilleries	157	2,458,000	3,471

From the Budget speech delivered by the Treasurer last week, I have ascertained that the expenditure on all the Commonwealth Departments for 1911-12 will not exceed £11,145,064, while there is to be expended on the Navy £1,515,000, and on new works £2,791,365, a total of £15,451,429, which is only equal to the annual expenditure on intoxicating liquors in Australia. To make another comparison: The estimated expenditure on old-age pensions is £2,235,927; on defence, including the construction of the Fleet, ammunition factories, new works, and departmental expenses, £3,974,515; on posts, telephones, and telegraphs, £5,127,160; a total of £11,337,602, or £3,662,398 less than the annual drink bill of Australia. The total increase in the value of land, buildings, plant, and machinery in all the industries of Australia from 1903 to 1909 was £14,999,176, whereas the drink bill for the period totalled £84,000,000. While in 1908 the estimated expenditure on alcohol was £15,000,000, the money spent on bread was £7,250,000, on sugar £3,750,000, on tea £2,000,000, and on education £2,214,812, the four items only about equalling the expenditure on alcohol. The expenditure on railways and tramways was £7,769,383, or only half what was spent on alcohol. Without this expenditure on alcoholic liquors, we could carry our people and their products free on the railways, and let them live rent free, too. Our expenditure on telegraphs and telephones is £3,827,160, but while we are thus starving an important Department because of the difficulty of raising all the revenue needed, we are squandering £15,000,000 on drink. The following table shows the consumption of the individual States and of the Commonwealth per head and per annum:—

YEARLY AVERAGE, 1905-1909.

	£ s. d.		£ s. d.	
Victoria ..	3 4 0	per head,	5 16 2	per adult.
New South Wales	3 2 5	,,	6 0 9	,,
Queensland ..	3 2 3	,,	6 1 0	,,
South Australia ..	2 9 5	,,	4 16 11	,,
Western Australia	5 8 5	,,	8 17 3	,,
Tasmania ..	2 5 11	,,	4 9 6	,,
Commonwealth ..	3 3 9	,,	6 0 0	,,

The total expenditure of the Commonwealth for the whole period averages £13,000,000. As the time allotted for the discussion of general motions is almost at an end, I ask leave to continue my speech at a later date.

Mr. SPEAKER.—Is it the pleasure of the House that the honorable member be allowed to continue his speech?

HONORABLE MEMBERS.—"Yes" and "No."

Mr. SPEAKER.—Leave to continue can be given only with the unanimous consent of honorable members.

Mr. THOMAS.—Do I understand that we cannot divide on the question?

Mr. SPEAKER.—There can be no division on it.

Mr. FINLAYSON.—Then I shall conclude. As my time has now expired, and I must close, somewhat abruptly, and perforce jettison many further statements and arguments I have here available. I strongly commend the motion to the favorable consideration of honorable members.

Question put. The House divided.

Ayes	...	...	23
Noes	...	...	20
Majority	...	...	3

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AYES.

Anstey, F.	McWilliams, W. J.
Brown, Thomas	O'Malley, King
Cook, Joseph	Page, J.
Edwards, Richard	Palmer, A. C.
Fenton, J. E.	Ryrie, G. de L.
Fisher, A.	Smith, Laird
Greene, W. M.	Thomas, J.
Groom, L. E.	Thomson, John
Hall, D. R.	Tudor, F. G.
Johnson, W. Elliot	*Tellers:*
Kelly, W. H.	Catts, J. H.
McDougall, J. K.	Finlayson, W. F.

NOES.

Archibald, W. O.	Mathews, J.
Bamford, F. W.	Moloney, Parker
Cann, G.	Quick, Sir John
Carr, E. S.	Riley, E.
Chanter, J. M.	Scullin, J. H.
Charlton, M.	Smith, Bruce
Frazer, C. E.	West, J. E.
Higgs, W. G.	
Johnson, W. J.	*Tellers:*
Mahon, H.	Hedges, W. N
Maloney, Dr.	Watkins, D.

PAIRS.

Sampson, S.	Poynton, A.
Sinclair, H.	Irvine, W. H.
Best, Sir Robert	Chapman, Austin
Livingston, J.	Brennan, F.

Question so resolved in the affirmative.

PAY AND ALLOWANCES: PERMANENT MILITARY FORCES.

Debate resumed from 19th October (*vide* page 1626) on motion by Mr. RYRIE—

1. That a Select Committee (with power to send for persons and papers) be appointed to inquire into the pay and allowances of the warrant, non-commissioned officers, and men of the Permanent Military Forces of the Commonwealth.

2. That such Committee consist of Mr. Charlton, Mr. Kelly, Mr. Mathews, Mr. McWilliams, Mr. Roberts, Mr. Bruce Smith, and the mover.

Mr. KELLY (Wentworth) [4.33].—According to the business-paper, the resumption of the debate on this motion stands in the name of the Honorary Minister, and I think it is to be regretted that some Ministerial utterance is not forthcoming.

Mr. THOMAS.—A Ministerial utterance was made by the present Postmaster-General.

Mr. KELLY.—Do I understand that the Ministerial utterance which has been made expresses the corporate Ministerial will in this connexion? I am told that the present Postmaster-General, the only Minister who has spoken to this question, gave an emphatic opposition to the whole inquiry asked for.

I sincerely regret that the Government do not recognise the advisableness of granting the inquiry for which the honorable member for North Sydney asks, for I am fully convinced that no section of the Public Service is worse considered in the matter of pay and conditions than is the Permanent Defence Force of Australia. The mover of the motion asks only for an inquiry into the pay and allowances of the warrant, non-commissioned officers, and men of the Permanent Military Forces of the Commonwealth. For the moment I cannot understand why he should not have included the commissioned officers of the Defence Forces in his motion, so as to embrace the pay and allowances of the Forces as a whole. I presume that he felt some reluctance to move in that direction in view of the fact that he has, perhaps, friends or relatives in the service. I should be very happy to see this inquiry all-embracing in its scope, and with the permission of the mover, and the concurrence of the House, I should like to move that the proposed inquiry embrace the pay and allowances, not only of the warrant, non-commissioned officers, and men, but also of the commissioned officers. The pay of the non-commissioned officers and men has been fully and clearly dealt with by the honorable member for North Sydney.

Mr. PAGE.—I think that there is a better chance of carrying the motion as it stands.

Mr. KELLY.—I would rather have part than lose the whole, and if the proposal to extend the inquiry to the commissioned officers is defeated, the balance of the motion will have my most cordial support. It seems almost invidious to propose to consider the pay and allowances of every section but one of the service. To so restrict the inquiry might suggest that this House was merely seeking popularity for the observance of a democratic principle, or something of the sort, when really, I take it, what is desired by the mover of the motion, and the House as a whole, is that we shall go thoroughly into the whole question of whether or not the Commonwealth Defence Force is adequately remunerated for its services.

One reason I would submit in favour of this inquiry is that we have had, for the last ten years, a constantly-increasing cost of living going on all over Australia.

Mr. THOMAS BROWN.—Throughout the world.

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Mr. KELLY.—And especially throughout Australia. The proportionate increase in the Commonwealth has been greater than that of any other country with the statistics of which I am acquainted.

Mr. THOMAS BROWN.—We have not had bread riots such as have occurred in the Old World.

Mr. KELLY.—I do not desire to enter into controversial matters, but I say, without fear of contradiction, that the cost of living, certainly in New South Wales, has gone up, I should think, nearly 40 per cent. since 1900.

Mr. JOHN THOMSON.—In what direction—increased rents or increased cost of food supplies?

Mr. KELLY.—The general living rate, as a whole, has increased. The position is so serious that the Government of New South Wales have had to appoint a Royal Commission to inquire into the whole subject. There are many causes for the increase. In our efforts to facilitate labour getting a fair remuneration for its services, through the medium of either Wages Boards or Arbitration Courts, we have undoubtedly put up, to a certain extent, the cost of commodities. I am not putting the matter controversially, and do not give that as the only reason for the increase. If a man receiving higher wages in one industry has to pay more for the necessaries of life owing to the wages being put up in the industries which produce those necessaries, his position is not so prejudiced, because his wages have gone up with the increase; but a man in the Government service, receiving a fixed pay, feels the pinch all the time. The difficulty all through in regard to the Permanent Military Forces is that, although the present pay and allowances might have been a fair thing in 1900, it will require a good deal of argument to satisfy us that they are adequate to the extent of the services rendered, and to the cost of living to-day. If wages in general employment go up, and the cost of living as a whole rises, the pay and allowances of the Public Service of the Commonwealth ought to go up in equal proportions.

Mr. LAIRD SMITH.—Should not the Minister of Defence make proper provision for the payment of those under him?

Mr. KELLY.—He ought, but he has refused point-blank to have an inquiry into the matter.

Mr. LAIRD SMITH.—Why take the responsibility off his shoulders?

Mr. KELLY.—This motion does not absolve him from a shred of responsibility. It simply gives him the opportunity of having an impartial body to go into the whole question of wages, and will strengthen his hands if he is anxious to increase the pay and allowances of the Permanent Forces. He will afterwards have to act on his own responsibility as to whether he accepts or rejects, or as to how far he will act upon, the recommendations of the Committee.

The honorable member for North Sydney appears to have chosen his Committee quite impartially. There are on it men from both sides of the Chamber. There are the honorable member for Newcastle, the honorable member for Melbourne Ports, and the Honorary Minister, from the Ministerial side; and there are the honorable member for Franklin, the honorable member for Parkes, the mover and myself, from this side. I cannot see why the Ministry should refuse to appoint so impartial a Committee. I had hoped that the statement which emanated from the present Postmaster-General was only the expression of his own individual opinion, and that the Government would see the desirability of letting the House know, through an impartial body, what is a fair rate of wages and allowances in this service. There are enough strong Government supporters nominated on the Committee to see that recommendations for increases in pay, &c., are not made greater than the Government would perhaps like.

Mr. JOSEPH COOK.—In any case, the Committee would not finally decide what wages should be paid.

Mr. KELLY.—As I have already pointed out, it will be only an advisory Committee. If a Committee consisting of violent partisans were to be appointed and conduct its labours with the definite object of embarrassing the Minister, I could understand him being afraid of being placed in the position of refusing to act on its recommendations; but the body proposed by the honorable member for North Sydney is an impartial *bonâ fide* Committee of inquiry into a subject which ought to be dealt with in common fairness to the non-commissioned officers and men of our Permanent Forces. I sincerely trust that the Government will support the proposal. In order to make it all-embracing, and to absolve us from any charge by a recalcitrant Minister of endeavouring to seek popularity with one section of the Defence

Forces on approved democratic lines, I propose to move an amendment to include also the commissioned officers of the Permanent Forces. I understand that a comparison of the scale of officers' pay and allowances in the Australian Forces with those in the British Defence Forces shows that junior officers with us are paid better than junior officers in the Home service; but that above the rank of Lieutenant-Colonel—or is it Major?—the pay and emoluments in the British service are very much better than they are here. That is a curious anomaly which might well be inquired into in this connexion, although I do not think it is nearly so important as the inquiry into the pay and allowances of the non-commissioned officers and men. That is a most urgent matter, and in common justice to them ought to be attended to at once. I move—

That the word "commissioned" be inserted before the word "warrant."

Mr. W. ELLIOT JOHNSON (Lang) [4.46].—I second the amendment. It seems incredible that the Government should offer any objection to so simple a proposal as that now before the House. After all, the Committee is asked for only with a view to inquiring into the pay and allowances of those connected with the military service. The Committee may make recommendations to the Government, but the Government alone have the right and power to say whether they shall be given effect to, or whether the present conditions shall remain. The mover of the motion desires to ascertain whether the rates of pay in the sections of the service specified are commensurate with the cost of living in the community, and adequate for the duties they have to perform. Surely it is not the desire of the Government, or of the party supporting them, or, I hope, of any honorable member, that our military service should be paid less well than any other branch of the Commonwealth service. If these men are underpaid, it is our duty, in looking after their interests, and the interests of the community generally, and in enforcing the general wish of the people of this country, to see that their wages are increased to a proper and reasonable standard, according to the nature of the duties they have to perform. It has been said that the junior officers in the Australian service have a higher rate of pay than that which prevails in Great Britain. But it is more apparent than real when we look at all the facts. A comparison of the rates for certain grades shows that a company sergeant-major in the Imperial service receives 6s., and in the Australian service 6s. 3d.; a sergeant gets 5s. and 5s. 6d. respectively; a corporal, 4s. and 4s. 6d. respectively; a bombardier, 3s. 9d. and 4s. 3d. respectively; and a gunner, 2s. 5d. and 4s. respectively.

Mr PAGE.—There is something wrong about the last figures.

Mr. W. ELLIOT JOHNSON.—The figures from which I am quoting are compiled by those within the service who should know something about the rates of pay, but I take no personal responsibility for their accuracy. Those who compiled them should be in a better position to speak with authority on these matters than we who are mere laymen, without any inside knowledge of the workings of the Department. Although the figures indicate that a slightly higher rate of pay prevails for those officers here, it is not in any way proportionate to the higher rates of pay prevailing in general outside occupations here as compared with Great Britain. I believe the pay of ordinary citizens in the Commonwealth is no less than from 80 per cent. to something like 130 per cent. in some occupations greater than in Great Britain. If the rates of pay of those officers were increased in proportion to the difference in the cost of living, and the difference in wages as between citizens in Great Britain and Australia, I understand from the list which has been supplied to me that the pay of a company sergeant-major here would be 10s. 9d. instead of 6s. 3d.; of a sergeant, 9s., instead of 5s. 6d.; of a corporal, 7s. 2d., instead of 4s 6d.; of a bombardier, 6s. 9d., instead of 4s. 3d.; and of a gunner, 4s. 4d., instead of 4s. I do not say that those are the rates of pay that should prevail. That could be determined only after inquiry into all the circumstances. We should ascertain definitely what is a fair rate of pay for the services which these people perform for the Commonwealth in their military capacity, in the light of the cost of living, general rates of wages outside, and other vital considerations. It seems, from what we can learn so far, that the rates of pay in the permanent Defence Forces of the Commonwealth are very small as compared with those received by the Imperial Forces, when those conditions are taken into account. I do not know whether the utterance of the Postmaster-General on this subject last week was merely the expression of his own opinion, or was indicative

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of the attitude of the Government as a whole. If it was the latter, I sincerely trust the Government will reconsider their position in relation to the question, and at least allow a Select Committee to be appointed in order to ascertain all the facts. No harm can be done by an inquiry of this kind, and I can see no reasonable objection to the passage of the motion.

Mr. JOSEPH COOK (Parramatta) [4.55].—I support the motion as proposed to be amended by the honorable member for Wentworth. The Government would be well advised to permit an inquiry of the kind into the whole question of the pay and emoluments of officers and men. I cannot see that any ill could result. but, rather, that a Select Committee would prove a great source of help to the Ministry in launching the new defence scheme. There are a great many readjustments required from various aspects of administration. For instance, a Select Committee could investigate the question whether a number of officers now performing civilian duties should be under the Defence authorities or under the Public Service Commissioner. At present, the control is divided, with consequent confusion. Since seven honorable members are to form the Committee, I suggest, having regard to the state of parties in the House, that it would be well if the Government party were given the odd man rather than that the *personnel* should be as proposed in the motion. It is, in my opinion, a very proper thing that the Minister representing the Defence Department in this House should be a member of a Select Committee of this character, because he will be able to see that the Department is properly represented and its interests safeguarded. An inquiry of the kind would, I think, save the Ministry some unpleasant duties. Honorable members will have seen that, at Home, the Postmaster-General has consented to a thorough inquiry into the staff arrangements of the whole Department; this, in England, is considered to be no reflection on the Minister.

Dr. MALONEY.—The consent was given under threat of a strike.

Mr. JOSEPH COOK.—The point is that such an inquiry is held to be no reflection on the Minister; and, on more than one occasion, there have been inquiries by Commissions into the administration of the War Office. Very often, schemes of reform are suggested, and taken advantage of by the Government, with good results to the Department, the country, and all concerned. If I thought that an inquiry of the kind would in the slightest degree embarrass the Minister, I should vote against the motion, but, as I say, I think the Government would be well advised to accept the proposal. It may mean the obtaining of information from the War Office at Home; and if the Committee do not conclude their labours before the end of the session, they might, as is done frequently, both here and at Home, be constituted a Royal Commission. There is a scheme for the payment of officers suggested in Lord Kitchener's recommendations, but I see no reference to that in the Estimates; the whole matter would be better for an inquiry by an impartial body, such as that now suggested.

Mr. PAGE (Maranoa) [5.3].—I do not see that the Government have anything to fear from the motion now before us. I do not support the appointment of a Select Committee because I hope to obtain any political kudos thereby. While I cannot vote for the amendment to include officers in this inquiry, I think the subject ought to be probed to the very bottom. We have heard, on many occasions, that, in regard to pay, our forces do not compare favorably with other forces in the Empire, particularly those in the oversea Dominions; and I have no doubt that on this point valuable information could be obtained by a Select Committee. The military authorities regard themselves as quite immaculate when they get on to their little thrones in the different administrative offices throughout the Commonwealth; and this is the most difficult of all Departments to obtain any sound information from. The present Postmaster-General, when speaking as Honorary Minister some weeks ago, said that all the information contemplated in this motion could be obtained from the Department. My experience, however, is that, though the officials of the Department will give the information asked for, they will give neither more nor less—they simply say "Yes" or "No." If a private member desires to enter into details, a hurdle is always put up in front of him. When, some years ago, I assumed the task of helping to put defence matters in order, my friends in Queensland told me that it was only a question of time when I would join the ranks of those who had set out on a similar mission of reform and had failed. Their words have come true—I am "full up" of it. One who spoke to me in that strain was the Prime Minister himself, and another was the Minister of External Affairs. The Prime

Minister told me, when I came down here as a raw political recruit, that I had "taken on a job" the magnitude of which I did not realize. I "took it on," however, but I am satisfied as to the truth of what the right honorable gentleman then said. If there is nothing to hide or fear, I ask the Prime Minister to accept the motion.

Mr. FISHER.—Boiled down, what is it that is desired?

Mr. PAGE.—If a Select Committee be appointed, the members of it will boil down the information and present it to the Government and the country. When the Honorary Minister said that all the information desired could be got from the Department, the honorable member for North Sydney very wisely said, "That is no good to me; I wish to have the information supplied by a Committee that will have some weight in the House." We are not content with the opinions of individual members expressed in academic discussion. The private-members' business day is neither more nor less than a farce—it is a day to give us an opportunity to "blow off steam." You, Mr. Speaker, have for years known my opinions on military matters. If a Committee can bring fresh light to bear on the Department, it may allay a great deal of bad feeling, both in and out of the service. The Permanent Forces are the skeleton of our army; the men who compose them are the instructors of the Citizen Forces, and will give stiffening in time of war. But however small our Permanent Force, it must be contented if we are to get the best work out of them.

Mr. THOMAS BROWN.—Would the proposed inquiry bring about contentment?

Mr. PAGE.—If I did not think so, I would not support the motion. Last year, with the sanction of the Minister of Defence, the matters which have been referred to were discussed by members of the Forces, and a petition presented to the Minister and to every honorable member. But it went the way of all petitions—into the waste-paper basket. The more I think over the matter, the more certain I am that a Select Committee should be appointed. We have entered upon a big defence policy, and it is not right or proper that our soldiers should be unfairly dealt with. We shall always have soldiers, so long as the world continues. Those of us who cherished the idea that peace was within a reasonable distance have had their illusion shattered within the last month by the action of Italy in grabbing territory from Turkey, altogether without warning. We ought to take a lesson from that occurrence. I hope that even at this late hour the Prime Minister will consent to the appointment of a Committee. It will not do harm to the Government, and no harm is intended.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [5.16].—In the warmth of his heart, the honorable member for Maranoa, as an old soldier, thinks that the carrying of the motion is the right way to bring about what he desires.

Mr. PAGE.—I honestly think so.

Mr. FISHER.—I as honestly think that it is not. In my opinion, the Government should not consent to an investigation of the administration of the Defence Department by a Select Committee. If honorable members think that the Minister of Defence is not capable of making the necessary representations to the Cabinet, and the Cabinet of presenting the necessary proposals to Parliament to secure proper pay and conditions for the commissioned officers, non-commissioned officers, and men of the permanent service, another sort of motion should be moved. The honorable member for North Sydney says that he has excluded commissioned officers from the scope of the Committee's inquiry, so that we may not suspect him of an ulterior motive, but the real question is, What is the proper course to pursue with a view to the proper administration of the Departments of government? If the Minister of Defence, whose term of office is not very long, has failed to do justice, an attack should be made on him in a different way.

Mr. PAGE.—I had no intention of attacking the Minister, nor had the mover of the motion. The motion of the honorable member for Gwydir for the appointment of a Commission to inquire into the administration of the Postmaster-General was accepted by the Government.

Mr. FISHER.—Not by this Government.

Mr. AUSTIN CHAPMAN.—We fought the motion very hard, because inquiries of the sort proposed are inconvenient.

Mr. FISHER.—Every Government must determine what is the proper course to pursue. Some honorable members could an exceedingly interesting tale unfold regarding what happened when the motion of the honorable member for Gwydir was moved. The proposal under discussion is the appointment of a Select Committee to investigate the conditions of the recruiting, housing, clothing, as well as the pay, of non-commissioned officers and men.

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Mr. GREENE.—The motion speaks only of pay and allowances.

Mr. FISHER.—Incidental to the inquiry, an investigation such as I speak of would be necessary.

Mr. PAGE.—Such an inquiry would have to be made.

Mr. FISHER.—It would not be sufficient to make an inquiry regarding pay and allowances without taking into consideration other conditions. The present session will not be a long one, and the inquiry asked for could not be concluded before the prorogation. I am averse from having a Select Committee whose inquiry is unfinished converted into a Royal Commission, especially one appointed to obtain information which the Minister of Defence is able and willing to make available to honorable members, and I promise that it shall be made available to them. In that way, they can obtain as full a knowledge of the case as can be gained by the investigation of a Committee. No doubt, certain honorable members are ready to serve their country and their own opinions, but this is not the time for the proposed inquiry.

Mr. PAGE.—That is the old gag: "The time is not opportune."

Mr. FISHER.—Not even the mover of the motion would say that the proposed investigation could be finished before the end of the session

Mr. PAGE.—He is game to take it on.

Mr. FISHER.—That may be so. But it is not reasonable to suppose that the inquiry could be finished before the prorogation. The Budget debate, which will be continued as soon as the Works and Buildings Estimates have been disposed of, will give every member an opportunity to ask any question he may wish to put to the Government, and I promise that all information asked for shall be given in as direct a fashion as possible. I cannot, of course, make myself acquainted with the details of administration in all the Departments, and have no personal knowledge of the remuneration of the Permanent Forces; but no Minister has been more anxious to deal out substantial justice to the officers, non-commissioned officers and men of our Defence Forces than is my honorable colleague, the present Minister of Defence.

Mr. MATHEWS.—Some very flagrant grievances have not been dealt with.

Mr. FISHER.—The honorable member will agree with me, at all events, that much has been done, and that our expenditure has been greatly increased. Much more is yet proposed to be done. It is easy for the honorable member for Parramatta to say that if he had remained in office he would have done this and that; but this Parliament will have to make up its mind as to what is to be expended on defence, and as to what extra taxation shall be raised to maintain our defences in an efficient state. All these matters hinge on the question now before us. If outstanding grievances can be pointed out, the Minister of Defence will look into them and make recommendations to the Cabinet; and I, as head of the Government, will ask Parliament to remedy those grievances, even if extra taxation be necessary to allow that to be done. During all the campaigns on this question I have never hesitated to say that our national defence system must be efficient; that those engaged in it must be properly equipped and dealt with fairly, and that the people who want that defence should be asked to pay for it. I appeal to honorable members not, at the very inception of a big scheme of national defence, to intervene with a Committee of Inquiry between the Minister and the Forces. Senator Pearce is one of the most active, energetic, and able Ministers of Defence we have ever had. Whilst the appointment of a Select Committee would not directly reflect upon him personally, it would weaken his position at the present time; and instead of strengthening the position of the officers, non-commissioned officers, and men of the Service, it would, in my opinion, do them an injury. I am not going to say that an inquiry into matters of defence is unjustifiable in any circumstances, but such an inquiry ought not to be entered upon lightly, nor without full and deliberate consideration. I ask that this motion for a general investigation be not pressed. I cannot support it, and I do not think it is wise that the House should agree to it.

Mr. ARCHIBALD (Hindmarsh) [5.29].—It is a matter of regret that the right honorable gentleman at the head of the Government did not address himself to this question earlier in the debate.

Mr. FISHER.—It was my misfortune that I could not.

Mr. ARCHIBALD.—I am not suggesting that the right honorable member has been in any way neglectful, for I can well understand that his many duties make it impossible for him to be always in the chamber. But if he had had an opportunity to speak at an earlier stage of the debate, and had done so, I think he would

have cleared the air very considerably. I intend to support the Government, even if they go to the extent of resisting the proposal for the appointment of a Select Committee. It is to be regretted that the mover of the motion did not ask straight out for a Royal Commission. The appointment of a Select Committee at this stage of the session would be useless. The Committee would lapse before anything could be done. As the honorable member for Maranoa has pointed out, if we are to have an inquiry, it must be of an exhaustive character. A Select Committee must either lapse at the end of the session, or be converted into a Royal Commission.

Mr. RYRIE.—Would the honorable member vote for the appointment of a Royal Commission?

Mr. ARCHIBALD.—Certainly not. I should not vote for the appointment of a Royal Commission to inquire into the Defence Forces of Australia unless a very strong case was made out for it. This proposal relates, not to cadets and others who, under our compulsory training system, must of necessity attend a certain number of drills, but to a body of our fellow-citizens who, of their own free will, have joined the Defence Forces.

Mr. MATHEWS.—But every man who goes to work does so of his own free will.

Mr. ARCHIBALD.—Not necessarily. A craftsman—a carpenter, a blacksmith, or an engineer—certainly does not, of his own free will, remain in his own particular trade; he does so, because he is receiving good wages in it, or, because certain other circumstances compel him to do so. There is a certain amount of pressure brought to bear upon every man to follow his own trade, but the rank and file of our Permanent Forces, who are drawn largely from the labouring classes, are not bound to remain in the Forces. They can retire and do other labouring work.

Mr. AUSTIN CHAPMAN.—Would it not be wise to get as much information as we can?

Mr. ARCHIBALD.—Does the honorable member, who has held office as a Minister, believe that it would be right to appoint a Royal Commission to inquire into the Military Forces of the Commonwealth? I am not going to say that at no time would such an inquiry be justified, but none save the gravest circumstances would warrant the appointment of a Royal Commission, which would, so to speak, put the Government and our military experts on trial. We know that the more we keep our military service free from politicians and politics the better. Politicians are not the best men to have as commanding officers or officers of the general staff.

Mr. MATHEWS.—That is what the "boss" always says.

Mr. ARCHIBALD.—The honorable member must realize that there is a vast difference between the position of those who bear arms and that of the civilian section of the community.

Mr. MATHEWS.—And those who bear arms should get better, not worse, treatment than is extended to civilians.

Mr. ARCHIBALD.—I am not here to advocate the unfair treatment of any section of the community. All that I urge is that, during this debate, a strong case has not been made out for the appointment of a Select Committee against the wish of the Government. The debate will, I think, be a sufficient indication to the Government that the House is of opinion that, if there are any grievances—and I believe there are—in connexion with our Defence Forces, the sooner the Minister removes them the better. There may be some grievances of a minor character, but any substantial grievance should undoubtedly be removed. We have ample opportunities to discuss such matters without adopting the extreme course we are asked to follow. Some honorable members opposite have sought to draw an analogy between the Postal Commission and that which we are now asked to appoint. I fail to see any analogy. Military affairs are always looked upon as exceptional, since, in connexion with them, we have to deal with men who bear arms. Their position is totally different from that of postal employés.

Mr. MATHEWS.—And they should receive exceptional treatment.

Mr. ARCHIBALD.—I am not urging that those who bear arms should, because of that fact, be compelled to suffer grievances. The point of my argument is that the exceptional character of their work is such that we would not be justified in coming between them and the Government, unless a very strong case were made out for action on our part. I agree with the honorable member for Maranoa that we should view very seriously any grievances under which our Military Forces suffer, for I am one of those who do not believe that the

era of peace has yet arrived. We constantly hear that it is at hand; but I well remember hearing, as a boy, the statement that the Great Exhibition of 1851 was going to bring about an era of peace, and that the lion was going to lie down with the lamb. Modern history has falsified that prediction. Only a few years afterwards the British Empire was involved in a big war, and, as the honorable member for Maranoa has mentioned, a war is now being carried on by two other nations. The only element of doubt in regard to that war is whether or not another great Power thought of doing what Italy seized the opportunity to do. Whether it did or did not the opinion has been freely expressed, not only in Australia, but on the other side of the world, that it did. I appeal to honorable members to be very careful not to come between the Government and the Naval and Military Forces of the Commonwealth in the way now proposed, until all other legitimate parliamentary means of securing redress of grievances have been exhausted. If the Government are prepared to resist the appointment of a Select Committee I shall support them, but I do not wish them to gather from my attitude that, if grievances on the part of members of our Defence Forces are repeatedly brought before Parliament, the time will not arrive when I shall be compelled, however reluctantly, to support an inquiry if I come to the conclusion that the Government are determined not to remove the causes of dissatisfaction.

Mr. LAIRD SMITH (Denison) [5.40].—I wish briefly to justify the vote that I intend to give on this motion. If I thought, for one moment, that the Select Committee asked for would have the desired result, I should support its appointment, but I have no confidence whatever in such a Committee. What will it do? It will simply inquire into this question at great cost to the country. Its report will be laid before Parliament, nothing will come of it, and the Minister will be able to shirk his responsibility. Cannot honorable members see the move? I am of opinion that it is simply a move to deal with the highly-paid officers.

Mr. PAGE.—That is not right.

Mr. LAIRD SMITH.—Whether it is right or not, what has been the trend of the debate? Has it not been that the rank and file are receiving a very fair amount of remuneration for the work performed?

Mr. PAGE.—No one said such a thing.

Mr. LAIRD SMITH.—Throughout the debate it has been so. It is questionable whether the figures that have been submitted are accurate. We repeatedly hear it stated outside the House that the lower-paid non-commissioned officers and the men in our Defence Forces are receiving such high pay that the best men are being attracted to the service. The proposed Committee, if appointed, will in bringing down their report to the House, forget all about those whom I should like to see receiving better pay—that is, the very lowly-paid men in the ranks. The honorable member for North Sydney knows very well that they will not get a rise. Why does not the honorable member be straight and say "I want to get some kudos——"

Mr. RYRIE.—On a point of order, I submit that the honorable member for Denison is reflecting upon me when he says, "Why cannot the honorable member be straight?" I take exception to that remark, and ask you, sir, to make him withdraw it.

Mr. SPEAKER.—I am sure if the honorable member for Denison has said anything offensive he will withdraw it.

Mr. LAIRD SMITH.—Most decidedly I will, but I am at a loss to know how the honorable member could understand my meaning before I completed the sentence. I have no confidence whatever in the mover of the motion. Why does he come here, just when the Minister of Defence is about to inaugurate a great system laid down by officers brought from abroad, and spring upon the House a motion that will put honorable members in a most awkward position by compelling them to take sides on a question that the majority of them know nothing about? In my opinion it is merely—and if I am out of order when I say it I will withdraw—an electioneering dodge. If that is out of order I will withdraw it, but it is in my mind, and I wish to give utterance to it.

Mr. SPEAKER.—Order. The honorable member must not make a statement simply on the chance of its being in order. It happened that the statement which the honorable member made was not out of order, but had he made a statement which was out of order he would have put me in the position of being able only to call upon him to withdraw it. I think that is the worst form of disorder that any honorable member can indulge in, and I warned the House the other night that any honorable member who followed the practice would have to take the consequences.

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Mr. LAIRD SMITH.—I bow to your ruling, but in my opinion honorable members have no right to try to jam us into a corner by moving something which they think will bring them kudos with a big section of the community in their various electorates.

Mr. PAGE.—I rise to order. Is the honorable member in order in imputing improper motives to honorable members who have already spoken on the motion?

Mr. SPEAKER.—If the honorable member imputed improper motives, he would not be in order, but I did not understand him to do so.

Mr. PAGE.—He said we supported the motion for no other reason than to get kudos out of it.

Mr. SPEAKER.—That is not imputing improper motives.

Mr. PAGE.—He said the motion was moved in order to jam honorable members into a corner.

Mr. SPEAKER.—Order!

Mr. LAIRD SMITH.—I said nothing of the sort. I am not going to take the responsibility which certain honorable members would like to throw upon me. Coming as I do from an electorate in which a number of my supporters are military men, I want to explain to those gentlemen the attitude I am taking up now, and my reasons for it. In the first place, I have every confidence in the Minister of Defence; but what self-respecting Minister would remain in the position while a Committee of irresponsibles from this House dictated to him how he should run his Department? I am opposing the motion, and until it is shown that the Minister of Defence has failed as a Minister, I shall not support the appointment of any such Committee. That has not yet been shown, and not an argument has been brought forward to show us why we should vote for the motion. Honorable members have not brought forward a specific case to show where any particular body of men are paid very low wages or are suffering to any extent. There may be individual cases. I have had individual cases brought under my own notice, but I believe that, given time, the Minister of Defence will rectify those grievances. He has been, however, only a few months in office, and the same thing applies to ex-Ministers of Defence. What we have suffered from in the past in regard to our Military Forces has been the short tenure of office of the various Defence Ministers. The present Minister has had no time to remedy these grievances. Members who have been a long time in this House, and should know better, come down to support propositions which would involve the country in enormous expense, and for what purpose? Can any honorable member show me where a Select Committee of this House has yet done any good? When a Minister or member wants to throw responsibility on to somebody else he gets a Select Committee appointed.

Mr. FENTON.—The Tasmanian Customs Leakage Commission!

Mr. LAIRD SMITH.—That cost £600, and I am looking for something to come out of it, but it has not come out of it yet. No good result will come out of this Committee if it is appointed. I want to tell the poor fellows outside that the motion is simply put up to make them believe that a certain section of the House want to do something for them. That has been my experience in the past of this sort of thing, and I have had enough of it. Some honorable members have said, "If we get this Committee, much good must accrue," while another section say, "There may not be anything done at all." The honorable member for Lang admitted that there might not be anything done—that there might not be any necessity to give an increase of wages. Are this House and the country to be put to the expense and trouble of this Select Committee for the purpose of finding out that nothing need be done? I have always thought that honorable members had a good case when they came to the House and asked for the appointment of a Committee.

Mr. GREENE.—How much would it cost?

Mr. LAIRD SMITH.—The honorable member knows more about moisture in butter than about the Military Forces. Neither he nor I can know the cost, but I am surprised when I look at the cost of Royal Commissions and Select Committees. I hope that when honorable members move for the appointment of any such body, they will have some sound reasons to give the House. Why do they not point out the glaring cases, and show where they exist? I happen to be the representative of a military centre, and not one of the Military Forces has approached me about any grievances under which they suffer as a body. If they did approach me, I should try to get the trouble remedied for them. If I could not do so in any other way, I should, on the motion for the adjournment of the House, point out the grievances which the

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men were suffering under, and I should expect the House to assist me to get the wrong righted. As the honorable member for Hindmarsh very clearly put it, we are not dealing with the postal, or any similar Department. We are dealing with the Defence Department, which is altogether different in its management from all the others. If it were not so, how is it that the whole of the Defence Department has not been placed under the control of the Public Service Commissioner? It is simply because the House and the country desire to throw the responsibility on to the Minister. I have every confidence in that gentleman, and the moment I cease to have confidence in him I shall say so. If the Minister is to be hampered by irresponsible people inquiring into the working of his Department, it will cause no end of dissension throughout the Commonwealth. If, for instance, the Committee reported that a certain section of the non-commissioned officers were under-paid, and the responsible officers of the Department did not feel inclined to recommend an increase, in what position would the Minister of Defence be, and what condition would the Defence Forces find themselves in? Should we be likely to have that discipline which is essential for the carrying out of any proper Defence scheme? The Committee, if appointed, would not achieve the effect which its supporters say it would.

Mr. FINLAYSON.—Does the honorable member believe in these men joining a union to secure better rates of pay?

Mr. LAIRD SMITH.—Employment in the Defence Forces is altogether different from employment outside. If the men in the Defence Forces formed themselves into a union, and were called out for the defence of the country, and just about the same time took it into their heads to strike, what position would we be in? If honorable members say these men are justified in forming a union, then I am logical in saying that they would be justified in striking if they did not get their just dues from the Government. It is for the Minister of Defence to take the responsibility of seeing that the men get their rights. If the Minister does not do so, it is for us to express our want of confidence in him, and compel the Department to do justice to the men who defend the country.

Mr. KELLY.—Would the Government allow this to be a non-party question?

Mr. LAIRD SMITH.—How could the Government allow this to be a non-party question? The present Minister of Defence has a policy altogether different from that of his predecessor; and if he made a mistake, would the question not be a party one then? Such must be party questions so long as we have responsible government. If I voted for the appointment of this Select Committee, I should be simply expressing a lack of confidence in the Minister. I desire the men in the ranks, and the non-commissioned officers, to understand that there is no one in the House more desirous than myself of giving them proper conditions; but a proper means to that end must be adopted. I oppose the motion, for the one reason that it will not benefit those whom we desire to benefit, namely, the lower-paid men in our Defence Forces.

Mr. RILEY (South Sydney) [6.0]—I am pleased that this motion has been submitted; and it has my hearty support as one directed to the betterment of the conditions of employés. I regard the members of the Military Service as employés of the Government; and I do not desire to see them treated differently from any public servants. I, therefore, suggest that the Government be requested to bring the members of the Defence Forces under the Commonwealth Conciliation and Arbitration Act, and thus afford a true solution of the problem. If these men are underpaid, as suggested, it is our duty to see that they are given a fair return for their labour. The honorable member for North Sydney will, I think, support an amendment in favour of legislation to bring these men under the Conciliation and Arbitration Act.

Mr. SPEAKER.—Order! The honorable member is, I think, going beyond the motion.

Mr. RILEY.—That being so, I must oppose the motion, because I do not see why a Select Committee should be appointed to inquire into the payment and conditions in any particular public Department.

Mr. RYRIE.—These men are the lowest paid of all—that is why.

Mr. RILEY.—The Government ought to see that every public servant has a fair and decent wage. A Select Committee can only make recommendations; and if

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the Government oppose the appointment of a Select Committee, what chance is there of having any recommendation carried into effect? In our Defence Forces we employ engineers, blacksmiths, carpenters, painters, and so forth; and if outside employers have to pay a certain wage, and observe certain conditions under an Arbitration Court, I do not see why our military employés should be deprived of the benefits of our industrial legislation. The conditions at Thursday Island and at Queenscliff, for example, are vastly different; and as any Select Committee would have to travel in order to obtain evidence at first hand, I do not see how their work could be completed during the present session. During the recess, however, the Minister will have an opportunity to obtain reports from the different centres; and next session he may be in a position to introduce a Bill to bring the Military Forces under the Conciliation and Arbitration Act, and thus settle the conditions for all time. I understand that these men have grievances connected with their food, clothes, accommodation, and so forth; and, under the circumstances, I suggest that the honorable member for North Sydney should withdraw his motion, and rely on the Government to see that justice is done. If I were a member of the Military Forces, and received a miserable wage, I should leave the service.

Mr. MATHEWS.—The "boss" always says that!

Mr. RILEY.—These men have no excuse if they are underpaid. There is a demand for labour all over the Commonwealth; and if they are men, they ought to fight for their rights, or leave the service. Honorable members who are supporting the appointment of this Committee do not, some of them, interest themselves in the welfare of the lowly-paid man in outside employment. Any Select Committee appointed would have a wide field to cover; and, as I have already pointed out, the Minister of Defence, in recess, could consider the question of housing, food, clothes, holidays, canteens, and the class of liquor supplied, and so forth. All these form part of the military organization, and call, I suppose, for investigation. I might further suggest that honorable members should visit Thursday Island and other military centres with benefit to themselves and to the country. The honorable member for North Sydney has been connected with the Military Forces for a number of years; and, consequently, he has the comparatively easy task of talking "shop." But other honorable members, myself included, are not fighting men, and it would be well if the Government could arrange such visits of inspection as I have indicated. I agree with the honorable member for North Sydney that the men of the Permanent Forces should be fairly remunerated and properly treated, and no doubt the result of the debate will be to cause the Minister of Defence to look carefully into the whole matter. We, on this side, are at all times ready to do everything that can be done to better the condition of the community, and the employés of the Commonwealth. As such the men of our Military Forces have nothing to lose by putting themselves in the hands of the Minister of Defence.

Dr. MALONEY (Melbourne) [6.13].—I object to the motion on the same ground as the honorable member for Parramatta, considering that the party possessing a majority in the Chamber should be more largely represented on the proposed Committee than the minority. I do not remember any instance in which on a Committee the bigger party in the House had not a majority of at least one representative.

Mr. RYRIE.—I am willing to make a change.

Dr. MALONEY.—That removes one objection to the motion. There are more officers and men in, and passing through, my constituency than in any other constituency, because Melbourne has only one member, while Sydney is divided into four electorates; but I have not yet heard either officer or man make a complaint about pay. The last speaker referred to the food supplied to our Permanent Forces, and to the clothing. As an Australian, and a member of this House, I say that the uniform that is good enough to fight in should be good enough for attendance at banquets and the like. The honorable member for North Sydney, who has risen to the important post of colonel, knows that the uniforms, dress and undress, of an officer of high grade cost not less than £50.

Mr. RYRIE.—More than that.

Dr. MALONEY.—My information is that a staff-officer's uniform costs nearly £100. When with others I recently visited

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Great Britain to attend the Coronation, I was unwilling to go to the expense of a Court dress, but on representations being made through the Prime Minister to the King, he, with a courtesy that was exquisite in the extreme, waived that requirement. A Court dress would have cost at least £30, and might have cost £120. By appearing in ordinary attire on that occasion the representatives of this Chamber and the Senate set a great example. We hope that our Defence Force will be one of the fighting forces of the world, and that in its simplicity, verve, and splendid discipline, it will vie with the most patriotic army the world knows, that of Switzerland. As it is proposed to finish this session by Christmas, though I cannot see how that can be done, it would not be wise to begin the inquiry which the honorable member for North Sydney asks for, but the Minister might take the debate as an instruction to obtain data as to the cost of each army unit in the world. In Sir Edward Owen's classic work on the Swiss Republic, there is a comparison of the armies of Europe, and I think that, whereas a unit in Great Britain costs £65, one in Switzerland costs only £7. That great authority, who was, and is still, I think, an officer in His Majesty's Forces, showed that Switzerland could mobilize 250,000 men in three days, a thing which Great Britain could not then do in six weeks. What we need is a fighting force; we do not want frivolous gilt-spurred roosters, to use a phrase that has become famous. We know that bright facings are marks for sharpshooters, which render gay uniforms dangerous to their wearers. No time in a soldier's life is more glorious than that in which he is taking part in the defence of his country, and the uniform in which a man is willing to face an enemy, and in which, if necessary, he would be proud to die, should be good enough for meeting the mightiest man in the Empire, even the King himself. I ask the honorable member for North Sydney would it not be better to withdraw this motion, and obtain an inquiry into all the grievances of the military. Take the question of salaries. Major-General Sir Edward Hutton received £1,500 a year and allowances. When a member of the State House, I endeavoured to ascertain what the allowances covered, but could not get the information. Our Ministers would not refuse any information that members might ask for. Count von Moltke received only £1,500 a year when leading 750,000 Germans triumphant through France.

Mr. RYRIE.—My motion deals only with non-commissioned officers and men. I purposely made no mention of officers.

Dr. MALONEY.—I hope that no comparison will be made between professional and amateur soldiers. In my opinion, promotion in the Permanent Forces is often blocked unfairly, men not being given a proper trial. It was told me within the last three days that an officer has the right to take any man as an orderly, and that orderlies do not have as much drill as other soldiers. It is not the intention of Parliament that soldiers shall be told off to run errands, and do work that a boy could do. I must vote against this motion, but if a proposal is made for an inquiry into the grievances of the Defence Forces, with a view to securing better pay and conditions, should that be necessary, it will command my support.

Mr. CANN (Nepean) [6.23].—The honorable member for Denison put forward some strange reasons for opposing the appointment of Select Committees and Royal Commissions. Although his experience is as little as mine, he contended that the inquiries of such bodies do no good. But we know that over 60 per cent. of the recommendations of the Postal Commission have been adopted by the Postmaster-General.

Mr. RILEY.—The reforms as recommended would have been made in any case.

Mr. CANN.—We have no guarantee of that. Grievances must be laid bare before notice is taken of them. The Postal Commission's inquiry certainly did good. Last session a constant agitation was kept up, more particularly by the representatives of Tasmania, for the appointment of a Royal Commission to inquire into the alleged Tasmanian Customs leakages, and it is, to say the least, peculiar that one of the representatives of that State should now assert that these inquiries are of no use whatever. The honorable member said that he did not believe in Royal Commissions or Select Committees.

Mr. THOMAS.—He said that he did not believe in the appointment of the Committee asked for by this motion.

Mr. CANN.—I am not in favour of the suggestion made by the honorable member for South Sydney that we should refer the grievances of these men to the Conciliation and Arbitration Court. His proposal seemed to me to be an attempt to heap

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ridicule on the motion. Imagine the grievances of our Naval and Military Forces being referred to the Conciliation and Arbitration Court, just as the Japanese, for instance, were contemplating an attack upon us. What would be our position? I should just as soon advocate a strike as the reference of this matter to that Court.

Mr. KELLY.—Do not talk out the motion; ask leave to continue.

Mr. CANN.—As the time allotted to the consideration of private members' business has almost expired, I ask leave to continue my remarks at a later date.

Mr. SPEAKER.—Is it the pleasure of the House that the honorable member have leave to continue his remarks at a later date?

Mr. RYRIE.—I object.

Mr. CANN.—I hold the view that the grievances of our Naval and Military Forces should not be disposed of by a reference to the Conciliation and Arbitration Court. Supposing our soldiers and sailors said, "We want 8s. per day and an eight-hours' day"——

Mr. KELLY.—If the honorable member will ask leave again to continue his remarks at a later date, the honorable member for North Sydney will not object.

Mr. CANN.—He objected a moment or two ago when I asked for leave.

Mr. KELLY.—It is a question of the pay and conditions of our Military Forces. The honorable member ought not to talk out the motion.

Mr. FISHER.—The honorable member for North Sydney should not have objected to leave being granted the honorable member to continue his remarks.

Mr. JOSEPH COOK.—He wanted a vote to be taken. That was why he objected.

Mr. KELLY.—Leave will be granted now.

Mr. CANN.—I rose to support this motion, yet, when I asked for leave to continue my remarks, the mover of it objected. I throw the whole responsibility on the honorable member for North Sydney and the honorable member for Wentworth.

Mr. KELLY.—I object strenuously to the honorable member referring to me in that connexion. He has succeeded now in talking out the motion.

Sitting suspended from 6.30 to 7.45 p.m.

SUPPLY.

ROYAL COMMISSION ON SUGAR INDUSTRY—PUBLIC SERVICE EXAMINATIONS—TELEPHONE SERVICE—FEDERAL CAPITAL EXPENDITURE—DEFENCE: PAY IN STORES BRANCH—SHEARING INDUSTRY: ARBITRATION COURT AWARD—OLD-AGE AND INVALID PENSIONS.

Question—That Mr. Speaker do now leave the chair, and that the House resolve itself into Committee of Supply—proposed.

Mr. DEAKIN (Ballarat) [7.45].—I wish to take this early opportunity to direct the attention of the Government, and especially of the Minister of Trade and Customs, to the very substantial grievance which I think this House will be under if the Royal Commission, appointed to inquire into the sugar industry, is not supplemented in its numbers. The honorable member is aware that, speaking broadly, the general practice has been to constitute Royal Commissions, so far as they represent political opinions, of almost equal numbers, the greater number being representatives of the majority in Parliament; even in those circumstances the endeavour has been to avoid the selection of representatives of the Ministry of the day who are definitely and distinctively marked with a particular brand of opinion, regarding the questions into which they are to inquire. It is evident, in this connexion, that the Government themselves realized the difficulties of the position. They occupied some time in making an appointment, and their replies to questions put to them showed both what the original aim of the Government was, and then how it came to be discarded. On the 5th of last month the Minister of Trade and Customs announced the names of those who had been chosen to constitute this Commission. They are well known: Mr. Justice Gordon, of the Supreme Court of South Australia; the Honorable Albert Hinchcliffe, M.L.C.; Mr. Robert McC. Anderson; Mr. R. M. Shannon, and Mr. Thomas William Crawford. In answer to a question the Minister, as reported at page 1174, of *Hansard*, said that Mr. Hinchcliffe was Secretary of the Australian Labour Federation, and was connected with the *Worker* newspaper, that Mr. Anderson was a commercial man in Sydney, being a member of the firm of Allan Taylor and Company; that Mr. Shannon was a Sydney barrister and cane-grower, and that Mr. Crawford was

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President of the Australian Sugar Producers' Association. On 26th October last the Minister was asked if he was correctly reported in *Hansard* of 21st September, in saying that—

> The Government have decided that the Commission shall be a non-political Commission. (p. 703.)
>
> We think it is wise to appoint an outside body whose members may inquire into the conditions surrounding the sugar industry free from all political bias. (p. 705.)

I think that honorable members on both sides will take these two statements as representing what the Commission ought to be, and what it was intended to be by the present Government. The Minister of Trade and Customs replied, on the same date, that he was aware that Mr. Hinchcliffe was a member of the Queensland Labour party, and business manager of the Brisbane *Worker*; that he was aware that Mr. Shannon stood for Parliament as a selected Labour candidate——

Mr. TUDOR.—I did not say that.

Mr. DEAKIN.—The honorable member said, "The facts are probably as stated."

Mr. TUDOR.—The honorable member was putting into my mouth words that I did not use.

Mr. JOSEPH COOK.—But the Minister did know.

Mr. TUDOR.—No, I did not know about Mr. Shannon.

Mr. DEAKIN.—The honorable gentleman had said before that Mr. Shannon was a Sydney barrister and cane-grower at Mackay. He was asked on the 26th October—

> Is he aware that Mr. R. M. Shannon has stood for Parliament as a selected Labour candidate?—

and, bracketing that question with others, he replied, "The facts are probably as stated." They have been repeatedly stated in the press, and have never been contradicted. I presumed that the honorable member himself knew that the facts were as stated.

Mr. TUDOR.—It is quite possible that they are, but I do not know that they are.

Mr. DEAKIN.—They have not been contradicted, although stated in the press over and over again.

Mr. TUDOR.—The honorable member said that I was aware of these facts, and I said that I was not—that is the only difference.

Mr. DEAKIN.—I do not know that I put the Minister's answer in that way, but it seemed to me that I was doing him full justice in quoting that portion of his reply. It is fairly clear, from his next reply to the series of questions put to him on the date named, that he knew a good deal about these members of the Commission. For instance, he was asked—

> Does he think that the *personnel* of the Royal Commission is in keeping with his statement to the House, as quoted above, on the 21st ultimo.

That was the statement that the Commission was to be non-political and free from all political bias. He replied—

> Yes; but I do not think it would have been humanly possible to select any person as a member of the Commission whose mind was wholly free of any political opinion.

No one suggested that he could, or would, do so. He has certainly not done so. The honorable gentleman went on to say—

> The intention of the Government as expressed in my previous announcement was that the selection of the members of the Commission should be non-political in character, or, in other words, should be preferably chosen from other than members of the Federal Legislature.

That ridiculous qualification has next to no relevancy to the preceding statement. If the members of the Federal Legislature are the only persons who are political in character, this is an extraordinary community. The fact is that almost the whole community is political in character.

Mr. PAGE.—Does not the honorable member think we are the people?

Mr. DEAKIN.—We are the political people, and ought to be. When the Minister went on to say that "the selection has been in accordance with that intention," he said something impossible to justify by any evidence that has been or can be produced. Let it be understood clearly that I do not propose, in the course of my remarks, to reflect personally upon any one of the gentlemen chosen to constitute this Commission. If we had now an open choice, and had to determine who should be selected, the occasion would be a proper one to debate the qualifications of the gentlemen for this position, their freedom from bias, the absence of political motives, and other questions of the sort; but it is now too late to do so. I let that pass.

Mr. TUDOR.—Why did not the honorable member's Government appoint the Commission? They had six months in which to act.

Mr. DEAKIN.—Anticipating that such irrelevancies would be introduced, I have come prepared to deal with them, and shall do so in their proper order. If any good purpose could be served by challenging

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these gentlemen, I should have endeavoured to acquaint myself with the general circumstances of their career and opinions, but I recognise that they have been appointed by the Government, and at present constitute the Royal Commission. My purpose to-night, therefore, is to start from things as they are, without saying what they ought to have been. I may point out that, although the Commission has formally commenced business, it has so far taken only a few steps; so that, if the Government is to fulfil to any degree the statement made by the Minister that the Commission was to be non-political and free from party bias, there is only one way of doing so. I do not suggest that it should be done by adding men of opposite political opinions, because political opinions should not be taken into consideration in such a choice. I regret to find that all the members of the Commission, excluding, of course, the Judge and Chairman, have more or less definite political leanings. My present suggestion is simply that if this Commission is to be formed on the basis which we have been accustomed to see accepted both in the State and Federal Parliaments, it will be necessary to add to it two or three members distinctly outside the political sphere, but qualified to undertake an investigation of this kind with strict impartiality. If that were done, the Commission could still be brought, to some extent, into line with the Minister's own statement. If it is not done, the position is hopeless. We are face to face with the facts which, as the Minister said, "are probably as stated." I think they are evidently as stated—that Mr. Hinchcliffe is an active member of his own party, and still actively associated with and interested in it; that Mr. Shannon has been a selected Labour candidate; and that Mr. Robert McC. Anderson is quoted as having said in the Sydney *Daily Telegraph* that it is well known among his friends that Labour and its representatives have had his sympathey for many years past.

Mr. WEST.—He is every inch a gentleman.

Mr. DEAKIN.—I am not denying it. Mr. Crawford, another member of the Commission, stood for Parliament as a Liberal candidate, although the Minister of Trade and Customs did not commit himself to an indorsement of that fact. However, as it has not been challenged, we may take it as being correct.

Mr. TUDOR.—Mr. Crawford was a Fusion candidate against the honorable member for Herbert at the last election.

Mr. DEAKIN.—I did not know that he was a candidate, but am taking it as indisputably proved. While I do not think that should disquality him, I think it is unfortunate that at least three of these gentlemen should have already taken an active part in political affairs on the same side as the Government and its supporters, that another member has expresed his entire sympathy with them, and that, excluding, of course, the Judge, the solitary individual who has entertained political opinions of another colour is Mr. Crawford.

Mr. MATHEWS.—Can the honorable member imagine any Commission whose members would not have very strong political ideas of their own?

Mr. DEAKIN.—I do not contend that the Government should have attempted the impossible task of discovering persons who had no political opinions. But to select people who are qualified to act on a Commission and who have political opinions is a very different thing from making the majority of the Commission consist of active politicians—men who take an active part and interest in public affairs, who stand as candidates, and who are pledged to a particular party—giving them the absolute majority on a Commission. Even now this can be remedied if two or three other relatively non-political persons, with no active political career behind them, or who have not taken part in public affairs, are selected to sit with those already appointed. If you looked over the list of the Royal Commissions, so far as I remember them, appointed in the States or in the Commonwealth, you would find a Commission of this sort consisting of a majority who probably shared in some general way the political opinions of the Government of the day, or agreed with their policy on the particular question involved, and a minority, usually only one less than the majority, although it might be two less in some special circumstances, who, without being active politicians, were known not to share those opinions, to some extent.

This is a question in which, unfortunately, the political element cannot be ignored, because the party represented by Ministers and members opposite in this House has on this very question a distinctly pronounced opinion, which must affect the inquiry about to be instituted. Nationalization stands as one of the most prominent objects of the Labour party's programme, and among the industries which have been selected from time to time by their representative men as illustrations of industries

which would, in their opinion, be properly nationalized, the sugar industry has been mentioned continually. In those circumstances we cannot be blind to the fact that we have here a Commission which, directly it is appointed, has an absolute and overwhelming majority on one of the greatest issues in favour of the particular policy favoured by the Government. In fact, always leaving out the Judge and chairman, only one out of the four members who sit with the Judge is not attached to the party which has declared beforehand that the sugar industry ought to be nationalized.

Mr. PAGE.—Cannot he bring in a minority report?

Mr. DEAKIN.—He can, and that is all that could be done if he were assisted by another. He happens to have been a Liberal candidate, and, without saying that that is an absolute bar, it is still as unfortunate in his case as in the other. I should have preferred that some gentleman should be chosen who had not been a Liberal candidate, but who was not associated with the Ministerial party in any way.

Mr. TUDOR.—He was not chosen because he was an ex-Liberal candidate, but because he is the president of the largest organization connected with the growers and refiners.

Mr. GROOM.—Were the others chosen for similar reasons?

Mr. TUDOR.—No. Mr. Hinchcliffe represented the workers.

Mr. DEAKIN.—Then there is Mr. Shannon on the Commission. At least, there should have been two, if not three, who would go into all questions absolutely unbiased. If the gentlemen appointed are either active members of the Labour party or associated with it, then on this question, before they commence the inquiry, they will have practically determined in their own minds what the treatment of the sugar industry ought to be.

Mr. SPEAKER.—I think the honorable member is now indulging in unfair criticism.

Mr. DEAKIN.—I absolutely differ, with respect, from that view, because I can point to the advocacy of nationalization in the programme of the party.

Mr. SPEAKER.—I may have misunderstood the honorable member. I understood him to say that the Commissioners who have been appointed have already made up their minds as to certain action. That is only a matter of opinion, and I do not think such an expression ought to be allowed at the present time.

Mr. DEAKIN.—That is correct, but not complete. I said it was so, as far as nationalization of the sugar industry was concerned. One of the most important questions that will be considered and decided by the Commission is the question of nationalization or non-nationalization. When those gentlemen belong to a party which puts nationalization in the forefront of its proposals, it is surely fair to say that they have made up their minds in favour of the nationalization of sugar.

Mr. SPEAKER.—I do not think the honorable member is justified in taking up that attitude.

Mr. DEAKIN.—I will say, then, that they are in favour of nationalization generally. That, alone, is a grave consideration that must be taken into account.

Mr. GROOM.—They are certainly in favour of nationalization of monopolies.

Mr. DEAKIN.—The sugar industry is alleged to be a monopoly. But I impeach no gentleman who has been named on the Commission.

Mr. TUDOR.—You are going very near it.

Mr. DEAKIN.—I have referred only to the one aspect, which is forced upon me by the published declaration as to the political opinions of these members of the Commission. Otherwise, I should not have known which side any one of them was upon.

Mr. HUGHES.—To whom did the honorable member refer?

Mr. DEAKIN.—To Mr. Hinchcliffe, Mr. Shannon, and Mr. Anderson.

Mr. TUDOR.—Does the honorable member know when Mr. Shannon was a Labour candidate? Was it twenty years ago?

Mr. DEAKIN.—I did not know there were Labour candidates twenty years ago.

Mr. TUDOR.—It was over fifteen years ago. Mr. Crawford has been a Labour candidate since then. He was a "rat."

Mr. DEAKIN.—Then the one Liberal we thought we had, we have not got. Personally, I think it would have been much better if these gentlemen had no public political associations. I do not want to argue that point again. I mention it merely to point out that, as a consequence, from the political point of view, the balance of the Commission is more weighted on one side than any Royal Commission I ever remember. Even in the case of Select Committees or other bodies appointed by this House, the almost universal practice has been to make very little difference between the numbers on each side.

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The House, after all, had the final decision of the subject-matter to be inquired into in its own hands. In the circumstances, if this Commission, without addition, is allowed to enter upon its task, honorable members opposite and the Government will be to blame for having constituted it in such a way as to evoke suspicion and distrust, and provoke challenge, even before its work is commenced. Of course, it will be by their work that the members of the Commission will be judged, and properly so. But it is most unfortunate that public opinion should be biased in this way at the very outset by the creation of a Commission in which the proportions are so unusually in favour of one way of thinking and acting. I do not know that Mr. Crawford is not still a nationalizer—he may retain his old faith or have embraced a new one—but at all events the Commission commences its inquiry without that support from public opinion, and without that confidence which Royal Commissions should enjoy. Its task will be so much the harder. The Government will not be assisted to their ends by a one-sided Commission. It may even prove that Mr. Crawford still retains some of his old views. If so, the whole Commission, excluding the chairman, is of one political colour and complexion. In the choice of the chairman the Government appear to have made a very wise selection.

Mr. TUDOR.—By accident, I suppose.

Mr. DEAKIN.—No. They have picked a gentleman of judicial attainments, and who, in addition, enjoyed a long political career, with Ministerial experience. He therefore brings very valuable knowledge to bear upon the subject, which I am sure he will handle in accordance with judicial principles. I do not think the Minister has heard a word of challenge of that gentleman from any quarter. I understand the secretary of the Commission has also been appointed.

Mr. TUDOR.—He is Mr. Hall, an Inspector of the Customs Department. Is he a good man?

Sir ROBERT BEST.—A very good man.

Mr. DEAKIN.—Is there a private secretary as well?

Mr. TUDOR.—The Judge himself will appoint him.

Mr. JOSEPH COOK.—Who pays him?

Mr. TUDOR.—The Commonwealth will pay him.

Mr. GROOM.—Is he to advise on questions of international law?

Mr. TUDOR.—We have nothing to do with that. That is an arrangement with the Judge himself.

Mr. DEAKIN.—I draw a contrast between the Commission now appointed and the Commission we proposed to appoint eighteen months ago. There are two classes of Royal Commissions—one the expert Commission, on which we seek to obtain the services of persons identified with an industry, who are to make a searching investigation and then present results to be dealt with by the Legislature in a more or less judicial fashion. The other is the more familiar kind of general Royal Commission. The purpose then is not to appoint experts or those engaged in an industry. They take evidence, and then present their conclusions to Parliament. As I have said, the universal practice in the Mother Country, and, I think, in the Commonwealth and all the States, has been to take care that the minority was always sufficiently strong in numbers to be able to press its inquiries as thoroughly as the majority, and also to present, on any particular points, a minority report, setting forth their grounds for not agreeing with the majority. There is no such balance in the present Commission. The Commission we proposed was to consist of a gentleman recommended to us as the best expert in all the processes of dealing with sugar, from the growing of the plant until it was turned into the refined article; and another said to possess an unexampled knowledge of the financial side of sugar—the cost of all the processes, values, and so forth. The Judge was then to acquaint himself with all these general matters which are necessary to complete the case, and to present a purely judicial report. The two gentlemen to whom I have referred were Mr. Desplace and Mr. Crompton. Their names and reputations were all that were known to the Cabinet, and, therefore, we had, and have, no knowledge whatever of their politics. They were recommended to us simply as, in the opinion of those who know the industry, the two best experts available in the whole of the Commonwealth. The Judge could be compared with any Judge on the bench for his qualifications for conducting an inquiry of the kind, especially of a commercial character, owing to his experience in the Arbitration Court as well as in general practice. I am not contrasting the two Commissions in relation to their character, because one was an expert Commission and the other a Commission with judicial authority.

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Mr. HIGGS.—What was the scope of the proposed Commission?

Sir ROBERT BEST.—The widest possible—it could not be wider.

Mr. DEAKIN.—My impression is, as the honorable member for Kooyong has said, that the scope was as wide as could be. Since then there has been a proposal submitted by the honorable member for Franklin for the appointment of a Royal Commission, frankly political, chosen from this House and representative of both sides, in no disproportionate fashion.

Mr. HUGHES.—Would the honorable gentleman support that proposal?

Mr. DEAKIN.—I have no complaint to make that that proposal has not been carried, or any complaint to make of the character of the Commissioners appointed, nor do I question the capacity of any of the members. But the customary balance to which I have referred does not exist. Judging solely from a political point of view, the Government have three representatives on the Commission to one. The Judge, of course, is non-political. Under the circumstances, no provision is made for a minority strong enough to have its views thoroughly represented. It is not too late to repair this defect.

Mr. HIGGS.—The honorable member means that the Judge may be in favour of nationalization.

Mr. DEAKIN.—I reckon the Judge neither for nor against nationalization, but as occupying a judicial position apart from all questions of political policy. There are four ordinary working members, three of one complexion and one, possibly, of another. While it appears to me very unfortunate that there is any political complexion at all, since it is there the least we can do is to add another member or two of unknown political opinions, but sufficiently qualified, commercially and industrially, to render effective service.

Mr. SCULLIN.—They all might turn out to support nationalization.

Mr. DEAKIN.—They might, of course. But, apparently, the three Commissioners to whom I refer are notoriously political in their feelings.

Mr. TUDOR.—I think the honorable member is not correct in that.

Mr. DEAKIN.—Personally, I do not know, but directly the appointment was made I was informed by honorable members from the Northern State of the political complexion of those three Commissioners.

Mr. KELLY.—It was well known to the Minister.

Mr. TUDOR.—It was not well known to me.

Mr. DEAKIN.—I do not suggest for a moment that members should be appointed because they are Liberals, or of any other way of political thinking. This is the last opportunity we have to redress the balance and of casting this Royal Commission in the mould that every other Royal Commission I ever heard of in this country has been cast, so as to give a minority sufficient to enable an effective minority report to be presented on points of difference with the majority. This should be done in order that the inquiry may not be prejudiced from the outset by the clear impression at present that it is political, and altogether one-sided. The political complexion cannot be got rid of unless this is done——

Mr. THOMAS.—There is the Judge there.

Mr. DEAKIN.—He stands above all those qualifications.

Mr. THOMAS.—Does he not sign the report?

Mr. DEAKIN.—The position which the Judge occupies, and the task which he enters on, is one covering an enormous field, but still he must trust largely to his colleagues. This is the last opportunity of putting this Commission into line with other Commissions, instead of leaving it the *rara avis* it is at present. If ever there was a real and substantial grievance which Ministers have created, and which they have still power to remedy, this is one, and I hope the Government will at once avail themselves of the opportunity of correcting their mistake.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [8.21].—Doubtless, whatever the Government did in the appointment of this Royal Commission would not give satisfaction to the other side, excepting, of course, honorable members opposite had been allowed to select the Commissioners. The honorable member for Ballarat, as Prime Minister, had the opportunity to appoint a Royal Commission; and he stated repeatedly, during the referendum campaign, that the Commissioners had been selected, but that the inquiry had been stopped by the present Government.

Mr. DEAKIN.—I never said such a thing.

Mr. TUDOR.—The honorable member did; he was so reported in the press.

Mr. KELLY.—The Minister had better find out the facts before he makes the statement.

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Mr. TUDOR.—I am not in the habit of making statements that are without foundation, or that I have to withdraw. If it be found that my assertion is incorrect, I shall willingly withdraw it. But the honorable member for Ballarat said at the Melbourne Town Hall, as reported in the press, that a Royal Commission had been appointed by his Government, and that the present Government cancelled the appointment, and refused to allow the Commission to proceed. As a matter of fact, that Royal Commission never was appointed by the late Government. The honorable member, from the time he promised to appoint a Royal Commission, was in office six months; and, during that time, he never reached the final stage in the appointment. Names have been mentioned, and it is said that certain members of the Commission that has now been appointed hold political views favorable to the Government. I am given to understand that Mr. Shannon—I have heard this since, strange to say, from honorable members opposite—was about fifteen or sixteen years ago a Labour candidate. As to what he has been since I am not aware, but the honorable member for Darling Downs may know.

Mr. GROOM.—I cannot say whether Mr. Shannon was a Labour candidate, but I think he was secretary of a workers' organization in Mackay in 1902 or 1903. I really do not know sufficient to say, but I think he is still a member of a worker's organization.

Mr. TUDOR.—Of that I am not aware. So far as Mr. Anderson is concerned, I know that he has never been actively associated in any shape or form with the Labour party. I never heard the man's name until he was suggested as a member of the Commission.

Mr. KELLY.—Who suggested his name?

Mr. TUDOR.—Well, not the honorable member who interjects.

Mr. KELLY.—What Minister suggested the name?

Mr. TUDOR.—It was not the honorable member for Wentworth, because he is not a member of the Government, and was not even a member of the Fusion Government. Whether he will be a member of any future Government I do not know.

Mr. KELLY.—Will the swelled-head Minister tell me what Minister recommended Mr. Anderson?

Mr. TUDOR.—I shall reply to any question the honorable member likes to ask civilly—he need not put on his Oxford manner here.

Mr. THOMAS BROWN.—Is it parliamentary for the honorable member for Wentworth to speak of the Minister of Trade and Customs as a swelled-head Minister.

Mr. KELLY.—I did use the word, and I apologize for doing so, but it was drawn from me by the references made by the Minister to other less fortunate and gifted persons than himself.

Mr. TUDOR.—I have not the slightest intention of saying who recommended that gentleman as a member of the Royal Commission. The honorable member for Ballarat stated that outside the two members of his Commission that he mentioned, he had never heard the names before.

Mr. DEAKIN.—Of the experts, yes.

Mr. TUDOR.—If the honorable member can say that of the Commission which he, as Prime Minister, was alleged to have appointed—though he never got any further——

Mr. DEAKIN.—Whose fault was that?

Mr. TUDOR.—It was not a fault; the electors of the country——

Mr. DEAKIN.—The Minister is attributing it as a fault.

Mr. TUDOR.—It was not a fault. The people thought that the honorable member for Ballarat had been proposing to do something long enough, and that the time had arrived for something to be done. The appointment of the Commission now does not satisfy him. I stated at the time that Mr. Hinchcliffe was Secretary, or President—I am not sure which—of the Australian Labour Federation. He will represent the workers as well as any one who could have been selected.

Mr. WEST.—He is one of the whitest of Australians.

Mr. TUDOR.—He is not a bad sort of man. I do not know whether the Commissioners hold the political opinions spoken of by the Leader of the Opposition.

Mr. JOSEPH COOK.—The Minister appears not to know much about them.

Mr. GREENE.—If the Minister knows nothing of his own knowledge, he must have been told.

Mr. JOSEPH COOK.—The Minister chiefly responsible for the Commission knows nothing about the Commissioners!

Mr. TUDOR.—Since the Commission has been attacked by honorable members opposite, I have more faith in it than I had before. Members of the Opposition profess to know more about the *personnel* of the Commission and its political opinions

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than any one else, but no word of criticism has come from any one connected with the sugar industry. At any rate, no word has reached me, officially, or otherwise. I have not seen an article, even in Queensland newspapers, adversely criticising the Commission. I do not think it is intended to alter the *personnel*.

Mr. DEAKIN.—I said "add" to it.

Mr. TUDOR.—I do not think it would be wise to add to it. If Ministers admitted that they had chosen Commissioners who should not have been chosen, they would not be worthy of the positions they occupy. There is hardly a man in any walk of life, or, at least, in any prominent position, who does not hold political opinions.

Mr. FINLAYSON.—They have all been converted lately.

Mr. TUDOR.—A great many have been converted, and more are being converted every day. The Commissioners may have said that they believe in this, that, or the other.

Mr. HANS IRVINE.—Some of them are "come-backs."

Mr. TUDOR.—I believe that one of the Commissioners, at one time, was a Fusion candidate, and, before that, offered himself as a candidate for selection in the Labour interest. He is like many others connected with the honorable member's party, who have left, or been kicked out of, the Labour movement.

Mr. JOSEPH COOK.—Does the Minister refer to the Commissioner whom he called a ratter a few minutes ago?

Mr. TUDOR.—I did not refer to the honorable member.

Mr. JOSEPH COOK.—The Minister referred to Mr. Crawford.

Mr. TUDOR.—If I said anything offensive to Mr. Crawford, I withdraw it. He holds the highest official position, so far as the refiners and growers are concerned, being President of the Sugar Producers' Association. He represents them, and, I believe, will represent them well. I shall lay before the Cabinet what has been said, but I shall be very disappointed if the *personnel* of the Commission is altered or added to, because I believe that the Commissioners are fair men, and will make a fair report on the industry. What every one desires is the truth.

Mr. GROOM.—Is the extent of the Commission the same as that of the previous Commission?

Mr. TUDOR.—It is as wide as it can be made.

Mr. GROOM.—Is it the same?

Mr. TUDOR.—I do not think so.

Mr. GROOM.—Can the Minister say to what extent it differs from the other Commission?

Mr. TUDOR.—I could not do so, unless both were before me.

Mr. GROOM.—I think that the scope of the two Commissions is exactly the same, although the honorable member for Capricornia questioned it.

Mr. TUDOR.—I am not responsible for what the honorable member for Capricornia says; but, as he takes a great interest in this question, he is likely to be correct. We have tried to make the inquiry as wide as possible, believing that the people desire the exact truth in regard to the industry, and we think that they will be told it by the Commissioners.

Mr. KELLY (Wentworth) [8.33].—The Minister has carefully disguised the real issue, which is: Does the *personnel* of the Commission give effect to his oft-repeated promise to the House that he would appoint an impartial, judicial, non-political Commission? The words used by the Minister as late as the 21st September last were—

> The Government have decided that the Commission shall be a non-political Commission. . . . . We think it is wise to appoint an outside body, whose members may inquire into the conditions surrounding the sugar industry free from all political bias.

Mr. HIGGS.—Every one understood that "non-political" meant "non-parliamentary."

Mr. KELLY.—It would appear that, in the Minister's phrase, a parliamentarian is non-political when he is not a member of the Commonwealth Parliament, because one of the Commissioners, Mr. Hinchcliffe, is a member of the Queensland Parliament!

Mr. TUDOR.—The honorable member would not call a Legislative Councillor a politician?

Mr. KELLY.—I call the business manager and chairman of directors of the official organ of the Queensland Labour party a politician. I do not think any man opposite will have the effrontery to deny that Mr. Hinchcliffe is a politician.

Mr. MATHEWS.—I think that he is a statesman.

Mr. KELLY.—The honorable member is welcome to his opinion. I do not complain of the individuals composing the Commission; I do not know any of them. But

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I complain of the failure of the Minister to keep his promise to the House regarding the character of the *personnel* of the Commission. When the political antecedents of the Commissioners, honorable enough in themselves, though, in my humble judgment, debarring them, because of their political complexion, from accepting positions on a non-political, unbiased Commission of Inquiry, are pointed out to the Minister, what is his reply? It is that he "is not aware." What sort of a Minister is it who recommends gentlemen for a Commission and is not aware of their antecedents? Are Royal Commissioners appointed as if they were crossing-sweepers, taken on for a casual job? The Minister was whip and secretary of his party. Is any man who holds such a position ignorant of the political antecedents of prominent standard-bearers of the party in any State of Australia?

Mr. DEAKIN.—This is preference to unionists.

Mr. KELLY.—The thing is ridiculous. The Minister may shelter himself behind the statement that he is not aware, meaning, I suppose, that he is not aware officially. He seems to be aware officially of very little when it suits him to be ignorant. He tells us that the Commission has been appointed in accordance with his promise, saying that—

> The promise was that the Commission should be preferably chosen from other than members of the Federal Legislature.

No one takes exception to the Judge who is to be chairman of the Commission, but, apart from him, every member of the Commission is a self-confessed politician. The Minister contends that the Commission is non-political and unbiased because the Commissioners are not members of this Legislature. If we are to have a Commission of politicians, why not select from the cream? Why not choose politicians who have been elected by the people to deal with national concerns? Why go into the hedges and by-ways to seek politicians who are not in the front rank?

Mr. WEST.—We have too much to do.

Mr. KELLY.—I think I have said enough to dispose of the Minister's causistry.

I wish to point out, in regard to an answer to a question to-day, that the Minister seems to be singularly uninformed about the utterances of one of the Commissioners appointed to this allegedly unbiased and non-political body. The gentleman to whom I refer is not only a prominent Labour leader in the State of Queensland, but sits in the Legislative Council of that State in the Labour interest. This man, who is supposed to be unbiased and non-political, and to be ready to consider with an open mind questions affecting not only honorable members opposite, but every producer in the sugar industry, and every consumer of sugar in the Commonwealth——

Mr. WEST.—A better man could not be found.

Mr. KELLY.—Nor a more unbiased man, nor one with a more open mind! Let us hear what he said on the 26th July last, when dealing with only one side, and, to my thinking, the least important side of the subject. Speaking in the Queensland Parliament about one of the interests involved, the Colonial Sugar Refining Company, he said—

> I certainly think that if it was for this reason alone, it was a misfortune that the recent referenda proposals of the Commonwealth Government were not carried, as they would have enabled the Commonwealth Government to put an end to this huge monopoly which is coercing the small man, and making the workers suffer as they have suffered.

This is the impartial Commissioner! A man who has nailed his colours to the mast!

Mr. BRENNAN.—Does the honorable member think that the Commissioners must have no convictions, and no views?

Mr. KELLY.—Every politician must have views on this subject, but the Minister, in appointing politicians, has not carried out his promise to make the Commission an unbiased one.

Mr. PAGE.—Where could he get men such as the honorable member suggests?

Mr. KELLY.—I shall deal with that in a moment. I ask honorable members opposite whether it is proposed to use the Commission for propaganda work in regard to the constitutional changes which they favour?

Mr. CHANTER.—That is hardly fair.

Mr. SPEAKER.—The honorable member will not be in order in proceeding on those lines.

Mr. KELLY.—I find no fault with Mr. Hinchcliffe; the fault lies with the Minister in appointing him to a body that was to be impartial. Mr. Hinchcliffe told the Queensland Legislative Council that he was sorry that the referenda proposals were not carried, because they would have enabled the Sugar Refining Company to be dealt with. He has prejudged the case, and, curiously enough, in the direction ardently desired by honorable members opposite. I am

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not attacking this man for holding this opinion; he is entitled to hold the views that fit in with his conscience. But if a man holds strong views beforehand about the merits of a case, why appoint him as a Judge to deal with it?

Mr. PAGE.—Every Judge appointed from this Parliament held political views.

Mr. KELLY.—But here is a man appointed to act as a Judge on a particular political issue; here is a man occupying a position on the staff of a Queensland Labour journal, which he cannot continue to hold—in my judgment—if he goes back upon these views——

Mr. SPEAKER.—I think the honorable member is now going beyond a fair discussion of the matter.

Mr. KELLY.—Perhaps, I am. I make no personal reflection on these Commissioners; but it is inadvisable that men occupying positions which require, for their maintenance, strong partisanship, should be selected as judges of a particular political question that requires to be dealt with in an unbiased way.

Mr. PAGE.—Our Courts are pure, so far.

Mr. KELLY.—This same member of the Commission went on to say, on the same occasion, in the Queensland Parliament—

> I am satisfied from my own personal knowledge of many of these districts that the conditions are anything but desirable.

And so on. He was satisfied, from his own personal knowledge, as late as July last, that the conditions were anything but desirable. His colours are nailed to the mast. He has announced himself most definitely on this particular question, yet he is one of the men selected to act on a Commission which, to use the Minister's own words, was to be non-political and free from all political bias.

Mr. PAGE.—Why does not the honorable member take his "gruel"?

Mr. KELLY.—Then it is "gruel."

Mr. PAGE.—G-r-u-e-l. I shall have to spell everything for the honorable member.

Mr. KELLY.—I do not think the honorable member could; I do not think he is any better at spelling than I am.

Mr. PAGE.—I am just as good, anyhow.

Mr. KELLY.—I did not say the honorable member was not.

Mr. PAGE.—It will not be pulling your nose that I shall be doing.

Mr. SPEAKER.—Order! I ask the honorable member for Maranoa to allow the honorable member for Wentworth to continue his remarks.

Mr. KELLY.—This seems to be getting quite a fashionable challenge.

Mr. PAGE.—You are a snipe.

Mr. SPEAKER.—The honorable member must withdraw that remark.

Mr. PAGE.—I will not withdraw it.

Mr. SPEAKER.—Do I understand that the honorable member refuses to withdraw the remark?

Mr. PAGE.—Yes, I say that I will not withdraw it.

Mr. SPEAKER.—I again ask the honorable member to withdraw the remark.

Mr. PAGE.—I withdraw it.

Mr. KELLY.—I had not the slightest intention of insulting my honorable friend, whom I always regard with the utmost respect.

Mr. JOSEPH COOK.—The honorable member did not insult him. It was a misapprehension.

Mr. KELLY.—An entire misapprehension. To return to the point that I was discussing, let me say that it is bad enough that one of these judges should hold the views of a strong political partisan, but we find that, of the four appointed to assist the only impartial man upon the Commission, no less than three share the views of my honorable friends opposite.

Mr. MATHEWS.—Did not two or three of them recant?

Mr. KELLY.—Only one has recanted apparently, and the Minister of Trade and Customs has applied to him an epithet that I should be very sorry to use in respect of a Royal Commissioner.

Mr. TUDOR.—The honorable member knows that I withdrew the remark.

Mr. WEST.—Mr. Anderson did not belong to our organization.

Mr. KELLY.—Mr. Anderson gave an interview to, I think, the Sydney *Daily Telegraph* on the 21st ultimo, in which he said—

> It is well known among my friends that Labour and its representatives have had my sympathy for years past.

Mr. JOSEPH COOK.—The same interview appeared in two newspapers.

Mr. KELLY.—The interview, I am given to understand, was given in exactly the same terms to two newspapers, so that I presume it is absolutely accurate.

Mr. TUDOR.—I have heard honorable members opposite say that Labour has, in certain respects, their sympathy.

Mr. KELLY.—I asked the Minister of Trade and Customs who first mentioned this gentleman's name to him, and for some reason he at once became very heated.

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Mr. SINCLAIR.—He did not accuse the honorable member of having done so.

Mr. KELLY.—No. I presume that he must have had in his mind the name of a colleague. I do not want to go too closely into this particular matter, because it is not within our province; but this gentleman, and the Minister whom we all have in mind as having mentioned his name to the Minister, are very fortunate in their mutual friendship. If the statement attributed to Mr. Anderson is correct—and I have no reason to doubt its veracity—then it could not have been unknown to members of the Federal Ministry that his leanings had been in the direction of Labour for years past.

With regard to the other two members of the Commission, I think it is equally deplorable that either of them should have been politicians on one side or the other. My desire was that there should be appointed to this Commission men who would be as free as any persons could be from leanings in any particular political direction. The difference between a chosen politician and a man who is not a politician, but has, necessarily, political leanings in the one direction or the other, is this: That a man in the political arena who has declared himself emphatically on the one side or the other, loses, to a large extent, political caste if he changes his opinions. It is well known that the moment a member of Parliament changes his political views he is howled at and denounced——

Mr. SPEAKER.—I think the honorable member is now going beyond a reasonable discussion of the question.

Mr. KELLY.—I did not intend to do so. I remind you, sir, that I am not now discussing the actual *personnel* of the Commission. I am discussing, rather, the question of whether a politician can change his views with as much freedom from attack as can a man who, while having political leanings, is not a politician. It will be conceded by every one who knows his subject that a politician is in a singularly unfortunate position in this respect; and for that reason I have been anxious all along that the men appointed to conduct this inquiry should be absolutely free from any professed political views on one side or the other—that, in fact, politicians should not be appointed.

If the Government and their supporters insist upon the appointment of politicians, why not appoint to this Commission persons who are responsible to the authority that has to foot the bill for whatever we do in this regard—the people of Australia? Why should not they select first-class politicians—if we are going to take politicians at all—men who are responsible to the people for the proper administration of matters relating to the sugar industry throughout Australia? Why appoint men who are just as bound to one side or the other as we are, but who are not trusted by the people who will have to foot the bill?

Mr. WEST.—Politicians in this House would angle for votes.

Mr. KELLY.—Then we are the only politicians in Australia who would angle for votes, and are, therefore, not fit to sit upon a Royal Commission? That is the most extraordinary reflection on the Federal Parliament we have ever heard! It would be unfortunate to appoint members of the Federal Parliament to such a Commission, but it is still more unfortunate to appoint men who, without speaking disrespectfully of them, are, in actual political eminence, second-rank politicians as contrasted with the Federal politicians of Australia.

An effort will be made by honorable members opposite to make this a question of whether or not the Colonial Sugar Refining Company should be sat upon. The question, however, is infinitely larger. The question of whether or not the Colonial Sugar Refining Company should be sat upon is relatively small when we consider the many complexities of this problem. We have, in the first place, to consider the producers, the sugar-growers, the refiners, the jam and preserve manufacturers—who must use sugar in their manufactures—the men they employ, and the fruit-growers. The price of sugar enters largely into the question of what profits fruit-growers will get from selling their fruit to jam manufacturers. We have also to consider the beet-growers, who are entitled to have considered the question of whether or not the whole sugar industry of Queensland is worth keeping at the price. We have, further, to consider the general taxpayers, who will have to foot the bill under any nationalization scheme; and also every buyer of sugar throughout the Commonwealth, who naturally wants to get his sugar as cheaply as he can.

Mr. HIGGS.—Should not all this be said after the report has been presented?

Mr. KELLY.—After the judgment has been given we are to begin to criticise the judges! This is a new form of reasoning we are getting from the Labour benches. I can

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well understand men like the honorable member for Capricornia being pleased with the constitution of this Commission, because, not only is it of his own political colour, so far as the majority of its members is concerned, but it is also a Queensland Commission, appointed to conduct an Australian inquiry.

Mr. WEST.—Mr. Anderson comes from Sydney.

Mr. KELLY.—And Mr. Justice Gordon comes from South Australia.

Mr. HIGGS.—Three States are represented.

Mr. TUDOR.—Mr. Shannon has been living in Sydney for years, I think.

Mr. GREENE.—His interests are in Queensland.

Mr. KELLY.—So I am assured. Place of residence is neither here nor there; we have to take into consideration where a man's interests lie, and, for all essential purposes, this is a Queensland Commission. I am not at present canvassing whether the bounty or duty should continue, but the people of Australia are entitled to have appointed a Royal Commission that can satisfy them that it will give unbiased consideration to the whole question of whether or not the duty, bounty, and Excise, or any of them, shall continue—whether the whole system, as introduced by Parliament, ought to be continued, or whether sugar ought to be admitted free into the Commonwealth, like kerosene. That is a big problem affecting every Australian constituency. I have heard honorable members from Western Australia and Tasmania advocating the remission of the duty. Are not the people of Tasmania, who must buy sugar to make their jams, entitled to have their views considered?

Mr. GROOM.—No Tasmanian has advocated the remission of the duty.

Mr. TUDOR.—They have urged the reduction of the duty.

Mr. KELLY.—They have, and that is a proper subject for discussion in connexion with an inquiry of this character. It is of no use to have an inquiry if only one side is to be considered, and that a side on which the Commission have already made up their minds. If we are to have an inquiry, let us have an inquiry throughout; and for that purpose we require a Commission Australian, non-political, and unbiased in character.

The *personnel* of this Commission is absolutely out of keeping with the promises often reiterated to this House by Ministers. It is a public misfortune, when we consider the ramifications of the industry and the enormous interests involved, in which the Colonial Sugar Refining Company do not play a predominant part, that the Commission should have been appointed in the way it has been. I make no reflection upon any particular member of it. The man whose inclinations or aptitudes have drawn him into the political arena cannot be blamed for being outspoken on one side or the other; but the moment any man declares his measured conviction upon one side of a special problem, he puts himself out of court as a judge upon it. This Commission, in spite of Ministerial promises, has been constituted upon those lines; and I deeply regret that the Minister holds out no hope of making any alleviation of this bad state of affairs by appointing new members who would help to divorce it from its political and partisan character.

Mr. MATHEWS (Melbourne Ports) [8.58].—There is another section of the community in whom we might take a little interest. Examinations are held periodically of the youth of Australia who desire to enter the Public Service.

Mr. JOSEPH COOK.—Is not the honorable member going to discuss the sugar question?

Mr. MATHEWS.—I am just as well aware as is the honorable member of what the sugar question means in this debate. It is a matter of party, and nothing else. I am pleased that the Minister of Home Affairs is present, because I do not think his Department gives the young people of Australia a fair deal in the examinations it conducts of candidates for the service. I desire to enumerate the inconveniences those candidates have to suffer.

Mr. W. H. IRVINE.—Is this a cover for the retreat of the Government?

Mr. MATHEWS. — The Opposition think the only grievance in the world relates to the *personnel* of the Sugar Commission.

Mr. SAMPSON.—Does the honorable member think it is a subject that should be ignored?

Mr. MATHEWS.—The honorable member can talk sugar to his heart's content when he addresses the Chair. The candidates for these examinations have many grievances. Like the examiners, they are human, and the examiners, being human, make mistakes for which, unfortunately, some candidates have to suffer. It is known and admitted that mistakes have been made in the past in the setting of examination papers, and that afterwards

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some mistake was made, if not in the consideration of the examination papers, at any rate in giving information as to who had passed, and who had not. What took place created a fear in the minds of many that the results, as published in the newspapers, were not correct, and they desired to find out whether a mistake had been made so far as they were concerned. A young man of seventeen or eighteen, living in the back-blocks of Victoria, underwent an examination. His coach, a man of very high education, was satisfied that a mistake had been made somewhere in connexion with the English paper, for which the young fellow was "plucked." He asked if it was not possible for the candidate to come to Melbourne, and peruse the paper to see where he had made a mistake. The Department, however, will not allow that to be done.

Mr. DEAKIN.—Why not?

Mr. MATHEWS.—That is what I ask. It seems a most peculiar attitude for the Minister and the Department to take up.

Mr. WISE.—A man cannot peruse his paper at the University.

Mr. MATHEWS.—The University is a musty old conservative institution, run for the benefit of the few. We are supposed to run this concern for the benefit of all. The interests of the many who spend years of study, and a great deal of money, to qualify for these examinations ought to be considered. Why cannot arrangements be made for them to see the papers, and ascertain where the mistake was made? Is it because the examiners, or the Department, are afraid it will be discovered that they themselves have made mistakes? A sense of human feeling from one set of individuals to another ought to allow what I suggest to be done. The attitude of the Department is preposterous. If the Department are afraid that too many will ask to be allowed to examine the papers, let them charge a small fee if they like, although I do not see that that is necessary. No possible harm can be done by allowing the candidates to see the papers afterwards, unless it is that the Department are afraid of exposing their own mistakes, and do not want to see the people who have been wronged righted.

Mr. ATKINSON.—It is monstrous if the papers cannot be looked at afterwards.

Mr. MATHEWS.—I quite agree with the honorable member.

Mr. FENTON.—Can candidates look at the papers in the University?

Mr. MATHEWS.—The fact that an institution of that character refuses to be progressive should not affect us. The authorities of the University like to preserve their old ideas, and keep it a close corporation. We are supposed to have broader and more progressive ideas than the University Council have. The Public Service examinations are held in large halls. There are some highly intelligent men, whose voices cannot be heard 10 yards away, yet readers of that sort are employed, and candidates are "plucked" because they cannot hear the mutterings of a man who has no right to be there. We ought to hold examinations with a view to getting the best possible officers for the public Departments, and not with the object of persecuting candidates.

Mr. WEST.—The examiners set puzzles.

Mr. MATHEWS.—They set Chinese puzzles regarding matters which are of no use to the candidates. It is supposed to make their minds active by being set questions which cannot be answered, and have to be given up in disgust. The Minister ought to alter the present system in his Department. A one-sided idea of giving points is adopted. Definite points can be given in such subjects as spelling, or arithmetic, or geography. If a man is asked where Timbuctoo is, and replies that it is somewhere in the Scilly Islands, it is known at once that he is wrong, and points can be deducted.

Mr. SINCLAIR.—Where is Timbuctoo?

Mr. MATHEWS.—I do not know; I suppose it is somewhere near China. However, in our Public Service examinations, the examiners assess so many points for handwriting. By what standard ought handwriting to be judged? There have been candidates whose handwriting was laughed at by their fellow students, but the latter were somewhat surprised when the former came out "on top" in this particular. A man who is thoroughly well up in all the other subjects may be "plucked" because the examiner does not think his handwriting artistic enough, though it may be quite legible for all practical purposes. This is not the way to get the best men into the Public Service.

Mr. THOMAS.—Handwriting is very important in a correspondence clerk.

Mr. MATHEWS.—If the handwriting is legible, the student ought to pass, provided that he is otherwise well qualified. As it is, an examiner may give 250 marks for handwriting, and another examiner, in the case of handwriting equally good, may give only eighty or ninety marks. One of the

brightest girls I know in Australia spent years in studying for the Public Service, and her parents spent much money on her education. At school she was looked upon as one of the best; and in her first Public Service examination she got nearly the maximum number of marks for her handwriting, though she was lower in the other subjects, and, while she passed, she just missed being called upon. At the next examination she was "plucked" because her handwriting did not satisfy the examiner. Now, if this girl's handwriting was good for, say, 250 marks on one occasion, she ought to be deemed good enough in this respect for the Public Service. Parliament and the Minister should not allow students to be penalized, but, rather, ought to assist them in passing their examinations. I should like to know why the candidates cannot see the examination papers after the examinations are over. Can any reason be suggested for refusing this request? Then, if the reader at an examination does not make himself audible, is it fair to "pluck" those candidates who are furthest away, and have difficulty in hearing? Of course, if the Minister does not agree with me in the views I have expressed, I cannot help it; but something ought to be done. During the last eighteen months I have heard complaints in the case of fifty or sixty young candidates —I take no notice of parents, who think all their "geese are swans," or of "coaches"—who have been "plucked" for some disability over which they have no control. I should now like to bring under the notice of the Minister representing the Minister of Defence the peculiar system of payment in the Defence Department. In the Stores Branch, at Victoria Barracks, both permanent and temporary labourers are engaged; and the pay is 8s. a day. On the occasion of the last camp at Kilmore, the permanent employés who went there received as expenses 8s. a day for the first week and 6s. a day for the subsequent weeks; but the temporary men were allowed nothing. Is it possible for a Labour Government to conscientiously say that that is fair? If Ministers are satisfied with an arrangement of that kind, I am afraid that a number of their followers are not. I have endeavoured to have this grievance redressed by the Minister, but I have not succeeded; and I must simply keep hammering away until I do. I do not like mentioning these matters; but I consider it my duty to do so, and I shall take advantage of every opportunity to obtain fair terms for these men.

Mr. RYRIE (North Sydney) [9.20].—I desire to bring under the notice of the Government a grievance which arises from a portion of a recent award in the Arbitration Court in connexion with the shearing industry. Without wishing to cast any reflections, I must say that I do not think the Judge can have fully realized the consequences when he gave that award. The award of Judge Higgins contained the following—

> The minimum rates for woolpressing to be paid to members of the claimant organization shall be (if the Ferrier press or the Rack and Pinion press or the Adelaide box press be used—
>
> If rations not found—
>
> Greasy wool—by hand, 4½d. per cwt., or 1s. 3d. per bale; by hand, if dumping included, 6d. per cwt., or 1s. 7½d. per bale; by power, 3d. per cwt., or 9¾d. per bale; by power, if dumping included, 4d. per cwt., or 1s. 1d. per bale.

The portion of the award to which I particularly desire to call attention is—

> For pressing by any other presses, 1d. per cwt., or 3d. per bale extra.

It will be seen that this really creates a monopoly in the manufacture of the three presses mentioned; and that, of course, is not desirable. The manufacturers of other presses employ a large number of men, as will be realized by any honorable members who have visited the works where the Kurtz press is manufactured in Sydney. Who is going to buy a Kurtz press when he can buy a Ferrier, a Rack and Pinion, or an Adelaide box press, for a little more money, in view of the fact that he will have to pay more if the first-mentioned press is used?

Mr. POYNTON.—Is any reason given for this condition?

Mr. RYRIE.—Yes; and the reason given shows, in my opinion, that the Judge did not realize that he was really giving a monopoly to three firms. Mr. Justice Higgins said—

> The claimant asks me to discriminate between the presses which are fast and the presses which are slow, and to prescribe a higher rate for the latter. This demand seems to be reasonable as regards piece-work rates; for if the payment is to be by results, the employés should get higher rates where slow or imperfect appliances are used.

That would apply if there was an unlimited quantity of wool to be pressed, but that is not the case Where there are only a certain number of shearers, say, twelve or eighteen, the quantity of wool shorn can be easily pressed by a Kurtz machine.

Mr. SPEAKER.—Do I understand that the honorable member is discussing a recent award in an arbitration case?

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Mr. RYRIE.—I am referring to the consequences of part of the award in an arbitration case affecting a shearing dispute.

Mr. SPEAKER.—The honorable member may not do so.

Mr. RYRIE.—I shall, of course, abide by your ruling, sir. If an award placed a great disability on pastoralists, could it not be referred to?

Mr. SPEAKER.—Only on a specific motion. I understand that the honorable member was criticising an award of the Arbitration Court. He may do that only on a specific motion. Nothing beyond a reference is permissible otherwise.

Mr. RYRIE.—I was referring only to the consequences of an award which is a serious matter for many engaged in pastoral pursuits, and for all manufacturers of wool presses other than the Ferrier, Rack and Pinion, and the Adelaide box press.

Mr. ATKINSON (Wilmot) [9.29].—Attention should be paid to the remarks of the honorable member for North Sydney, who pointed out that a recent award of the Arbitration Court would throw the manufacturing of wool presses into the hands of two firms. If that happens, these firms will be able to form a ring or trust, and increase prices. Admittedly they manufacture good presses; but, no doubt, they now receive fair prices for them, and it would be a pity if they were placed in a position in which they could gradually make their prices higher and higher. The award of the Court has raised wages.

Mr. SPEAKER.—I ask the honorable member not to discuss the award.

Mr. ATKINSON.—I was merely pointing out that those engaged in pastoral pursuits have to pay higher wages every year; and if a trust is formed in connexion with the sale of presses, their profits will be still further diminished. They, on their part, cannot increase the price of wool, because they export their product, and have to depend on the world's market. They should not be put at the mercy of manufacturers by an award which had no such intention. I wish, also, to ask the Postmaster-General if he will reduce, as far as possible, the guarantees demanded for telephone extensions into the back-blocks.

Mr. FRAZER.—The honorable member can discuss that during the Budget debate.

Mr. ATKINSON.—This is grievance night, and I have a grievance in the matter, because I have been trying for some time to have the present system altered. I hope that the Postmaster-General will state his position, either during the Budget debate, or at some other convenient time. I wish, further, to know whether the Government intends to formulate a scheme whereby the people will be required to contribute in some way towards the Old-age and Invalid Pensions Fund.

Mr. THOMAS.—They do that now by paying taxes.

Mr. ATKINSON.—The fund is supplied out of the Consolidated Revenue, but the present system is not calculated to improve the national character, nor to insure the payment of pensions at the rates which have been fixed. No one more ardently wishes to see pensions paid to deserving persons than I do; and it should be our aim to increase the rates, if possible. But we need a sane business basis, so that both those who are now in receipt of pensions, and those likely to need them, shall be sure of relief. When the honorable member for Hume introduced the pension system, he estimated that it would cost £1,250,000 a year; but it is already costing £2,000,000 a year.

Mr. SAMPSON.—And many deserving persons are not receiving pensions.

Mr. ATKINSON.—In many cases I have been unable to obtain pensions for applicants, or have obtained pensions which are inadequate. For technical and other reasons, the applications of most deserving persons are sometimes refused.

Mr. THOMAS.—Why?

Mr. ATKINSON.—It may be that they possess property which, although returning nothing, has a capital value for which deductions are made, which prevent the payment of pensions.

Mr. POYNTON.—Very often an applicant has only a roof over his head.

Mr. ATKINSON.—I know an estimable citizen, seventy-four years of age, who is incapacitated by an incurable disease from earning his living, and whose family is not in a position to assist him. He cannot get a pension, because he transferred property about twelve months before the Act came into force. The transfer was effected through me, so that I know that it was not made to enable a claim for a pension to be preferred. The property was transferred

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because it was heavily mortgaged, and the owner, being incapacitated, could not earn anything to meet the interest.

Mr. FRAZER.—What consideration did he receive for the transfer?

Mr. ATKINSON.—Whatever he received, he had nothing when he applied for a pension.

Mr. KING O'MALLEY.—Had he been backing horses?

Mr. ATKINSON.—He had not been following the Minister's example.

Mr. MATHEWS.—If he could prove that he had nothing, he could get a pension.

Mr. ATKINSON.—When the application was made, the money received for the transfer had been spent, and the transfer was not effected to secure a pension.

Mr. FRAZER.—If the applicant is legally entitled to a pension, he will receive it. Otherwise, of course, nothing can be paid to him.

Mr. ATKINSON.—It may be that the case does not come quite within the Act, although it seemed to me that it did. I did not press the matter when, after review, the decision of the Deputy Commissioner was upheld.

Mr. WEST.—The honorable member should have another "go," as I do.

Mr. ATKINSON.—The present system is defective. I should like to see a base put under it which will support the structure, so that those entitled to assistance may be sure of getting it. The Labour party have gained a good deal by advocating old-age pensions here, and on the platform.

Mr. FRAZER.—The Old-age Pensions Act would not have been passed without our assistance.

Mr. ATKINSON.—I do not detract from what the party has done; but the Government should make the payment of pensions absolutely sure, and see that the system adopted does not sap the self-reliance of the people, and so weaken the national character. If people know that they have only to keep out of gaol, and be of good character, in order to be entitled in their old age to a pension, some will be tempted not to make efforts which they otherwise would make.

Mr. WEST.—That is a slur upon Australia.

Mr. ATKINSON.—It is not. The history of all nations shows that the handing out of largesse leads to a number of people being, so to speak, good for nothing. In ancient Rome there were many who did nothing but receive from the State their daily bread. They were of no use to the Empire when it was tottering; about all they could do was to create a disturbance if the games in the circus were insufficient. We should adopt a system under which all adults earning a living would be made to contribute to a fund——

Mr. THOMAS.—Every adult is contributing by way of taxation now to the old-age pensions fund.

Mr. ATKINSON.—But that fact is not sufficiently brought home to the minds of the people.

Mr. PARKER MOLONEY.—Has the honorable member a scheme to suggest?

Mr. ATKINSON.—If I were on the Treasury bench I should come down with a scheme and carry it through. If we had in force some such system as is in vogue in Germany, under which the employer and employed contribute to an insurance fund which is subsidized by the State, the position might be improved

Mr. RILEY.—But it costs so much.

Mr. ATKINSON.—If it were impracticable in a country like this, then it might be possible to found something in the shape of a national friendly society to whose funds we should have to contribute, so that when we reached a certain age we could draw a pension if we required one.

Mr. FRAZER.—What is the scheme tonight? Does not the Opposition want the Works Estimates passed?

Mr. ATKINSON.—I should have finished long ago, but for the interruptions to which I have been subjected.

Mr. FRAZER.—Is not the country waiting for the Works Estimates to be passed?

Mr. JOSEPH COOK.—The Minister is a real patriot!

Mr. SPEAKER.—I ask honorable members to cease interjecting.

Mr. ATKINSON.—It is about time that the Ministry seriously thought of initiating a system whereby the youth, the strength, and the manhood of Australia would do something in the direction of contributing to the building up of a satisfactory fund such as I have suggested, or contribute a satisfactory amount towards what we have to pay annually in respect of old-age pensions. It is only fair that those of us who can afford to do something for our less fortunate brethren should be required to do so. If some such scheme were instituted many people would realize more fully than they do now that their thrift was going to provide a fund for the unfortunate and the needy.

We have made so many inroads on the liberty of the subject by way of legislation that I think we might well go a step further and impose on society some scheme under which those who could afford to do so would be required to assist to maintain those who cannot help themselves.

Mr. SAMPSON (Wimmera) [9.46].—Some more satisfactory reply should have been made to the indictment by the Leader of the Opposition in respect of what would seem to be the very partial Sugar Commission appointed. It is unfortunate that this House has to take in hand the duty of criticising the *personnel* of that Commission. We are proud to believe that the whole of the people of Australia take a keen interest in politics. It is one of the healthiest signs of the vitality and virility of Australian people that they are not only conducting their enterprises with energy and ability, but are taking that interest in the affairs of their country which is so necessary if the laws passed by the National Parliament are to be a true reflex of the people's will.

Mr. WEST.—That is why Labour is on the Government benches.

Mr. SAMPSON.—I admit that the Labour party managed to "fluke a victory" at the last general election, but the people were only twelve months in recognising that they had made a huge mistake, and they availed themselves of the first opportunity to show that they had come to that conclusion by rejecting the Labour referenda proposals.

Mr. PARKER MOLONEY.—What about the recent Western Australian elections?

Mr. SAMPSON.—They cannot be claimed as a victory, since Western Australia was the only State that polled a majority in favour of the referenda. The people of that State last month simply affirmed the vote which they had given at the referenda.

Mr. PARKER MOLONEY.—Then there is the recent Liverpool Plains election, in New South Wales.

Mr. SAMPSON. -- In New South Wales, Labour won one seat and the Liberals won the other. To return to the question I was discussing when interrupted, it is most unfortunate that the executive power of the Government was used for the purpose of making what appear on the surface to be partisan appointments to the Sugar Commission. No Commission has been appointed by this, or by any other Parliament, in connexion with which it was more vitally important that men of the highest standing—men who were, at least, outside the active region of politics, and had not declared any political bias—should be selected. Although we know that it was impossible for the Minister to select men free from all political bias, he could, at least, have avoided selecting men who had been openly expressing their political views, either as candidates for Parliament or through the public newspapers. The field of selection was so wide and broad that it would have been quite possible for the Minister to choose men in whom every section of the community would have had the utmost confidence. It is most unfortunate that the Commission should have to set out on its work of investigating the conditions of what is the largest single industry of the Commonwealth with the public mind already biased against it?

Mr. THOMAS.—What?

Mr. SAMPSON.—I venture to say that the public cannot have in this Commission the confidence that it ought to have.

Mr. BAMFORD.—What about the Commission appointed by the honorable member for Ballarat?

Mr. SAMPSON.—I am speaking of a Commission that has been actually appointed, not of one that was never appointed, or, if appointed, did not actively enter upon its duties.

Mr. FENTON.—The honorable member is prejudging the members of this Commission.

Mr. SAMPSON.—I am not. Just as our Judges and magistrates should be, not only free from bias, but above the possibility of any suspicion being attached to them, so the members of this Commission should be absolutely free from any political bias. It is most unfortunate that the executive power of this Government has been so far used in a manner that has gravely and seriously shaken public confidence in its administration. The public policy of a Government can be, and should be, criticised in a proper way. We know that the policy of this Government is decided, first of all, in some other place before it is submitted to this Parliament. Ultimately, it is brought before us and discussed as a public question; but the executive acts of a Parliament should leave its administration free from any possible suspicion that might be attached to it. The Government having decided that the Commission should be composed of persons out-

side this Parliament—that it should be of an absolutely judicial character, and one that would have the confidence of every section of the community—should have adhered to that decision. The previous Government took steps to appoint a Commission on a basis that has been advocated for some time by a member of the present Ministerial party. For nearly two years the honorable member for Capricornia has consistently and sedulously advocated the appointment of a Commission that would be representative of the five important interests involved. If the Government had carried out their oft-repeated promise that the Commission would be so constituted as to represent impartially every section of the community we should have known that, upon receiving its report, we could mete out justice. The industry affects every householder in the community. It is one of the most important industries in the Commonwealth, and is already in the hands of one important trading company. We want to ascertain, by means of the Commission, whether the consumers of Australia are paying too much to support the sugar industry. At the same time I believe that we, as the National Parliament, should so frame our laws that they will cause industries of the widest variety to spring into existence, so that we may establish a truly national system of production and, at the same time, a self-sustaining community. With our tremendous resources we can establish in this great continent every industry that is necessary to supply the needs and services of the highest type of civilization. It is possible that, under present conditions, the people of the Commonwealth may be paying far too great a price for the support of the sugar industry. We wanted exact information on that point, but the Government and Parliament agreed that it could not be properly obtained by appointing a Commission of members of this Parliament, because such a body would smack too much of party politics. I believe that is the reason that Parliament decided that the Commission should be purely non-party, with a judicial chairman, capable of imparting a judicial, as well as a practical, character to its investigations. We hoped that its report, when presented to the House, would be so representative of every important interest affected by the industry, that this Parliament would be able to evolve from it a complete and comprehensive policy on the question. Unfortunately we have now a Commission which shows on the surface that there is political bias in connexion with its members. It is unfortunate that that should be the case when the Commission is starting on its career of investigation, but the matter is one which, in the interests of Australia as a whole, might reasonably be discussed here free from party considerations. It is a most unfortunate blunder on the part of the Executive that it should have been made possible by the appointment of the members of that Commission——

Mr. BAMFORD.—I wish to ask your ruling, sir, as to whether the honorable member for Wimmera is in order in discussing the *personnel* of the Royal Commission in the way he is doing. He is reflecting upon a Commission which has been appointed, and it is a rather serious matter that any Royal Commission should be discussed in that way.

Mr. SPEAKER.—The honorable member will be quite in order in discussing the *personnel* of the Commission. It is left to the good taste of each member to decide how far he shall go. If there is any point at which I can intervene, I shall do so, but so long as the honorable member confines himself to the question of the *personnel* of the Commission there can be no objection to his remarks.

Mr. SAMPSON.—It is with the greatest reluctance that I undertake this task of drawing attention to the serious blunder made by the Cabinet in appointing a Commission which lays itself open at this early stage of its career to the criticism that has been levelled against it. It would have been possible to appoint, from prominent business men and representative workers of the continent, a hundred Commissions that would have successfully withstood any fire of criticism that might have been directed against them in this chamber. In the present circumstances it is not possible for this Commission to escape the criticism which ought to be levelled against it. I hope it will be possible for the Commission to say when it brings in its report—if the Government does not think it advisable before then to retrace its steps——

Mr. SPEAKER.—The honorable member is now going beyond the limits of fair discussion.

Mr. SAMPSON.—I bow to your ruling, sir, and can only say that I am glad that it has been made possible to criticise the Commission at the commencement of

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its duties in the way that has been allowed to-night. I wish to refer to the remarks of the honorable member for Wilmot in respect to old-age pensions. I am one of those honorable members who have always believed that old-age pensions should be entirely freed from the taint of charity. I believe that our so-called charitable institutions are only regarded as charities because we have not reached that altitude in our Christian civilization which would remove the taint of charity altogether from them, and cause them and their support to be regarded as part of the economic, as well as the ethical, duty of every citizen in the Commonwealth.

Mr. PARKER MOLONEY.—Did the honorable member vote for the Surplus Revenue Bill?

Mr. SAMPSON.—I did. The honorable member apparently has the same erroneous idea with respect to my attitude on that matter as he had when he said the *Age* had called me a bogus protectionist. The honorable member should verify his quotations before he levels them at honorable members on this side.

Mr. PARKER MOLONEY.—The *Age* included the honorable member amongst them.

Mr. SAMPSON.—If the honorable member can produce the passage with my name mentioned, and not bunched in a general reference to a number of others, I shall be prepared to take some notice of it. There will never be a better opportunity than the present for the Government to introduce a scientific scheme of old-age pensions, building up a fund, and giving encouragement to merit, thrift, and industry on the part of the people of Australia. It is an extraordinary thing that in all British communities there is a disinclination on the part of Governments to bring in an old-age pensions Act, based on thrift as well as on Government assistance. A scientific scheme can be introduced by which the people, during their years of strength and vitality, could build up a fund that would help to pay them the allowances, gratuities, or honorariums due to them when they reached a certain age. From about 1880, until the pensions scheme was passed in the last session of the present British Parliament, about a dozen Royal Commissions reported on the question. The various Friendly Societies were made use of, and experiments were tried, but, so far, it has not been found possible in Great Britain to place old-age pensions on a scientific basis. With an over-flowing Treasury, and great prosperity throughout the Commonwealth, the present would have been a golden time for this Government to lay the foundation of an old-age pensions scheme that would be largely self-supporting, encourage thrift and industry, and be infinitely more universal in its application than the present system. In view of their professions, this is peculiarly a question that might be undertaken by the present Government. I have in my mind a case which I believe is typical of hundreds, if not thousands, of others. A couple began to purchase a house some twenty years ago in one of the suburbs of Melbourne. They have paid off nearly £600, and still owe about £100 on it. The thrift, self-denial, and industry they have displayed to secure a home for themselves ought to be commended and encouraged, but the amount of £600 which they have paid brings them nearly up to the margin fixed in both cases, and they are allowed a pension conjointly of, I think, only 2s. 8d. per week. A margin of £310 is allowed by the Act, but why should any deduction be made from the pensions in a case of that kind? There is a very grave and serious anomaly in the Act in this way—that a man can earn nearly up to 10s. per week, and can receive a pension of an equivalent amount, but if he has property worth £310, which is regarded as equivalent to the capital upon which 10s. per week could be earned, he is cut off from the chance of getting a pension. Such a provision discourages people from providing themselves with a home, and discounts that thrift and industry which the Government ought to be the first to encourage.

Mr. PAGE.—Why not make the pension universal?

Mr. SAMPSON.—There is a great deal to be said in favour of that view, but it cannot be done unless we revise the whole existing scheme. We could establish a universal scheme on a thoroughly actuarial and scientific basis, like that of Germany. In France, Belgium, and other European countries, scientific systems on a sound economic basis are being successfully carried out by municipalities. The municipal form of government has been made use of on the Continent in many important directions, which we have not yet followed in Australia. The London County Council extends its operations considerably beyond anything done by municipalities in Australia, and that tendency is even more marked on the Continent. We could institute a universal system

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of old-age pensions in Australia in such a way as to remove all possible taint of charity or pauperism from it, and so enable the old people to claim, as a matter of right, the pensions which they themselves have helped to build up during their years of health and vigour. There is not a citizen who has helped to make this country what it is, either as a servant of the State or in his private capacity, who would not be able to draw a pension in a spirit of independent enjoyment that would be impossible if it were provided entirely by the State. In Germany the system I am advocating goes like clockwork. I speak on the authority of a comprehensive report presented two or three years ago by Sir John Cockburn, who attended the International Conference of Workmen in Rome, and was able to obtain invaluable data at first hand. This report shows that it is possible for the State, while contributing only a minor portion of the combined fund, to build up a system that is universal in its application. In Germany only some of the big traders and larger-salaried officials, who are compelled to take out policies, are excluded. On the employer devolves the duty of deducting the contributions from the wages, and he has to add double the amount thus collected. All these individual contributions are placed in a separate fund, so that each person has a separate account. The result is that at seventy years of age a pension of £13 a year is paid, and this is probably regarded to be quite equal to £26 in Australia. So large is the element of thrift, and so great is the accumulation of money, that it is possible in Germany to pay £13 a year, to which the State contributes only £2 10s. Under a scientific actuarial system, to which everybody contributes; whereas in Australia the whole of the old-age pensions is paid out of the public Treasury, and a large number of the most deserving people are excluded from participation. I give the Treasurer and the Acting Treasurer credit for an efficient and sympathetic administration of the Act; but the Act itself requires amendment. I know of no better opportunity than the present to bring this matter under the notice of the Government; because I feel that a much better system could be evolved at a cost much smaller than that we at present bear. The whole basis of the old-age pension system ought to be altered and extended in such a way as to cover double the number of recipients, while, at the same time, encouraging thrift, and altogether removing from it any taint of charity, and at a much smaller cost to the State.

Mr. HEDGES (Fremantle) [10.19].—To say that I was surprised at the praise of our telephone system by the honorable member for Denison is but to mildly describe my feelings. Had I not known something of the subject, I might have believed him, seeing that he has just returned from his travels through the world, and that he started out with the knowledge of an electrical engineer. I cannot think that the honorable member really believes, as he most forcibly told us he did, that we have the best possible telephone system. I can prove, without difficulty, that there are other systems very much ahead of what we enjoy here. I am in possession of some little information which, had the honorable member had the advantage of it, would have made him less certain in many of his statements. The *Daily Telegraph* of Sydney, of 3rd November, 1910, contained an article on the subject. It is very fortunate that I happen to have the information which I am about to read, because otherwise the House might have been misled by the honorable member for Denison, who I understand is the political electrical authority of the Commonwealth—

SYDNEY TELEPHONES.

ADVOCACY OF THE AUTOMATIC.

NO LISTENING EARS.

Must the 'Phone Girl Go?

Los Angeles, California, has more automatic telephones than any other city in the world. Over 28,000 are in use where six or seven years ago there was none. A hundred other American cities have the system also. People who have had experience say the automatic will ultimately supersede the manual system. They say the time is near when we will never again hear a feminine voice say, "Yes, this is Central."

Mr. Arthur Holliday, a representative of the *Los Angeles Examiner*, the *Chicago Examiner*, and other American newspapers, who is in Sydney, indorses the statements of a correspondent published in the *Daily Telegraph* yesterday morning pointing out advantages of the automatic system. He said business people had found it very much more satisfactory than the old system, principally on account of the quickness in raising a number, and on account of the absolute secrecy of the conversation. "From my experience in Los Angeles and other cities, I think the automatic system would exactly meet the requirements of a big hustling city like Sydney."

Points of Advantage.

Mr. J. R. Bainton, M.I.E.E., electrical engineer, who spent eight months in America recently studying the telephone systems, said there were many reasons why the automatic telephone must take the place of the manually-operated system. An unlimited number of subscribers

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could be connected with the automatic system, whereas 10,000 was about the greatest number that could be comfortably connected with an exchange on the manual system. After 10,000 the manual exchange became unwieldy, but even with 100,000 on the automatic the simplicity of the system would not be affected.

"There are no operators' salaries to pay," he continued, "nor replacing of the switchboard lamps, as on the central battery system. No cords nor plugs nor jacks are required. There can be no rush of work during busy hours of the day, because each subscriber connects himself. Confusion in the operating-room is thus avoided. The automatic system is popular because of its absolute secrecy. There is no chance of a conversation being interrupted or overheard nor of an attendant at the exchange listening. The operation of calling up a number is not only simple, but quick, and since you are not dependent on any one else, if your number is engaged you know immediately. A subscriber can test his own line for himself. He can call up his own number, and the "busy" signal will ring. That shows that his line to the exchange is in good order. Furthermore, at the main exchange a 10,000-number board can be tested in half-an-hour. On the manual system it takes about three hours. Another important point is that the wear and tear on the automatic system is inconsiderable. One very great advantage of the automatic system is that with it you can justly charge on a flat rate basis. Since there are no attendants, there is no extra expense from a large number of calls, so that the toll rate is unnecessary. There is no need to record the number of calls."

It is most important that Parliament should have this information, which shows that there are in other parts of the world systems which are as good as, if not better than ours, and less expensive. Any system enabling subscribers to have communication without the intervention of telephone attendants would lead to a great saving of temper.

Mr. W. H. IRVINE.—How is the system operated?

Mr. HEDGES.—I am about to explain that. The article continues—

Mr. Bainton instanced Columbus (U.S.A.) as a city where the automatic system had given great satisfaction. He said that subscribers who had had experience with both the automatic and manual system very much preferred the former. The population of the city was 185,000, and a few years ago the Citizens' Independent Telephone Company was formed to bring about their own independent installation, which is now on the automatic system. They have at present actually connected 17,000 telephones, charging forty-five dollars (£9) a year, and so forcing the Bell (manual) Company to reduce its rates to the same figure from ninety-five dollars, which they were previously charging. Business men now had the two systems connected with their offices, and they could generally make a call with the automatic in one-third of the time required by the manual. The reason why the Bell Company continued to carry on was because it had been so much longer established, and had long-distanced lines throughout the country.

"I visited the main exchange at Columbus," said Mr. Bainton, "and there, where the bulk of the calls passed through, I found that the total number of people looking after the automatic apparatus was fifteen. Yet here in Sydney, with only 7,000 telephones, there are 150 on the staff."

I hope that the honorable member for Denison is listening to what I am reading. There are not more than 7,000 telephones in Sydney on one board.

Mr. LAIRD SMITH.—There are 33,000 telephone subscribers in Sydney.

Mr. HEDGES.—In Sydney, with only 7,000 telephones on a board, there is a staff of about 150, but at Columbus, with 17,000 telephones, only fifteen operators are employed. To continue the quotation—

"We arrived at Honolulu when the system had been installed about three weeks. It was a holiday, and we thought it would be a good opportunity for the exchange officials to be putting everything in good order. But there were only three people in the building, though there were 2,300 subscribers connected with the exchange. The board was installed for 5,000 subscribers, the building is fireproof, and the arrangements were the best of any system we saw."

"The cost of equipment for small boards on the automatic system," said Mr. Bainton, "would be considerably more than that of the manual boards, but the cost per subscriber is almost a constant figure, whereas with the manual system board the cost per subscriber increases as the size of the exchange increases. In a city like Sydney the cost of the automatic system would be a little greater than that of the manual system." The automatic system had been put before the Commonwealth Chief Electrical Engineer (Mr. John Hesketh), who was impressed with its advantages.

Mr. Bainton stated that it was surprising to note the interest being taken in automatic telephones by Continental engineers. The German Government had recently appointed a commission to inquire into the system, and finally placed an order for 30,000 instruments with a large manufacturer in Berlin. The French Government appointed a commission to study the question in the United States, and it was practically decided to call for prices for a large order.

Let me now give the opinion of a London expert—

The London *Times* of July 20 last prints, in its engineering supplement, a report by Major W. A. J. O'Meara, chief engineer of the British Post-office, dealing with the automatic telephone. The major is cautious, but it is obvious that he is impressed.

"We have yet to learn from actual experience," he writes, "whether the automatic and the semi-automatic equipments provide sufficient flexibility to cover the wide range of requirements of the British public, how far the mechanism is reliable in the care of such men

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as we can train to maintain it, and how the cost of first installation and the annual charges in respect of depreciation, maintenance, and traffic operation compare as a whole with similar costs in respect of existing types of installation. Clearly, if the new designs of equipment on testing out actually 'prove in' there can be no doubt as to the course we must be prepared to adopt.

"I have to confess that I was much impressed with all that I saw in the fields of automatic telephony, and I feel that infinite credit is due to the manufacturers of the plants for the efficient manner in which the staff detailed to maintain the switch equipments have been trained.

. . . .

"As an instance of the great flexibility of the automatic system, I may mention that whilst I was at Urbana it was demonstrated to me that so far as the selecting devices are concerned, it is possible to arrange for a practically unlimited number of subscribers to be connected to exchanges in a multi-office area. The operation of calling a subscriber, No. 2,401,104, was performed in my presence, the line used being made up of junctions from the Urbana exchange via the University and Champain (Illinois) exchanges and back, via the University to Urbana.

"Perhaps of all the interesting questions which were discussed, the most important is that relating to the development of the automatic and semi-automatic equipment. It was my good fortune to see no less than five different types of switch equipment, designed to provide automatic and semi-automatic telephone service, and I also had the advantage of discussing the question of providing service by means of these new types of equipment, not only with those who advocate these systems, but also with those who are opponents of the automatic systems. A matter which has been much debated," he continues, "is that relating to the probable attitude of the public towards a service provided by means of full automatic systems. The question naturally arises whether the public will take kindly to the task of calling their correspondents when once the novelty of the apparatus has worn off. I think the non-committal answer of "wait and see" is the safest at the present moment. True, at the present time, some 200,000 full automatic stations are in operation in North America, and the advocates of the system point to this fact in support of their contention that the public prefer this system.

"On the other hand, the opponents of the system claim that it is the novelty of the thing which appeals to the public, and suggest that the users are also stockholders in the operating companies, that the pleasure arising from a feeling of ownership in the plant is responsible for the enthusiasm, where such exists, and that as soon as the plant begins to age, and the service in consequence shows signs of deterioration, the present feeling of satisfaction will give place to one of disgust. The whole question certainly requires the serious consideration of telephone engineers in this country."

Mr. A. Da Costa, writing to the editor, says—

SIR,—Your Honolulu correspondent suggests a proceeding which would be of considerable value to the Commonwealth, namely, the introduction of an automatic telephone service. The installation would doubtless be expensive, but the maintenance would be a decimal only of the present cost of our two obsolete boards, in Sydney, at any rate. It may not be known to the public that the city board, so much talked about, is on the next shelf to the old magneto. Many people talk about the common battery board now being installed, but few ask why it is not extended; fewer still, perhaps, know it is a back number. Why not make one bite of the cherry, and get up-to-date machinery?

The automatic system is worked in this way—

Suppose a subscriber wants to get into communication with No. 1871. He places his finger on the number one and rotates the movable plate of the dial until stopped by the projecting bar. In turn he places his finger on the numbers 8, 7, 1, moving the outer dial as before to the projecting bar. Then he takes up the receiver, and finds he is in communication with No. 1871. The whole operation can be performed in four seconds. This system entirely dispenses with the telephone girl, and obviates any delay.

I propose now to give the Minister of External Affairs my authority for the statement—

A representative of the *Daily Telegraph* secured striking testimony yesterday in favour of the automatic telephone system from Mr. W. O. Brain, Chief Electrical Engineer of the Tramway Department. Mr. Brain must be regarded as an unbiased authority, as he was specially instructed by the Chief Commissioner for Railways to investigate the matter of automatic telephonic communication during his recent visit to Europe and America, when he represented the department at the International Railway Congress held at Berne, in Switzerland, in July last.

Has the Commonwealth Government troubled to send even a telephone operator to England or America to make inquiries? No; they have tried to force on us the obsolete system in which the honorable member for Denison so strongly believes—

Mr. Brain, when interviewed, was very hesitant in regard to making a statement, and it was evident that he did not wish to reflect in any way on the management of the local telephone service. "I went over the whole of the Telephone Exchange in Columbus (Ohio, U.S.A.), where, I believe, is one of the largest equipments of automatic telephones in the world. There was plenty of evidence of the automatic system giving complete satisfaction. This is best evidenced by the fact that the system is being rapidly extended in that city. In Columbus there are altogether about 17,000 telephones connected with the exchange and automatically operated, so that it will be seen that the system can be successfully applied in larger towns than Sydney, where there are only about 7,000 subscribers. In that city their main central exchange was connected to a number of branch exchanges. The absence of attendance upon the instruments enables them to make a larger number of branch exchanges, and so reduce the length of line. The automatic system is simple in operation, and prevents any possibility of delay. As soon as you have manipulated the outer dial you are in communication with the telephone of the person

you wish to reach. In the city of Columbus both the common battery system and the automatic system are in operation, and the automatic system is preferred by the general public, as it guarantees an immediate call—although I must say that the attention given under the Bell telephone service in America is excellent. . . . . I also saw the installation at Honolulu, described in to-day's issue of the *Daily Telegraph*, and was informed by the manager that it was displacing an up-to-date common battery system which had only been installed a matter of four or five years. It really takes American spirit of enterprise to 'scrap' a new and costly installation like that, but it shows that they realise that the automatic system had important advantages."

I should like the honorable member for Denison to allow this information to soak into his mind, so that when next he speaks of the wonderful system in use in the Commonwealth, he will propose its displacement by the automatic system. Four or five members of this Parliament who returned recently from England, *viâ* Canada and the United States, speak in very high terms of the automatic system in use there, and tell me that they experienced no trouble whatever in getting into touch with subscribers. They consider the system is far ahead of anything we have in Australia.

Question resolved in the affirmative.

ESTIMATES.

ADDITIONS, NEW WORKS AND BUILDINGS.

In Committee of Supply (Consideration resumed from 1st November, *vide* page 2118).

Divisions 1 to 5 (*Home Affairs*), £824,915.

Mr. WISE (Gippsland) [10.46].—There is one item in these Estimates to which I wish specially to refer, and that is the proposed vote, "Federal Capital at Canberra, towards cost of establishing, £100,000." It is true that the Minister of Home Affairs said last night that of this amount only £66,043 was in respect of new service, £33,957 being a re-vote; but the fact remains that we are asked to vote, altogether, £100,000 for this purpose.

Mr. JOSEPH COOK.—Why not wait till we reach the item?

Mr. WISE.—The honorable member made two speeches last night, and I am going to deal with this question now. There is one peculiar feature of the Estimates relating to the Federal Capital which I desire to bring under the notice of the Committee. We find that the proposed votes in respect of the Northern Territory and Papua are dealt with under a separate heading, and details are set out; whereas in the case of the Federal Capital we have an item covering a lump sum, and giving absolutely no details. On the last page of the Works and Buildings Estimates honorable members will find a division relating to the Northern Territory, in which are set out items relating to alterations to the Darwin hospital, artesian water bores, roads, fords and bridges, and so forth. All the details are set out, and the Government are bound by the items given. Then, again, in the General Estimates, the cost of administration is specified in every case, and details given. In connexion with the Federal Territory, however, we are asked to vote a lump sum of £100,000 under these Estimates, and we are told that that lump sum includes £15,000 in respect of administration and survey. I take strong exception to the cost of administration being included in a vote for Works and Buildings. Why is it not included in the General Estimates, as is the case in regard to the cost of administration of the Northern Territory and Papua? Why, also, are not the works and buildings to be carried out at the Federal Capital distinctly specified?

Mr. FISHER.—The administration referred to, so far as the Federal Capital is concerned, relates to the officers conducting the necessary works.

Mr. WISE.—We know that it relates to the administration of the Territory; but why should the cost of administration be included in a lump sum with the Works and Buildings Estimates?

Mr. FISHER.—Would the honorable member include the cost of the engineer of the proposed railway?

Mr. WISE.—I notice that details of expenditure are set out in the Estimates in regard to Northern Territory works. Every officer is specified, and the works themselves are individualized. I think the same should be done in connexion with Federal Capital works?

Mr. GROOM.—Is it proposed to appoint any officers in the Federal Territory?

Mr. WISE.—We do not know. Last night the severest criticism in connexion with this subject came from two New South Wales members, one of whom is particularly rabid on the question of the Federal Capital. I refer to the honorable member for Wentworth, who admitted that it was necessary to approach the question of expenditure on the Federal Capital with an eye to "rigid economy." Last year the

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Government asked for a blank cheque for £50,000. They did not spend the whole of it, not because the money was not available, but because certain works could not be pushed forward for lack of a railway. It was found to be ruinous to pay for the cartage of material, and therefore works were stopped pending the construction of a railway.

Mr. GROOM.—The railway was included on last year's Estimates.

Mr. WISE.—But some trouble arose in connexion with the purchase of lands. The route of the railway would probably traverse private lands, and the Government wanted to take possession of the whole of the lands, instead of taking some piecemeal. This year we were told that it is proposed to expend money on a weir on the Cotter, a bridge over the Murrumbidgee, a pipe line, a temporary railway, a power plant, a brickmaking plant, a roadmaking plant, and timber. But we do not know how much money is to be spent on each of those works, though full details are given with regard to the Northern Territory. For instance, there is £500 for the Pine Creek railway. Surely, we have just as much right to ask for details regarding expenditure in the Capital Territory. We ought not to vote hundreds of thousands of pounds without knowing how the money is to be spent. There ought to be a Department for the Territory, and a clear idea ought to be given to us as to what the Government propose to do. This idea of giving a free hand is totally unsound. I can quite understand honorable members who are desirous of seeing the Federal Capital established beginning to get alarmed and to fear that the country will object to this wild expenditure. I am quite prepared to join with any other honorable member in taking a stand for the express purpose of compelling the Government to come down with clear and distinct estimates of expenditure, with particulars as to how much they propose to spend on particular works, and how long a period the expenditure is proposed to cover. We must put an end to this blank-cheque business. As £50,000 was voted last year without any details being furnished, we can hardly blame the Government for asking for £100,000 this year. I should not wonder if they asked for £250,000 next year. There is a rebate of £33,000 on account of last year's vote.

Mr. McWILLIAMS.—Is the £100,000 in addition to the balance of last year's vote?

Mr. WISE.—I understand that the £100,000 is in addition to the £16,000 spent last year. But we really do not know what is being done, how much is being spent, or how many years the expenditure is to be spread over.

Mr. MATHEWS (Melbourne Ports) [10.56].—I wish to say a few words with regard to expenditure on the erection of post-offices. The Treasurer went into this matter yesterday, and I listened with pleasure to a certain portion of his remarks. But I wish to be particularly clear as to what is to be done. We have items of expenditure amounting to £700,000. and then there is another item of £600,000 to be allocated to Trust Funds.

Mr. FISHER.—That is to cover more than one financial year. We shall bring down a schedule.

Mr. MATHEWS.—I am pleased to hear that. In the first year after I was returned to this House I was very much surprised that men experienced in parliamentary affairs should have allowed such a silly system to continue as that which we have had in connexion with expenditure. What takes place is this: A sum of money is placed on the Estimates for building a post-office, say, at Croajingalong, or Buckley's Crossing. On 30th June, after the expenditure is authorized by Parliament, the unexpended balance of the vote goes back into the Treasury. I am inclined to think that the Treasury looks upon these unexpended balances as a kind of nest egg with which they are able to inflate their revenue for the next year. On the present Estimates, there is a sum of £1,000 for a post-office at South Melbourne. Between the present time and the end of the financial year, not more than that sum may be required to be paid to the contractor. But if the full amount is not expended, the balance will go back into the Treasury on 30th June next, and between that date and the time when Parliament votes the necessary money again, either the contractor will be deprived of the cheques that are due to him, or the work will have to be stopped. I trust that the Home Affairs Department and the Treasury will come to an understanding so that even if the whole of a sum voted is not spent at the end of the financial year, the works for which the money was voted will not be suspended.

Mr. RILEY.—The honorable member is very lucky if he is to have a post-office erected in his constituency!

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Mr. MATHEWS.—There was a sum of money for this purpose on the Estimates during the first Federal Parliament.

Mr. TUDOR.—There has been a vote on the Estimates for this purpose for the last ten years.

Mr. MATHEWS.—The amount appropriated stood at £5,000 for some years. Last year it was £1,500; this year it is £1,000. I make no complaint on that score, because I am aware that not more than £1,000 will be required to be paid to the contractor before the end of the present financial year. I shall be rather pleased if the £600,000 mentioned by the Treasurer is devoted to works of that character, so that there may be no stoppage of operations. The Prime Minister has already said that it would be used for works extending over many years, instead of closing them up at the end of one financial year. That is the common-sense way in which all Commonwealth works should be carried on. I have never been able to thoroughly grasp why the other system has been followed so long. We have found Treasurers coming down for a sort of indemnifying vote years after moneys have been expended. The right honorable member for Swan on one occasion objected to certain moneys being passed for payment, and it transpired that some of the amounts had been spent during his own *régime* some two years before. The idea now put forward by the Treasurer is a good one, and I hope it will be extended, always on condition that a complete schedule is presented in each case, so that we may know what the money is being used for. I hope the Treasurer will take into consideration the advisability of coining our own bullion in Australia. He says that we lose nothing by having it coined in Europe, but we have three mints in Australia, and the present staffs, with additional hands and more machinery, could coin the whole of our money, and we know that the demand for silver and copper coinage in Australia will increase every year. That work will give a great deal of employment, and involve a great saving, because it must cost many thousands of pounds to have our coinage produced in other countries. It is not my intention in the future to oppose any votes for the Federal Capital site at Canberra, because I recognise that it has been selected, and that we shall have to make the best of it, bad though it may be. We are, however, not treating the land-holders in the Federal Territory properly. They are under great disabilities, which ought to be immediately removed. The land of some of them is partly in the Federal Territory, and partly in New South Wales, and in those cases they do not know what to do. Perhaps the part cut out is the worst part of a man's holding, but if he sells it cheaply it may be taken as the value of the rest of his land. Many land-owners there have their property mortgaged, and the mortgages are falling due. It is a matter of great difficulty for them to get a new mortgage arranged for, in view of the present insecure tenure. In justice to them, some arrangement ought to be made in the Treasury for taking over almost immediately the land of those who desire that course to be followed. I hope the Minister of Home Affairs will see that those people get a fair deal in the very near future.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [11.6].—Sooner or later the silver coinage will have to be made in Australia. It was only minted overseas for the sake of convenience. There is a great deal to be said for the contention of the honorable member for Melbourne Ports that the work ought to be done here, and the Government will take it into favorable consideration. With regard to the end of the financial year, it is a constitutional provision that the accounts must close once a year. The amount of £600,000 referred to is for special works that will bring the Post and Telegraph Department up to date. At the same time, provision will be made more than in any other year for the continuance of those works.

Mr. GROOM.—Is it understood that the first item is to be passed, and the details taken afterwards?

Mr. FISHER.—The first item must be passed before we adjourn.

Mr. GROOM.—Does the Minister of Home Affairs intend to make a statement?

Mr. KING O'MALLEY.—I have a statement here.

Mr. FENTON (Maribyrnong) [11.8].—A number of complaints have been made with reference to the accommodation at the post-offices in our big cities. I notice that we are suffering from a great lack of accommodation for the Federal public offices in Melbourne, which are being pushed out here, there, and everywhere; and I presume the same thing applies to every capital city in the Commonwealth. A number of build-

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ings have had to be rented, and it is about time we pushed on more vigorously with the erection of the Commonwealth offices now in progress in Melbourne. It seems an iniquitous system to keep on paying rent. I do not know whether the Melbourne building is progressing as expeditiously as it might.

Mr. KING O'MALLEY.—It is moving.

Mr. FENTON.—I am glad to hear it. I want to see our Departments housed in their own building, so that the rent bill may be considerably reduced. Instead of having to run all over the city to find the various Departments, we ought to have them all under the one roof.

Mr. KING O'MALLEY.—The building now being erected will not hold half of them.

Mr. FENTON.—It should have been made large enough to accommodate as many of the Departments as possible; but we are increasing our rent roll instead of decreasing it. There is an ever-increasing expenditure in connexion with the Government Printing Office; and, in my opinion, the arrangements in this connexion are not of a businesslike nature. The same remark may be made of the Customs Department in the administration of the Commerce Act. We have to pay through the nose for services rendered by the State Departments; and our printing is now so extensive that it is time we had an office of our own. We already have a branch for the printing of the Commonwealth notes and for the printing of the postage stamps; and we are expending, I suppose, £20,000 or £30,000 annually in printing. Further, there are conditions, particularly in the printing office, that should not be tolerated by any Government who believe in paying their employés well. Complaints on this score are sometimes made to Federal members and sometimes to State members; and, between the two stools, the unfortunate men and women, who perform their work efficiently, come to the ground. It is to the credit of the Prime Minister that he has been prepared to say that the Commonwealth will pay a fair price for the work done; but when we are spending so much I object to have to go practically cap in hand and request the State to make reforms. I believe that the Agricultural Department of Victoria is charging more than is fair for the services rendered to the Commonwealth, and this and the other items I have mentioned are among those on which we can save money. There are one or two roads in the Commonwealth that might very well be made military roads. On either side of the road leading to the cordite works at Maribyrnong the Commonwealth has purchased land for horse depôts, and thus deprived the shire council of rateable property and revenue; and yet the local authorities are expected to construct and keep the road in repair. I am glad that a vote in this connexion is on the Estimates; but more expenditure is necessary to make the road passable. In my opinion, we have lost considerably by the road not being constructed long before now. As to the discussion on these and similar topics, members on the Government side very often suffer from self-effacement that does not do them any good or credit as representatives, and this, I may say, is largely because of the loquacity of the Opposition. Later I shall have some remarks to make on the telephone system in both town and country, and also on the question of the Federal Capital site. As to the latter, I can now speak from personal observation, whereas previously I could only speak on information supplied by Ministers who had previously denounced the site as the worst on earth. Since my visit I am more than ever convinced that it is about the most undesirable place in which we could have the Capital. I was looking forward to this project to show what could be done under Government control without hindrance from the High Court or State limitations; but, unfortunately, in consequence of the collusion between members on the Opposition and Government sides, there is little opportunity for honorable members to revoke the very undesirable compact that has been entered into.

Progress reported.

ADJOURNMENT.

ORDER OF BUSINESS: TIME FOR DEBATE.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [11.19].—In moving—

That this House do now adjourn,

I wish to mention that the consideration of the Works and Buildings Estimates will be taken to-morrow, and continued until it is finished. We want this business settled as early as possible, and it is understood that the Opposition speakers are not to have more time than the Government speakers.

Mr. JOSEPH COOK (Parramatta) [11.20].—I do not know what my right honorable friend means when he says that

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we on this side are not to have more time than the Government speakers. I do not know what time he is alluding to. My experience is that all the arrangements made with the Government this session for the early termination of debates have simply resulted in letting loose a flood of eloquence on the other side. Honorable members opposite seem to be as dumb as oysters until some arrangement has been entered into with this side, and then they flood the chamber with oratory as though they would never stop. I do not understand that sort of thing at all. As regards this sitting, I do not see what the Government have to complain of. We discussed grievances for two hours only——

Mr. FINLAYSON.—For three hours.

Mr. JOSEPH COOK.—We discussed grievances for two hours before complaints began to be made. Had we on this side appointed the Sugar Commission, honorable members opposite would have discussed the appointment for days, not for hours. Really, it is time that they stopped these mock heroics which they are getting up every day. It is coming to this, it seems to me, that the Opposition will not be expected to speak at all. But I am afraid that we shall have to do a little talking, despite the Caucus. We do not settle things beforehand, and so we have to do our talking in the House. There seems to be a spirit abroad on the Government side that, because they have an overwhelming majority, therefore nothing should occur on this side. The sooner they get that silly notion out of their heads, the better for us all, and the better for the good temper of the House. I said nothing about the Sugar Commission to-day. I had some notes prepared, and was quite expecting to speak, but when the debate had proceeded till 10 o'clock, I waived my right to speak on the subject. And this is the reward we are getting. I hope that the Works and Building Estimates will be passed without unnecessary delay. I am anxious to see them put through; but when the Prime Minister talks in a minatory tone, as he has done to-night, I have to express the hope that he will be a little reasonable.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [11.22].—I am sorry that I ruffled the feathers of the honorable member for Parramatta, especially as he had such a good certificate of character this morning from a gentleman whom I need not name.

Question resolved in the affirmative.

House adjourned at 11.23 p.m.

Senate.

Friday, 3 November, 1911.

The PRESIDENT took the chair at 10.30 a.m., and read prayers.

ELECTORAL OFFENCES.

Senator KEATING asked the Minister representing the Minister of Home Affairs, *upon notice*—

The number of prosecutions for alleged electoral offences, distinguishing between those resulting in conviction and those in acquittal in respect of—

(*a*) The general election of 1906;
(*b*) The referenda of 1906;
(*c*) The general election of 1909;
(*d*) The referenda of 1910?

Senator PEARCE.—The information is available, and will be laid on the table in the form of a return.

POST OFFICE BUILDINGS.

Senator ST. LEDGER asked the Minister representing the Minister of Home Affairs, *upon notice*—

Will he make available, if they are required on the introduction of New Works and Buildings Estimates, the reports of the Commonwealth Inspector of Works on the condition and requirements of the post-office buildings in the State of Queensland?

Senator PEARCE.—The answer to the honorable senator's question is—

It is assumed that the honorable member refers to the report of a Departmental Committee which was appointed to consider probable building requirements of the Postmaster-General's Department in Brisbane. Such report will be made available to the honorable member at any time.

CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Senator McGREGOR (South Australia—Vice-President of the Executive Council) [10.34].—I move—

That this Bill be now read a second time.

I do not think that the history of any piece of legislation could be more interesting than that of the Conciliation and

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Arbitration legislation which has been attempted in Australia. Almost since the inception of the Commonwealth an effort has been made by the members of the Labour party to bring into existence laws which would have the effect of permanently settling industrial disputes arising in Australia. But, although everything has been done by the members of that party to make the legislation as perfect as possible, through the persistent opposition of certain representatives of the people, both in the House of Representatives and in the Senate, it has been found to be so imperfect that effect cannot be given to the best intentions of its framers and its supporters. I might also say that, to a very considerable extent, the effectiveness of this legislation has been hampered by the Constitution itself, and by the limited interpretation which has been put on the Constitution by the Judges of the High Court. I have no desire, nor does any one on this side I am sure desire, to reflect in the slightest degree on the Judges of the High Court. They have a perfect right to interpret a law of the Commonwealth as it presents itself to them; and they have done so, although in many instances their interpretations appear to be strained in the direction of limiting the powers of this Parliament as far as the Constitution is concerned.

Senator ST. LEDGER.—Is that a fair comment on the Court?

Senator McGREGOR.—Yes.

Senator ST. LEDGER.—I think not.

Senator McGREGOR.—I think it is.

Senator MILLEN.—To say that the Judges strain the Constitution?

Senator McGREGOR.—If Senator St. Ledger was a Judge of the High Court, and interpreted the Constitution in a direction contrary to that in which I would interpret it, I would have a perfect right to say so. My statement would be no reflection on the honorable senator. It might even be a reflection on myself, showing that my horizon was less extensive—if it were not even more extensive—than his. That is all that could be said, and I have no desire to say any more with respect to the Judges of the High Court. My honest opinion is that they do their duty fearlessly and conscientiously.

Senator MILLEN.—And yet you say that they have strained the Constitution.

Senator McGREGOR.—I am not going to admit that their interpretation of the Constitution is the "be all and end all" of the wisdom and knowledge of the world. I have as much right to my opinion as has any one of the Judges, and Senator St. Ledger has the same right to his opinion. But be that as it may, it has been apparent to every one that the interpretations placed on the Constitution in respect to legislation passed by this Parliament have limited its powers as far as they could possibly be limited. There is no denying that. In the interpretation of a law, when it is not a question of fact, a good deal depends upon those who have to give the interpretation and the point of view from which they look at the law. I submit, in all sincerity, that any person has a right to criticise these interpretations, and yet admit the honesty of those who give them. This is not the first attempt which has been made, and successfully made, to widen the scope of the Conciliation and Arbitration Act. The necessity for it is to be found in interpretations of the Constitution by the High Court in connexion with industries and bodies of men organized in particular trades. Senator St. Ledger cannot deny this proposition if he looks at the Bill, and takes into consideration what has transpired. I may refer particularly to the engine-drivers' organization. A case was taken by them before the Conciliation and Arbitration Court: a decision was given there, and then it was upset by the High Court on the technical ground that, although this may be an organization, yet since its members are distributed in various industries throughout the Commonwealth they have to apply for redress, not through their own body, but through the particular industry in which they are employed. For example, an engine-driver is employed in a soap works at Footscray, or other suburb of Melbourne, or in any city of the Commonwealth, and the engine-drivers of Australia apply to the Arbitration Court, and obtain an award which is appealed from. According to the decision of the High Court they can only make a claim through the industry with which they are connected; that is, the engine-drivers employed in soap works can only get an award in connection with the soap industry. To my mind, a more ridiculous position to put an organization in could not be imagined, much less expressed. An engine-driver may work in a saw-mill or a tannery, but common sense would suggest that his case should be dealt with in connexion with the organization of engine-drivers, and not in

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connexion with saw-mills or tanneries. I am sure that Senator St. Ledger must admit that. The object of this measure is to make it clear that the organization of the craft is the principal consideration, and not the organization of a particular industry in which many individuals belonging to different organizations or crafts are employed. I could give numberless instances. Suppose that we take a body of men which has been pretty well canvassed throughout Australia for some time. The United Labourers Union appealed to the Arbitration Court for the redress of some grievances, either real or imaginary. I am not going to maintain that all the claims which are made by my fellow workers throughout Australia are most reasonable—although they generally are—because sometimes they may make a mistake, as the best and wisest people in the world do. Suppose that the United Labourers Union of Australia applied to the Arbitration Court, and it was found that some members of that organization were working at buildings, some at navvying, some at fruit-picking, and some at one-hundred-and-one other callings, in which an ordinary labourer is entitled to work; and that, after a decision had been given by that Court. in favour of the organization, the High Court turned round and said, "No; these men can only claim what they are asking through the fruit-pickers' industry, or the saw-mill industry, or the builders' industry, or a navvy organization." Cannot the ridiculousness of the position be discerned at once?

Senator ST. LEDGER.—But that arises out of the Constitution, or the Act, or out of both; but not out of the High Court.

Senator McGREGOR.—It may apply to the Constitution, or the interpretation which is placed upon it, or it may apply to the Act or the interpretation which is placed upon it. It does not matter whether the case is reasonable or unreasonable. As far as the High Court is concerned, it is the interpretation which decides whether a member of a craft can obtain redress through the organization of that craft. In every case which has been tried, little technicalities of this description have crept in; and the High Court has taken advantage of them to defeat what I would consider to be the humane and just decisions of the Arbitration Court.

Senator ST. LEDGER.—Is not that distinctly unfair comment on the High Court?

Senator McGREGOR.—I am not saying that it is done with the intention of doing an injustice to anybody, but advantage has been taken of technicalities to defeat attempts to obtain redress of grievances or what have been proved to be clear cases of injustice.

Senator MILLEN.—Do you say that the High Court purposely takes advantage of technicalities?

Senator McGREGOR.—I did not say so. The honorable senator is very fond of putting words into my mouth. I say that the High Court, in the discharge of its high duties, takes these technicalities into consideration, and gives its decision according to its interpretation of the Act or the Constitution and not according to the intentions of Parliament.

Senator MILLEN.—Your phrase "taking advantage" was unfortunate.

Senator McGREGOR.—It may be unfortunate as far as the honorable senator is concerned, but I know how I feel on this question, and I know how hundreds, nay thousands, of the workers throughout Australia feel on it. Where it is merely a point regarding the dotting of an "i" or the crossing of a "t" the interpretation has invariably been given in the narrowest sense, and it has always gone against the best interests of the class who are creating all the wealth of Australia. No one can deny that. In connexion with almost every one of these decisions, it has become necessary to appeal to Parliament to so frame the Conciliation and Arbitration Act that the interpretation should be given in the direction which Parliament intended, and in the direction which the people of Australia intended when they agreed to that portion of the Constitution dealing with conciliation and arbitration.

Senator ST. LEDGER.—Is not that the very thing that the people refused by the referenda?

Senator McGREGOR.—No. I will tell the honorable senator what occurred in connexion with the referenda. The Commonwealth Parliament appealed to the electors of Australia for unlimited powers with respect to industrial matters. What I may call mercenary newspapers and highly-paid political touts mystified the electors to such an extent that they hardly knew what they were doing.

Senator ST. LEDGER.—That is rather rough on the whole of the Labour party.

Senator McGREGOR.—The Labour party has no paid touts. It has no touts

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of any description. The members of the Labour party do not go round the country endeavouring to misrepresent anything; they tell the truth, the whole truth, and nothing but the truth.

Senator MILLEN.—You are misrepresenting things now.

Senator McGREGOR.—I am endeavouring to put matters plainly and honestly, and the more honestly they are put the more dissatisfaction members of the Opposition exhibit. They do not like things to be put plainly and honestly.

Senator MILLEN.—You are not using a single word in any of your sentences honestly.

Senator McGREGOR.—They are all honest to my mind, and if they were not I would not use them. The principal object of the Bill is to enable the Conciliation and Arbitration Court to deal with industrial disputes whether they are disputes in existence, disputes in contemplation, or even possible disputes. That is provided in clauses 2 and 3 which amend section 4 of the principal Act. In section 4 of the principal Act many of the matters contained in the Act are defined. This Bill strikes out the reference to employers and employés, and by widening the definition of "industry" merely makes the Act refer to industrial matters, so that there can be no quibble as to whether a certain employer is in a certain position, or as to whether a certain body of employés occupy a certain position. If an industrial matter is referred to, then the decision of the Court will be final. I believe that is what honorable senators and the people really want. What we desire is that when a case is brought before the Conciliation and Arbitration Court it shall be dealt with on its merits, and that the issue shall not be decided upon some technicality that has little to do with the main question. We believe that the amendments contained in clauses 2 and 3 will give the Conciliation and Arbitration Court a far better opportunity of bringing about the conditions in connexion with labour and employment which we desire than it has at the present time. I believe that honorable members on both sides of the Senate desire that industrial disputes shall be decided in a way that will tend to the best interests, not only of a section of the community, but of the whole of the people of Australia. I believe also that honorable senators opposite have the same desire, but I think their want of experience in connexion with the great body of working people of Australia very often clouds their judgment as to what is necessary to set everything on a fair footing. The Bill makes many other amendments in the existing law in connexion with minor matters. I might occupy much of the time of honorable senators in going into the details of those amendments, but Committee is the proper place to deal with the details of any Bill. I confidently place the measure before the Senate, and hope that it will be passed very speedily.

Debate (on motion by Senator MILLEN) adjourned.

ELECTORAL BILL.

In Committee (Consideration resumed from 2nd November, *vide* page 2146):

Clause 8, as amended—

After section sixty-one B of the Principal Act the following sections are inserted:—

"61C.—(1.) It shall be the duty of every person, who is entitled to be enrolled as an elector and who is not so enrolled, to fill in and sign, in accordance with the Act and the regulations, a form of claim for enrolment as an elector and to forthwith send or deliver it to the proper officer.

(2.) It shall be the duty of every elector who . . . . has changed his place of living . . . . to fill in and sign . . . . a form of claim for transfer . . . .

Upon which Senator VARDON had moved—

That the words "It shall be the duty of", line 3, be left out.

Senator MILLEN (New South Wales) [10.57].—Do I understand that the Honorary Minister has agreed to accept Senator Vardon's amendment. I may remind the Honorary Minister that when we reported progress last night he gave an undertaking that he would look into the matter, and that if he was assured that the recasting of the clause in the way desired by Senator Vardon, in order to bring it into conformity with our general method of drafting, would not in any way weaken the provision, he would consent to it. I expected that the Minister would make some communication to the Committee.

Senator FINDLEY (Victoria—Honorary Minister) [10.58].—I did give the Committee the assurance which the honorable senator refers to, and I have acted upon it. I made inquiries, and I find that it will not make any material difference if the clause is drafted in the way suggested by Senator Vardon. I was waiting for Senator Vardon to submit to the Committee the

exact form in which he desired the clause to be amended.

Senator VARDON (South Australia) [11.0].—My desire is that the clause shall read in such a way that there shall be no misunderstanding as to what it provides. We have provided that there "shall" be compulsory enrolment. The proposed new section commences by saying —"It shall be the duty of every person" to enroll.

Senator ST. LEDGER.—It is an obligation.

Senator VARDON.—By the clauses we have already passed we have made it obligatory for people to enroll. I therefore wish to strike out the words I have quoted. If that amendment is carried I shall propose other amendments so that the clause will read—

Every person who is entitled to be enrolled as an elector, and who is not so enrolled shall fill in and sign in accordance with Act and the regulations a form of claim for enrolment as an elector and forthwith send or deliver it to the proper officer.

Senator FINDLEY.—I would like the word "shall" to be inserted before the word "forthwith."

Amendment agreed to.

Amendment (by Senator VARDON) agreed to—

That the word "to", lines 5 and 8, be left out and the word "shall" inserted in lieu thereof.

Sub-clause 2 of proposed new section consequentially amended.

Proposed new section 61E—

In any prosecution in any Court of summary jurisdiction in respect of any contravention of any of the regulations relating to compulsory enrolment, instituted by any officer or by any person acting under the direction of an officer, the averments of the prosecutor contained in the information or complaint shall be deemed to be proved in the absence of evidence to the contrary.

Senator MILLEN (New South Wales) [11.4].—I wish to make an appeal to the Minister for the reconsideration of proposed new section 61E. I cannot really think that, after consideration, this provision will command the assent of the Committee. The proposed new section provides that the averment of an officer is to be regarded as sufficient proof, in the absence of evidence to the contrary, of the contravention of any of the regulations relating to compulsory enrolment. That is to say, we are asked to make a radical departure from what has been described by Mr. Justice Higgins as the first principle of justice. I urge that there is no justification for making this departure in the present instance. As far as I know, there are only two cases in Commonwealth law where we have adopted the principle of calling upon the defendant to prove his own innocence. They are cases which arise under the Customs Act and under the Australian Industries Preservation Act. With regard to Customs, it was, of course, obvious from the experience of many years and of many countries, that there was sufficient justification for such a wide departure from ordinary judicial procedure. But with regard to the mere matter of compulsory enrolment, to say that when an officer makes the averment that somebody has broken a regulation that in itself should be sufficient proof of an offence, is surely going too far. We do not even know at present what the regulations which may be broken are to be. The chances are that ninety-nine out of every hundred electors will be ignorant of them when they are framed. But if an elector breaks one of these regulations it will be sufficient for an electoral officer, on taking proceedings against him by summons to make an averment, and the very accusation will be regarded as sufficient proof that the offence has been committed. I have no hesitation in saying that the proposed new section had its genesis in the Department, and not in the Ministerial mind. All officials somehow instinctively get the idea that they can be trusted with any power they choose to ask for, and that they are not likely to abuse it. They are doubtless honest in that belief. But it is one thing for officials to have such an idea and quite another thing for the Legislature to intrust them with such sweeping powers.

Senator HENDERSON.—Is not the proposed new section intended to operate when there is no evidence for the defence?

Senator MILLEN.—If I make charges against Senator Henderson——

Senator HENDERSON.—The honorable senator has made scores of them!

Senator MILLEN.—Unfortunately not before an unbiased jury, or the honorable senator would not be here now! If I make charges against Senator Henderson, and the case goes into a Law Court, he has the right to say, "You have made charges against me; prove them." The Court does not say, "Senator Henderson, certain charges have been made against you, and it is now for you to disprove them." The principle of British law is that a man who makes an accusation must bring forward proof in support of it. The person accused

is under no obligation to reply until the charge against him has been proved. Under this proposed new section there would be no need for the prosecution to demonstrate the truth of the charge. The accused would simply be called upon to disprove it. I urge the Committee to strike out proposed new section 61E.

Senator FINDLEY (Victoria—Honorary Minister) [11.10].—I cannot agree to the suggestion of Senator Millen to eliminate the proposed new section. I do not think that the Committee need take too seriously the view that he has expressed. First we make provision for compulsory enrolment. We now provide that where a person has neglected to do his or her duty, unless reason can be shown to the contrary by a person whose name is not on the roll, the averment of the officer that enrolment has not taken place shall be sufficient. The person will get an intimation from the Department. Then, in order to save the person from going into the Law Courts and having publicity given to a matter which, after all, is very small indeed, we provide that the mere statement of the officer shall be sufficient proof.

Senator MILLEN.—That is to say the person accused may accept a verdict of guilty.

Senator FINDLEY.—If a man or woman can show that a regulation has not been contravened no prosecution will be initiated. There is no analogy between the cases cited by the honorable senator and this instance. Serious charges may be made against persons under other Acts, but in this case the charge will not be a serious one at all.

Senator LYNCH.—The less reason for the severity of the procedure.

Senator FINDLEY.—Wherein is the procedure severe? A man or woman has lived in a district for a certain time, and will know that compulsory enrolment is the law of the Commonwealth. If a person neglects to do his or her duty by enrolling, penalties will be incurred. The accused person will have the option of showing that the law has not been broken. If that be shown the Department will not prosecute.

Senator MILLEN.—It is not the Department, but the Court that is dealt with under 61E.

Senator FINDLEY.—Does not the honorable senator think that the Department will take certain steps before a case reaches the Court stage? The Committee may rest assured that the desire of the Department, no matter what Government is in power, will be to have as few cases brought to Court as possible.

Senator MILLEN.—Read the first line of 61E—"In any prosecution in any Court of summary jurisdiction." The case will have got beyond the departmental stage.

Senator FINDLEY.—The honorable senator anticipates a stage. I am dealing with matters before they reach the Court stage. I believe that very few cases will ever get to court. The Department would make itself ridiculous in the eyes of the community if it brought cases to Court and could not prove its charges.

Senator MILLEN.—The Department is not required to prove its charges. That is the whole point.

Senator FINDLEY.—The proof is that the person accused ought to have enrolled and has not. It is a very small matter indeed to engage the serious attention of the Committee.

Senator MILLEN.—Let the Department prove its case in Court in the ordinary way.

Senator FINDLEY.—We want to prevent the Department having to go to Court and to involve the Government and citizens in inconvenience and unnecessary expenditure. I hope that the Committe will not eliminate the proposed new section.

Senator KEATING (Tasmania) [11.13].—Proposed new section 61E initiates a very distinct departure from the principle adopted in the Customs Act 1901 and 1902, when we first introduced a provision of this character in the law of the Commonwealth. We there provided that in certain instances the averment of the prosecution should be taken to be proof, in the absence of evidence to the contrary. It was pointed out at the time that it was a wide departure from a well-established principle of British jurisprudence to throw the onus of proof on the defendant, whereas in all cases previously the onus of proof had rested on the prosecution. But it was pointed out then, as could not possibly be urged in the present instance, that there are in many Customs cases serious difficulties in proving the guilt of accused persons. The information necessary to constitute proof often lies locked up in the breast of the defendant himself. The prosecuting Department cannot always be expected to have the same means of knowledge as he has. Moreover, it was pointed out that the defendants in all those cases were persons who were

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conducting business under the Customs Act, and would necessarily be conversant with its provisions. They would know that in every instance in which they were summoned the onus of proof would rest upon them, when it did rest upon them under the provisions of the Act. That is not the case here. I hope the Minister will realize that we are dealing here with prosecutions not for offences that are now being created by the Bill, but for offences that are hereafter to be created by regulations. We are not now providing that certain acts or omissions shall be offences against the law. These are to be offences established by regulations.

Senator FINDLEY.—But dealing directly with compulsory enrolment.

Senator KEATING.—I pointed out on a previous occasion that we are being asked to give *carte blanche* to the Minister and the Department, in connexion with this system of compulsory enrolment, to provide all the machinery. We are making provision for regulations which will provide for certain offences, and we are now asked by legislation to say that, if any one is charged with the commission of an offence against those regulations, the averment of the prosecution shall be deemed to be proved unless he can disprove it. Not one of us knows at the present moment what those offences will be, since they are not set out in the Bill. The similar provisions of the Customs Act apply only to traders and persons who, from their daily association with the business of the Customs, are conversant with the existence of those extraordinary provisions in the Act.

Senator FINDLEY.—Every one will be conversant with the regulations in connexion with compulsory enrolment under this Bill.

Senator KEATING.—Quite the contrary. Every one in the community takes it for granted that if a person is summoned before a Court of summary jurisdiction, such as a Justices Court, or a Police Court, there is no possibility of his being convicted of an offence unless the prosecution proves it. Every one would be justified in assuming, if he were summoned for an offence against the Electoral Act, that the ordinary procedure would be followed. A layman, looking through the Act, and reading even this proposed new section, would not understand that, if he were prosecuted for an offence against the regulations under this provision, the averment of the prosecution would amount to proof. The Minister must have been moved to consent to the introduction of this principle in the Electoral Act on departmental, and not political, considerations. The Electoral Branch of the Home Affairs Department should recognise that it is on a totally different plane from the Customs Department.

Senator FINDLEY.—Hear, hear; one is a major matter and the other a minor matter.

Senator KEATING.—I am sorry for the Minister if that is the way in which he puts it here. If, in this matter he had reversed the order, he would have been perfectly correct. I do not know whether the honorable senator has had any experience in the administration of the Customs Department temporarily, in the absence of the Minister of Trade and Customs, but, even without the close knowledge which an experience of that kind would give, he must realize that the Customs Department is dealing daily with Customs experts in the community. The shipping clerks of important firms are really Customs experts. They know the Customs Act from end to end, and, in many cases, doubtless better than do the officials of the Department. They are not taken unawares when prosecuted.

Senator MILLEN.—May I suggest another reason, namely, that there is an incentive to fraud under the Customs Act which is entirely absent here?

Senator KEATING.—That is so. But it will be admitted that persons prosecuted under the Customs Act are not taken unawares.

Senator FINDLEY.—Every one in Australia over the age of twenty-one will be familiar with the regulations in respect of compulsory enrolment.

Senator KEATING.—How many of those who are over twenty-one will ever read the Act?

Senator FINDLEY.—Every citizen over twenty-one years of age has been or will be supplied with a copy of the regulations.

Senator KEATING.—The honorable senator may supply every citizen of the Commonwealth with a copy of the regulations, but how many will read them? How many will feel bound to read them? Every merchant in the community is bound to read the Customs Act if he is to carry out his daily duties properly, and every shipping clerk of a reputable firm must know the Act practically from end to end.

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Senator E. J. RUSSELL.—How many boys read the Defence Act?

Senator KEATING.—How many who have read the regulations will be aware of this provision? I say that before we establish a system of this kind we should be abundantly certain that it is justified. We shall next have some other Department of the Public Service asking for similar legislation to come to its assistance. We adopted this principle in connexion with the Customs Department after lengthy debate and careful consideration, and not until it was shown to be justified for the reasons I have just stated. Those were compelling reasons, but there is not one of them which can be applied to this Bill. If similar legislation be adopted at the request of other Departments, the result will be that, in future, it will be competent for any officer merely to make an averment, and the mere fact that the party charged is not present when the case is called on will mean that he will be convicted without the case even being heard. At present, if a person charged with an offence does not attend in Court at the time fixed for the hearing of the case, because he is unable to appear, has mistaken the time, the date, or the place, or for any other reason, the case is heard *ex parte*, but it is still an obligation upon the prosecution to prove the case in the absence of the defendant. Under this provision, however, if a person charged with an offence against the regulations fails to attend, or does not attend punctually, or at the proper place, the mere averment of the prosecution amounts to a conviction. The Minister says that this is only a minor matter, but a conviction in a Court of Petty Sessions for a minor offence is just as much a conviction as for a major offence. Let me point out further that, in the State of Victoria at any rate, unless the fine imposed exceeds £5, no proceedings can be taken to have the conviction quashed.

Senator FINDLEY.—The defendant can ask that the fine be increased to that amount.

Senator KEATING.—How can he ask that the fine be increased if he is not present when the case is heard? And let me tell the honorable senator that it is when the defendant is not present that this provision will operate.

Senator FINDLEY.—What is the use of stating hypothetical cases?

Senator KEATING.—The Minister will find that the greater percentage of convictions under this provision will be secured in that way. The Electoral Department of the Commonwealth is highly organized, and has all the means at its disposal of proving its cases. It has greater facilities for attending the Court, and submitting the circumstances of each case, than have average individuals. And yet this is a departure prompted undoubtedly by departmental rather than by political considerations. There is not the slightest analogy between prosecutions by the Electoral Office and prosecutions by the Customs Department, and there is not a tittle of justification for establishing in connexion with the work of the Electoral Office, such a departure from the established system of jurisprudence, which is that no man shall be convicted on the mere averment of another. Why an officer of the Electoral Office should be able, in the absence of a defendant, to secure a conviction against him by a mere averment, I do not know. When we consider, further, that such convictions cannot be quashed, at any rate in the State of Victoria, unless the fine imposed amounts to a certain sum, it is clear that, under this proposed new section, we shall be making provision for wholesale convictions.

Senator FINDLEY.—Will this Bill prevent any elector entitled to enrolment appearing in any Court when a charge is preferred against him?

Senator KEATING.—No. But if that is the reason, there is no excuse for this provision at all. My honorable friend has given the best reason why such a provision should not appear in the Bill. Is there any reason at all why the Electoral Office cannot be represented? I am saying that the bulk of the convictions under this proposed new section will be secured against persons who do not appear to answer charges against them. That is what it is designed for, and if it is not designed for that, it is of no use at all. If the defendants can appear——

Senator FINDLEY.—They will appear.

Senator KEATING.—The Minister should know that he is stating what is not in accordance with practical experience. The Department, in this matter, wishes to shirk its responsibilities. It is a well-organized Department, and why should it be relieved of the obligation cast upon every ordinary citizen and every business firm? Why should it be relieved of its

responsibilities because it seeks to secure wholesale convictions against persons who may not realize that their presence in Court is even necessary? It is the persons charged with these offences who will be convicted and punished, and the Department will not be advantaged in any way. Why such a principle should be applied to the work of the Electoral Office passes my comprehension, and I am surprised that any Minister could be found who would yield to any such suggestion from the Department.

Senator LYNCH (Western Australia) [11.29].—I hope the Minister will consider the proposal made by the Leader of the Opposition. I look upon this provision to punish a man in the way proposed for an offence committed, perhaps quite innocently, as a very severe one. This provision places a person who neglects to get enrolled on the same plane as a person who defrauds the Customs revenue or as a company which combines with another company to carry on a practice in restraint of trade. We should be very careful before we depart from that well-established principle of British as well as natural justice that every person shall be held innocent until he is proved guilty. It is proposed that on the simple averment of an officer of the Court a person who neglects to get enrolled shall be held guilty until he proves his innocence. What was our object in departing, in the case of the Customs Act, from that long-standing principle of fair play and natural justice? It was simply to protect the revenue, to stop the commission of frauds, to prevent men from escaping from paying their just share of taxation. In the case of the Australian Industries Preservation Act, an attempt was made to secure a prosecution in certain cases where it had been very difficult, and where it will always be very difficult, to get evidence sufficiently clear to establish an offence. The only other case in which a well-established maxim has been departed from has been in regard to mining accidents. Under the law of Western Australia a mine manager is held responsible for an accident which may lead to the permanent injury or the death of any employé. The very happening of an accident in a mine is *primâ facie* evidence of the guilt of the mine manager. In this provision it is proposed to place persons who, very often through no fault of their own, neglect to get enrolled on precisely the same footing as the three offenders I have mentioned. That is, I think, going too far. After all, what are we attempting to prevent? If a person fails to enroll himself his act will recoil on his own head. He will find himself not enrolled..

Senator W. RUSSELL.—He will break the law.

Senator LYNCH.—Yes, but a case of that kind is entirely distinct from the three cases I have cited, because no other person will be defrauded or injured. It is quite true that under the provision a certain end or object is sought to be attained in the public interest, but the act of a person who fails to get enrolled will recoil on himself, and not, as in the cases I mentioned, upon a second or a third party. To place his case on the same plane as the other three cases is really straining a principle to an unwarranted extent. We should look at things broadly, and recognise that very often in the ordinary turmoil and struggle of life a person forgets to enroll. In striving to get a livelihood and keep his end up as well as possible the last thing many a man thinks of is to get enrolled.

Senator MILLEN.—Take, for example, prospectors who are moving about.

Senator LYNCH.—I am thinking parcularly of those who have too many things to do to think about getting enrolled, however laudable that may be. It should be borne in mind that the provision places a person who fails to get enrolled on precisely the same plane as a mine manager who wilfully allows things underground to go anyway, a Customs thief, and a powerful corporation which conspires with others in restraint of trade. We are asked to take a step too far ahead of the necessities of the situation. In my opinion the severity of this provision is altogether unwarranted. The fact that the neglect of a person to enroll will recoil on his own head, and affect no one else, should be taken into consideration. When a person objects to pay Custom dues or defrauds the Customs in any other way the community suffers. When companies combine and conspire to raise prices to the injury of people, and with the result, perhaps, of causing untold misery, the community suffers. It is altogether unfair to place a person who fails to enroll on the same plane as a combination which seeks to bring widespread injury upon the community, or as a mine manager who allows things to be carried on underground in such a way as to lead to disastrous consequences to the employés.

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Senator W. RUSSELL (South Australia) [11.38].—I cannot see any hardship in this provision. I have listened most attentively to the discussion, and am very pleased with the stand which the Government are taking. I admire the Opposition, too, because their motive has been transparent from the beginning. They have not yet succeeded in achieving their purpose, and so they try, try again. But I do not blame them. They did their best to defeat the Bill, and having failed to do that they seek to weaken its provisions. Their amendments are proposed with the object of making the Bill, if possible, look ridiculous. This amendment may, if carried, lead to a lot of expense and worry on the part of the Government; it may also lead to work for lawyers. We want the law simplified. If a man is on a roll that fact can be proven, and if he is not on a roll he should account for that fact.

Senator ST. LEDGER.—But how can he?

Senator W. RUSSELL.—It is the duty of a man to be enrolled. Neither the Government nor their officers will act unfairly, and take advantage of any persons when they know that they have been absent from their State or electorate. Our Conservative friends on the other side have nothing to fear from this provision because most of the officers——

Senator MILLEN.—We do not believe in holding a man guilty of an offence until his innocence is proved.

Senator W. RUSSELL.—The honorable senator has nothing to fear from the provision, because, in my opinion, most of the officers are on his side of politics. This is a simple clause, and it is necessary for the efficient working of the law. I was astonished to hear a lawyer like Senator Keating talk as he did. I thought that, perhaps, another member of the party, if he failed, would move that a Royal Commission be appointed to inquire into some of these trifling cases. To mention such cases in the same breath as Customs defrauders was, I think, unworthy of the honorable senator, and certainly beside the mark. If a man is not on a roll he ought to be able to say why he is not, and if he can give a reasonable excuse for his name not being enrolled the powers that be will treat him justly, if not with mercy. I support the Government in this matter.

Senator HENDERSON (Western Australia) [11.42].—I am surprised at the lengthy argument adduced in connexion with this provision. I think that Senator Lynch got quite outside the position for which he has been contending from the beginning. He put forward an argument against compulsory enrolment entirely. Either his argument meant that or it meant nothing. It is too late in the day to propound an argument of that kind, inasmuch as we have affirmed the principle of compulsory enrolment.

Senator VARDON.—I do not see how that affects this principle.

Senator HENDERSON.—I am pointing out that Senator Lynch used an argument not connected with this provision at all, but for the abolition of compulsory enrolment.

Senator VARDON.—I cannot see that.

Senator HENDERSON.—The honorable senator will not see it probably, but I can see it easily. When Senator Lynch cites the case of a mine manager who allows his mine to run all to pieces, and then draws an analogy between the mine manager and an elector who refuses or, for some reason or other, neglects to have his name placed on a roll, he certainly draws an analogy which must appear even to himself to be absolutely foreign to the question.

Senator LYNCH.—It is the Bill which draws the analogy.

Senator HENDERSON.—Does any one imagine for a moment that any Government of Australia will go about like a great stalking-horse, devouring the electors or their money for the mere sake of having prosecutions? I venture to say that this provision, whenever it is applied, will be applied in such a way that no man or woman who is not really guilty of neglecting to comply with the Act will suffer any penalty. Does anybody contend that the Government of the Commonwealth, when it comes to a question of deciding whether an elector has been guilty of neglect, wilfully or otherwise, will simply impose a penalty?

Senator MILLEN.—The Government does not impose a penalty, but the Court does.

Senator HENDERSON.—What is the use of the honorable senator talking like that?

Senator MILLEN.—If the honorable senator is so dense that he cannot see the difference between the Government and the Court, I cannot help it.

Senator HENDERSON.—I am not so dense as the honorable senator would like

me to be. I am clear enough in my comprehension to see the position he is taking up. The little tricks he indulges in are seen through too easily. This provision, in my opinion, will inflict no hardship on any person. Probably it will not be very much used. I hope it never will be used, but that everybody will see the reasonableness of complying with the regulations. The Government intend to take steps to inform every elector what his duty really is. That is a thing that we do not do in respect to our criminal law, nor do we do it in respect to any other law. A man may go about Australia all his lifetime and never see the provisions of one of the laws passed by Parliament to control his citizenship. It is utter nonsense for honorable senators to talk about people being prosecuted unreasonably.

Senator Lt.-Colonel CAMERON.—Why complicate the situation?

Senator HENDERSON.—I am not complicating the situation at all. We have decided that we are to have compulsory enrolment, and I believe in that. One of the details necessary to insure the proper carrying out of compulsory enrolment is embodied in this provision. It is made mandatory for people to carry out the provisions of other Acts, and no attempt is made to enlighten them as to what those Acts contain. In this case the regulations will be submitted to every elector, and therefore every elector will have the opportunity of knowing precisely what the law requires him to do. If he refuses to obey the law, and has no reasonable excuse for refusing, it is quite justifiable to impose a penalty upon him.

Senator MILLEN (New South Wales) [11.49].—It appears to me that Senator Henderson and another senator who has spoken have purposely confused the issue raised by this clause. It has nothing whatever to do with what the Government may seek to do in its relation with electors. The Government are not called upon to administer this clause. The Court is called upon to do so, and when Senator Henderson tries to draw a picture of a Government so perfect that it is going to follow, study, and nurse every elector so as to keep his feet in the straight path, he is absolutely outside the clause, and he knows it.

Senator LONG.—Is not the Court part of the government of the country?

Senator MILLEN.—I have no doubt my honorable friend wants to make it so, but hitherto one of the distinguishing features of the British system of government has been that it has kept the Judicature apart and distinct from the Legislature.

Senator HENDERSON.—The honorable senator is following his usual method of mystification.

Senator MILLEN.—There is no mystification about it. If Senator Henderson cannot see the difference between the Judicature of the country and the administrative part of it I cannot help it. If he turns to any work on government he will see the distinction drawn. One thing that we have always done is to keep the Court—the officials whose duty it is to interpret the law—quite beyond the influence of the Government. Why is this proposal put in the clause? We have nothing to do at present with what happens in connexion with the Department's efforts to get the electors to enroll. We shall have passed beyond that stage when this clause becomes operative. It only becomes operative when a case has got into Court. The provision commences with the words, "In any prosecution in any Court of summary jurisdiction." When the provision comes into operation a prosecution may be launched. No longer can the Government or the officials of the Department do all the things that have been spoken of—issue millions of regulations, and so on. That has all passed when the case comes before the Court. By what reasoning can the Government justify the fact that they propose to exempt the officials of the Department, when a case has got into Court, from the obligation that is laid upon every other citizen who makes a charge? In connexion with any other matter any person who makes a charge is called upon to prove it, but under the clause the high and mighty officials of the Department will not have to do so.

Senator LYNCH.—If you make a charge of burglary you have to prove it.

Senator MILLEN.—A man who makes any other charge is called upon to prove it. Why should the officers of the Department be relieved of an obligation which is placed on every other citizen who makes a charge?

Senator FINDLEY.—They are not relieved of that obligation. They make a charge, and the person charged can disprove it.

Senator MILLEN.—Take this supposititious case. I affirm that Senator Findley was drunk yesterday. Now I ask Senator Findley to disprove that charge.

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Senator FINDLEY.—The Department will affirm that a certain person ought to be on the roll, and that that person is not on the roll.

Senator MILLEN.—The provision does not only apply to that matter. It applies to any regulation that may be made. A departmental officer might bring the honorable senator before the Court, and say, "Senator Findley's name is not on the roll. That is my charge, and I have summoned him here to answer it."

Senator KEATING.—He need not even produce the roll.

Senator MILLEN.—He should have to produce the roll in Court to show that Senator Findley's name is not on it, and should also have to prove that Senator Findley's name ought to be there.

Senator FINDLEY.—Would any officer be so foolish as to charge a man with an offence unless he could prove it?

Senator MILLEN.—Let him prove it, then. That is all we ask. The proposal of the Government is to make the officer, not merely the accuser, but the judge, because the Minister says that if the officer likes to think an offence has been committed, he is to determine that it has been committed. He should go before the Court and state the facts on which his charge is grounded, and it should be for the magistrate to say whether an offence has been committed. Let us take that section of the community which my friends opposite claim particularly to represent—the working classes. Take the navvies employed on railway construction in New South Wales, or other States, who are moving on all the time as the railway line is constructed.

Senator McGREGOR.—The very fact that we are here shows that the people who move about are very particular about being on the roll.

Senator MILLEN.—I know the honorable senator will turn any matter into a joke if he can do so. Do honorable senators assent to the proposition that, because an official of the Department makes an accusation, the guilt of the person whom he accuses is proved?

Senator FINDLEY.—"In the absence of proof to the contrary." Why does the honorable senator leave that out?

Senator MILLEN.—Is it necessary to read the whole of the clause every time? As Senator Keating has pointed out, in the absence of the person charged, on the mere averment of a departmental officer that a regulation had been broken, the Court would have no option but to impose a fine. Take the case of men who move about from one place to another.

Senator McGREGOR.—Don't talk about the men moving about. They know what they are doing. The other day you blamed them for subscribing to *The Worker*.

Senator MILLEN.—I did not blame them at all for subscribing to *The Worker*. I said it was a piece of hypocrisy for those subscribing to whimper and cry out when they thought a few pounds would be going to the independent press. I make a final appeal to honorable senators on the other side to consider what they are going to do. Suppose a Government consisting of the members of the party to which I belong proposed that, if any officer of the Department chose to make an accusation against any elector for a breach of the regulations—we have not seen the regulations yet—the charge should be held to be proved until the person charged went to the trouble and expense of disproving it. Honorable senators opposite would say that such a proposition was a reversion to the methods of barbarism, and so it is. It is surprising to me that such a proposition has come from this Government; and I would be more surprised if I did not believe in my heart that it is not the Government which is responsible for the authorship of the provision, but the officers of the Department. There is a desire on the part of those officials to constitute themselves a sacred caste, and to have it laid down that once they have made a charge it is to be taken as proved. They are not to be reduced to the level of ordinary citizens, and to have to accept the obligation that is cast upon me, and upon other citizens, of having to prove any charge we make. The mere averment of an official of the Department is to prove the case unless the person who is summoned disproves it. The person who is summoned may be absent. If honorable senators opposite were to apply that principle to any other law, they would see at once that the thing is absolutely indefensible. Seeing that the provisions of the Bill will not in any sense be weakened by the proposal I have submitted, I ask them to seriously consider whether they will pass the proposed new section or not.

Senator KEATING.—The only case where such a provision is justifiable is in cases where the Department sends out notices to people, whose names are on the rolls, that

their names will be removed unless they object, because they are then believed to be dead.

Senator MILLEN.—No one should die in Australia without an official certificate.

Senator FINDLEY.—A lot of people died politically on 13th April.

Senator MILLEN.—And a lot of them were revived politically on 26th April. The honorable senator, by his interjection, may seek to obscure the issue; but there is no party question involved in this. Senator Russell has made the statement—I do not know whether it is correct or not—that the majority of the officers of the Department are favorable to the views of honorable senators on this side of the chamber. If that be so, honorable senators opposite must see that, if this clause is passed and is put in operation, they and their friends will suffer more than the friends and supporters of honorable senators on this side. I rest my objection to the provision on this single question: Ought we to relieve an officer of the Department from the obligation which is placed upon every other citizen of proving any charge which he makes?

Senator FINDLEY (Victoria—Honorary Minister) [11.59].—This is the second time the Leader of the Opposition has addressed himself to this proposition, and his heated manner showed that he is extremely anxious that it should be deleted.

Senator VARDON.—Hear, hear! I should think so.

Senator FINDLEY.—Senator Vardon, like Senator Millen, is not in love with the Bill; and probably those honorable senators would be better pleased if it had not been introduced.

Senator MILLEN.—There has been no attack from this side on your enrolment provisions.

Senator FINDLEY.—Although the honorable senator did not condemn the proposal for compulsory enrolment, he did not say one word in favour of it. There were other honorable senators sitting in opposition who condemned the principle of compulsory enrolment. One would think, from the heat displayed, that this provision was an entirely new one in Federal legislation. As a matter of fact, there are similar provisions in three or four Acts which stand upon the statute-book to-day. I never heard any of the honorable senators who are so strong in their opposition to this proposed new section object to those provisions in the other Acts.

Senator WALKER.—In every case I have objected.

Senator FINDLEY.—As a matter of fact, Senator Keating defended the provision in the Customs Act. If it be a good principle in respect to Customs, why should it be harmful in respect to the electoral law? No glaring case of injustice has been brought to light regarding the administration of similar provisions.

Senator LYNCH.—There is a vast difference in the nature of the cases.

Senator FINDLEY.—That is the reason why I find it difficult to understand such strenuous opposition being aroused in this instance. It is a trivial matter, whereas, in other cases, criminal charges might be lodged.

Senator RAE.—This is manufacturing criminals.

Senator FINDLEY.—I am sorry that Senator Rae should make such a statement. I do not think that he seriously believes that the present Government would willingly introduce a provision to manufacture criminals. All that the proposed new section means is that, unless a man or woman against whom a charge of contravening the regulations is made is not present at the Court when the case is heard, he or she will be adjudged guilty in the absence of evidence to the contrary. Where is the seriousness of the obligation that is thereby imposed on electors?

Senator Lt.-Colonel CAMERON.—Does the Minister really say that that is a legitimate position in which to put a man?

Senator FINDLEY.—The Government believe absolutely that this provision will work in the best interests of the citizens of Australia, will remove many of the difficulties inseparable from the compilation of electoral rolls, will save expense, and prevent worry and loss of time.

Senator O'KEEFE (Tasmania) [12.6].—I am rather sorry that this harmless-looking provision has been made the subject of such heated debate. I am also sorry that the Minister in charge of the Bill should stick to what seems to me not to be a very important provision. The case of prospectors has been frequently mentioned. For many years I have been intimately associated with parts of the country where prospectors work, and I know a good deal about their difficulties. It is quite right that these special difficulties should be borne in mind. The proposed new section appears to me to be likely to act unfairly towards many persons whose

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employment is nomadic in character. Quite a number of men move about from one part of the country to another, and it is clear that they are not in as good a position for enrolling and keeping themselves familiar with the obligations which the law lays upon them as if they were living in one constituency all the time.

Senator FINDLEY.—Every citizen will be supplied with a copy of the regulations.

Senator O'KEEFE.—My experience convinces me that there are hundreds of persons who will never get copies of the regulations, owing to their remoteness from post-offices; or, at all events, they will not get them until it is too late to have an opportunity of doing what is necessary. Charges against them may be heard in their absence, and because they do not prove their innocence they may be fined. The prosecutor will, we will say, make his charge against John Jones. Jones will be adjudged guilty and fined without having any opportunity of being present to combat the charge. I am strongly in favour of compulsory enrolment, but I do not believe that the elimination of this proposed new section would vitiate the new system in any sense. It would simply place the onus of proof on the shoulders of the administrative officers. I am sorry that the Minister should fight so strenuously for this provision, which I shall have to vote against if a division is called for.

Senator SAYERS (Queensland) [12.11].—I was very pleased to hear the remarks of Senator O'Keefe, who evidently has a clear grasp of the situation. Let me point out the difficulties that may occur. Say that there are a dozen Sullivans, or a dozen Joneses on an electoral roll. One Sullivan may get a notice that is intended for another. The man whose name is struck off the roll by the electoral officers in Brisbane may be the Sullivan whose name ought to have been retained, whilst another who has left the district may be left upon the roll. Senator Givens is well acquainted with hundreds of men who are constantly on the move throughout Queensland. How many of these men will remember that they have to notify the Electoral Office whenever they move from one place to another? Yet if a man neglects to do so, he may be fined on the mere averment of an electoral officer. Take the western country of Queensland, around Cloncurry. There are men there who remain in isolated parts of the country from year's end to year's end. It is questionable whether many of them will receive copies of the regulations, even if they are posted. Many men do not get letters and newspapers for months together. Yet such a man, for failure to enroll, may, on the mere averment of an electoral officer, be fined. Surely the officer ought to prove that a person charged has received a notice and refused to enroll. We do not know what the regulations are to be like. We have not seen them. I have in mind a case in which an elector under this provision might be served with a notice that he was on the roll, and later with a summons for having failed to enroll his name. The notice and summons would be directed to the post-office at Charters Towers, while the man might be at Cloncurry, Croydon, or Gympie. He would never receive either notice or summons, and an officer of the Department, in his absence, by a mere averment that he had failed to enroll his name, would secure a conviction against him, and he would be fined. It might be twelve months later before the man would be discovered and the fine levied upon him. I admit that people should take more interest in these matters than they do, but we all know that many people do not take much interest in them. The hardest cases may occur under this provision in vast territories like Western Australia, New South Wales, and Queensland, where there are very many people who seldom come near a town. If they want flour they very often go to the nearest station. Such people would never get their summonses under this Bill, and yet they would be fined. I can understand the desire of the Minister to adhere, as far as possible, to the strict letter of a Bill he introduces, but there can be no doubt that this provision will give rise to many very harsh cases. I think the officer of the Department should be called upon in Court to prove his case to the satisfaction of the Bench. He should certainly give evidence in support of the charge, and then if there are extenuating circumstances the Bench may impose a small fine, or perhaps dismiss the charge. An elector should not be called upon to bear the expense of perhaps having to travel 200 or 300 miles to attend a Court to answer one of these charges, even though he may have received a summons; and in any case he should be assured that he will not be convicted without evidence. I have never believed in the French system of assuming that a man is guilty of an offence unless he proves his innocence. We have,

for strong reasons, a similar provision in the Customs Act, but I confess I do not like it, even in that Act. Why should not the Department, with all its machinery, be called upon to prove a man guilty of an offence with which he is charged? I believe that every man should in the eye of the law be deemed innocent until, in accordance with the law, he is proved to be guilty.

Senator RAE (New South Wales) [12.20].—My belief has always been that it should be the object of all law to make it easy to do right and difficult to do wrong. On this occasion I believe the Opposition are right, and in order to encourage them to be right more often, I shall vote with them. I fail to understand why the Government should stick so tenaciously to this provision. I call this bureaucratic tyranny run mad. It is proposed that in any prosecution in any Court of summary jurisdiction in respect of any contravention of any of the regulations instituted by any officer or any person acting under his direction, the averment is to be considered proof, in the absence of proof to the contrary. This is one of the most all-embracing provisions to enable the official to tyrannize over the elector that I ever saw.

Senator FINDLEY.—Where does the tyranny come in?

Senator RAE.—I am absolutely astounded that any Government should introduce such a tyrannical provision in any Bill. Far as this Government does occasionally lapse from the principles of Democracy, I never thought they would go so far as to introduce a provision of this kind. If they will not consent to postpone the consideration of this proposed new section in order that they may think the matter over calmly and submit a more modified provision, I trust the Committee will knock it out. I decline altogether to blindly follow my party when I think they are doing wrong.

Senator W. RUSSELL.—That is how we treated the honorable senator last night.

Senator RAE.—Never mind how I was treated. I am thinking of how the electors are going to suffer under this provision. I have had some little experience of some of our Courts of summary jurisdiction, and I have yet to learn that those in Victoria are superior to those in New South Wales. Every magistrate and every official charged with a prosecution is looking for a conviction anyhow, and here the Government are proposing to place the electors at the mercy of people who are more or less tyrants. A man is to be charged with an alleged contravention of the law—for it will only be alleged until it is proved—and he is to be considered guilty if he happens to be unable to get into Court in time to answer the charge. It is a poor Cockney kind of proposal which might be expected from an individual who has never been beyond the precincts of a big city, and knows nothing at all of the conditions of our country districts. It might suit people from the purlieus of Sydney and Melbourne, who can bump up against officials and all the paraphernalia of civilization at any time.

Senator FINDLEY.—If it becomes law there will be more convictions under it in the cities than in the country districts.

Senator RAE.—People in the cities have greater facilities for avoiding the officers of the law, and are more practised in dodging them. The Minister will be making a terrible mistake in pressing this proposal upon the Committee. I hope that the Government will recognise that obstinacy is not firmness, and that it is not wise to stick to every letter and clause of a Bill drawn up by draftsmen who desire to have the law vindicated on every possible opportunity. Honorable senators on both sides have spoken of the great respect which all should have for the law. I never had very much respect for law myself, because I have recognised that nearly all laws are due to the efforts of privileged persons to secure or to confer privileges on a minority that does not in any way deserve them. Laws which put power into the hands of bureaucratic tyranny tend to submerge the Democracy, and the efforts of real Democrats should be to put a stopper on that kind of thing instead of to promote it. We should have as few laws as possible, and they should be so clear as to be easily understood. We should not instil into the minds of electors a hatred of the law by putting them at the mercy of any person who chooses to bring a prosecution against them for an alleged offence which, even though it may have been committed, is a purely parliamentary or politically-manufactured crime.

Senator NEEDHAM.—Why have any laws at all?

Senator RAE.—Really I do not know. I did not start making laws. No one ever heard me advocate the establishment of any laws.

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Senator NEEDHAM.—What is the honorable senator here for?

Senator RAE.—Primarily to try to repeal all the bad laws I possibly can.

Senator HENDERSON.—Twenty years ago the honorable senator said the same thing.

Senator RAE.—That shows my consistency. The way to prevent people from breaking the law is to have as few laws as possible, and to see that they are in accordance with the moral law. Every law we pass should be in strict accordance with the moral law, and should assist people to do right, and make it more and more difficult to do wrong.

Senator FINDLEY.—That is what this Bill is for.

Senator RAE.—It is not. It is pure trash and humbug to elevate this provision to such an ideal height. Every Minister who introduces a Bill is, in the case of minor clauses, largely in the hands of his draftsman, who attempts to carry out the ideas submitted to him, but when he finds that the objections to a provision of this kind are based upon genuine grounds, he should not persist with it. It is not right that in his absence a man against whom a prosecution has been instituted should have the burden imposed upon him of proving his innocence of an offence which no reasonable man would elevate to the importance of a crime. If this is supposed to be the way to establish Democracy, I am full of it.

Senator McGREGOR (South Australia—Vice-President of the Executive Council) [12.28].—I have been surprised and amused at the interest which some senators opposite have during the last few months taken in the poor widow, and the poor nomad in the back country who may be prospecting or shearing. It is a newborn zeal with them.

Senator WALKER.—Why?

Senator McGREGOR.—It was never displayed before, and very little in this connexion was attempted by our honorable friends. I have been amused, also, by Senator Rae's utterances upon this provision. He says he came here to do away with all laws.

Senator RAE.—I did not say all laws, but all bad and unnecessary laws.

Senator McGREGOR.—The party to which the honorable senator belongs, by whom he was nominated, and by whom he was sent here, sent him here to make laws. It is all very well for honorable senators to talk about what the Government and the officials of the Electoral Office are doing. They are doing the very best they can, when a law is passed, to see that its administration is effective; and that is what they are aiming at in this clause.

Senator RAE.—By making every one guilty on the "say so" of an official.

Senator McGREGOR.—There is no making every one guilty on the "say so" of an official. A majority of the Senate have approved of compulsory enrolment. I do not know whether Senator Rae approves of it or not, because one never can tell what he does approve of. One day, for instance, he approves of a thing; on the next day he does not know where he is, and on the day following he is opposed to it, so that we do not know what he thinks. We must leave him almost out of the count.

Senator RAE.—You will know when the vote is taken, as you always do.

Senator McGREGOR.—That is right enough. The honorable senator may vote absolutely as he pleases. It is a matter of indifference to me personally how he votes, although I would like to see him vote reasonably and speak rationally when he is dealing with a measure of any importance. What is the principle involved here? A majority of the Senate have approved of compulsory enrolment. Honorable senators on the other side did not approve of compulsory enrolment, and now, when we come to the clause which will make compulsory enrolment effective, they seize the opportunity to attempt to defeat it, and a few honorable senators on this side are doing all they possibly can to assist them to achieve that object. What does this clause mean? We agree that it is the duty of every citizen to enroll. I would like Senator Rae to endeavour to distinguish between a citizen and an elector. A citizen is not an elector until his name is on a roll. It is provided in the Bill that a man's name must be on a roll, and he is responsible for seeing that it is. If after every facility to enroll is given some persons fail to do so deliberately, and others unintentionally, it is a violation of the law. It does not matter what the cause is when a man does a wrong thing—

Senator RAE.—Run him into a yard and brand him.

Senator McGREGOR.—In the case of compulsory enrolment, what is the proof that the law has been evaded? The proof

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is that the name of a man is not on a roll.

Senator MILLEN.—And something more than that—that the name ought to be there.

Senator RAE.—Thousands apply and do not get enrolled.

Senator McGREGOR.—If Senator Rae, or, for the matter of that, Senator Millen, knew that his name should be on a roll, that compulsory enrolment was the law of the country in which he lived, and neglected or deliberately refused to put his name on a roll——

Senator RAE.—Some fool of an officer left my name off after I had applied.

Senator McGREGOR.—That is a different thing. If, after the honorable senator applied, a fool of an officer left his name off the roll, the latter was guilty, and not the former. That the name of the person is not on a roll is conclusive proof that the law has not been complied with. It does not matter what the cause may have been.

Senator KEATING.—But the Court does not look at the roll.

Senator McGREGOR.—All that the officer requires to do is to see that the name of the man is not on the roll.

Senator MILLEN.—The officer ought to do more. He should show that the name ought to be there.

Senator McGREGOR.—The very fact that there is a law saying that the name ought to be there is proof enough.

Senator MILLEN.—There are a great many citizens whose names ought not to be on a roll.

Senator McGREGOR.—All right. I leave that to the honorable senator.

Senator MILLEN.—That is to say, they are not eligible to be put there.

Senator McGREGOR.—I know that the honorable senator would like to see far fewer of the prospectors and shearers he talks so much about on the rolls.

Senator MILLEN.—You know that that is not true.

Senator McGREGOR.—I am very sorry if I have misrepresented the honorable senator. I do not know that my statement is not true, and he has never given any evidence that it is not true.

Senator MILLEN.—I am not taking their votes away by abolishing postal voting.

Senator McGREGOR.—The fact that any names are not on a roll is proof that the law has not been complied with.

Senator LONG.—No. A man may have taken all necessary steps to be enrolled, and his name may have been left off the roll by accident.

Senator McGREGOR.—That is a different thing altogether. The fact that a name is not on a roll shows that the law has not been complied with. Then the assistance of a Court is invoked, and it has to be proved whether there was any justification for the name being on the roll. The officer from the Electoral Branch has not to prove that there is no justification, or that there is any justification. All he has to prove is that the law has not been complied with. It is the place of the elector to produce the proof, because no one else can. An officer cannot prove a justification why the name should not be on the roll. It is the elector himself who can prove a justification for its not being there, and he is given an opportunity to do so at the Court. If he can prove that he took all necessary steps to see that his name was put on the roll, the Court will exonerate him, but if he cannot prove that, the very fact that his name is not on the roll is proof that there was neglect somewhere, and it is his duty to prove that the neglect was not on his part. What has the officer to prove?

Senator RAE.—Nothing.

Senator McGREGOR.—No. The officer has to prove that the person's name is not on the roll.

Senator KEATING.—No.

Senator McGREGOR.—Well, the officer has to aver that. Can the officer from the Department be expected to exhibit the same characteristics as Senator Rae does? The very statement of an officer is based on something, but the statements of Senator Rae are based on nothing.

Senator RAE.—Ah, that is very kind.

Senator McGREGOR.—I am only taking what the honorable senator has stated to-day. He has no basis for his statement that the Government are attempting to make hundreds and thousands of criminals. We are doing nothing of the kind.

Senator RAE.—They are trying to pass a law which may have that effect.

Senator McGREGOR.—We are only doing what we consider to be our duty to make compulsory enrolment effective. All that the officer can do is to aver, from the knowledge that the name of the man is not on the roll, that the law has not been complied with. Then the man concerned has to come and prove that it was not owing to his fault. If he does not come, and cannot be found, then no fine can be collected from him.

Senator VARDON.—He is breaking the law.

Senator McGREGOR.—If he cannot be found——

Senator MILLEN.—He may be dead.

Senator McGREGOR.—Yes; he may be dead, or he may have gone out of the Commonwealth.

Senator MILLEN.—Yes; but the law can follow him.

Senator McGREGOR.—Can it follow him into the grave? I want to show the ridiculousness of the argument of the honorable senator.

Senator LONG.—It can follow the man for two years.

Senator McGREGOR.—The officer has to prove——

Senator RAE.—Nothing.

Senator McGREGOR.—No; but the honorable senator wants to compel the officer to prove that a man had some justification for not being enrolled when he knows nothing about the man. He only knows that the man did not carry out his portion of the contract, as far as citizenship of the Commonwealth is concerned.

Senator RAE.—And your recommendation for compulsory service is that it can only be secured by this tyrannical means.

Senator W. RUSSELL.—For which you voted.

Senator RAE.—I did not, because there was no vote taken.

Senator McGREGOR.—It does not matter; the honorable senator does not need to quibble.

Senator RAE.—I do not want to quibble, but you are quibbling.

Senator McGREGOR.—There is no quibbling on our part. Here is the Bill, and the honorable senator knows as well as anybody else that it is honestly presented by the Government to carry out the wishes of the people of this country, and yet he will get up and take the erratic course which he takes whenever it so pleases him. This clause is necessary if the compulsory provisions in the Bill are to be carried into effect.

Senator GARDINER (New South Wales) [12.40].—I desire to say a few words, because, in my opinion, the Vice-President of the Executive Council kicked up so much dust that he got away from the real point, which has no bearing upon the principle of compulsory enrolment. Had not the honorable senator made the declaration that this proposed new section is necessary, I would have asked him to postpone its consideration for a week, or until the next sitting day. There will be no loss of dignity or disadvantage on his part in agreeing to a postponement. It will afford time for us to give maturer consideration to the real effects of the provision. Will the Minister agree to a postponement?

Senator FINDLEY.—No.

Senator GARDINER.—The clause simply provides that when a charge is made by an officer against a person, the absence of the latter shall be a proof of his guilt.

Senator McGREGOR.—No; it provides that the absence of the man's name from the roll shall be a proof of his guilt.

Senator RAE.—Or the averment of the officer.

Senator MILLEN.—There is another thing which ought to be proved, not merely that the name is absent, but also that it ought to be there.

Senator GARDINER.—In my opinion there is no occasion for the Government to say that they are being unfairly opposed by their own supporters. Notwithstanding all the officials at their command, the Government ask us to enact that their case shall be taken as proved without establishing it in a Court of summary jurisdiction. We ask that if they have a complaint to make against a citizen, they shall prove their case to the satisfaction of the magistrate. Surely, that is not too much for us to ask?

Senator McGREGOR.—Is not the fact that the name of the man is not on the roll all the proof which is necessary?

Senator GARDINER.—There may be a hundred reasons to account for the name not being on the roll. According to my reading of the clause, not only will it inflict a very great hardship upon men who live far from the Court, and to whom a charge of this sort may mean the loss of a week's work, but in many instances a man who has changed his address in a large city like Melbourne or Sydney may never know that a case against him is coming on in a Court, and, according to this clause, his absence is to be taken as proof of guilt. We simply want to provide, and I think that the Minister should agree to a provision, that when a charge is made against a man, the Department shall prove their case in a Court of summary jurisdiction, as the Department has to do in every other reasonable case. In my opinion, the Acts

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cited by the Minister furnish a strong ground for our not proceeding further on those lines. There is no good reason why any one should be deemed guilty until his guilt is proved. There is no good ground for getting away from the sound principle that a man is innocent until he is shown conclusively to be guilty.

Senator FINDLEY.—We have got away from that principle, and very far away indeed, in three or four Acts.

Senator GARDINER.—I can assure the honorable senator that I have not got away from the principle, and I do not intend to get away from it now. But let us take the Minister's interjection. I retort that many an innocent man has had to bless the fact that even the worst criminal has the privilege of being considered innocent until he is proved guilty. The Minister said in an off-hand way that in three or four Acts we have got away from a sound principle. Well, that is, to my mind, a reason for getting back to the principle.

Senator FINDLEY.—That is not the only reason; I have given others.

Senator GARDINER.—I know that; but one of the reasons which the honorabe senator gave was that in several Acts we have got away from that which has been proved through the ages to be a sound principle, namely, that a man shall be deemed innocent until his guilt is established. "If," the Minister tells us, "we take this step, we shall only get a little further away from that principle. If we have taken the step in two or three Acts, why should we not do so in the case of this measure?" If we take his advice in this instance, no doubt we shall be asked to do so in the case of another measure. We do not ask the Government to discontinue the prosecution of persons who commit breaches of the Electoral Act. We simply say that, when a breach of the law has been committed, proof should be adduced to the satisfaction of the Court by the officer making the charge. Proceedings may be taken against a shearer who is 400 or 500 miles away from his home. The case against him may be set down for hearing right in the middle of the shearing season, and, if he wishes to defend himself, he will have to lose the whole of his earnings. Senator McGregor made some reference to the people who were dead. I say that, if a person dies after a charge has been made against him, he must be found guilty, because he cannot prove his innocence. If the Minister will not consent to an amendment, I ask him to consent to the postponement of the clause. Possibly the happenings of the last few weeks may cause the members of the Government to think that I am anxious to speak against them and to vote against them. Nothing is further from the truth. It is quite painful to me to find our Government introducing clauses of this kind, and it is quite painful to have to vote against them. If there is a reasonable chance of more mature consideration causing the Minister to alter his mind, he should agree to the postponement of the clause. He will suffer no loss of dignity by adopting that course. There is an honest difference of opinion amongst honorable senators, and I earnestly appeal to the Minister not to force on a division now. Some of the supporters of the Government will vote against the Government if that is done. If the clause were postponed, when it was again called on the Minister would be in as strong position as he is in now, or in even a stronger position, because he would have given honorable senators an opportunity of looking into the effect of the clause.

Senator LONG (Tasmania) [12.49].—While I am perfectly loyal to the principle of compulsory enrolment, I cannot understand how that principle can be assisted or handicapped by the retention of this provision. Like Senator Gardiner and Senator Rae, I hold very strong views against this provision. No doubt there are occasions when the principle embodied in the provision should be inserted in some of our Statutes. Reference has been made to the fact that under the Customs Act the onus is thrown on a defendant of proving his innocence. Under the Victorian Mines Act, if an accident happens in a mine, the onus is thrown on the mine-owner or manager to show that the accident was not caused by any neglect on his part; but that principle is not one that ought to find a place in an electoral law. Senator Gardiner, as some honorable senator interjected, was drawing on his imagination when he said a shearer some hundred miles from his home might be prosecuted. He pointed out that it would not be convenient for such a man to attend Court to prove his innocence. However, we need not go so far as that. Probably the greatest number of prosecutions will be in places where there is the greatest population. In many cases, although their names had been left off the rolls through no fault of their own, men would rather

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submit to be fined than lose a day's wages. The offence of non-enrolment is not a serious one, and the penalty would probably be very light. If a person charged would have to lose two or three days' wages in order to attend Court to prove his innocence, he would not attempt to do it, and to impose such an obligation on an elector is absolutely preposterous. I hope that the Committee will not retain the clause, and unless the Government are willing to adopt the suggestion of Senator Gardiner and postpone the clause, so that a more satisfactory provision may be framed, the only thing that we can do is to vote against it. I sincerely hope that there will be a majority of honorable senators prepared to vote for the omission of this objectionable provision.

Senator ST. LEDGER (Queensland) [12.55].—As I said during the second-reading debate, this provision places the whole of the electors of Australia in the same position as smugglers. Neither the Vice-President of the Executive Council nor the Minister in charge of the Bill has been able to show the slightest analogy between the measure and Acts in which a similar provision is contained. The Minister or the officials of the Department have drawn up these provisions without any clear knowledge of the varying conditions in the different States, and of the great difficulties under which the electors in some instances labour in connexion with electoral matters. The clause gives any officer of the Department power to proceed against electors for neglecting to enroll. Under the Interpretation section of the principal Act, the word "Officer" includes any person charged with the conduct of an election, from the Chief Electoral Officer down. The doorkeeper of a polling-booth is an officer. Under the clause the doorkeeper of a polling-booth may not only institute a prosecution in a Court of summary jurisdiction, but may delegate the power of prosecuting to somebody else. We hold that offences under the Customs Act and the Australian Industries Preservation Act are so serious that the Crown should be armed with means of securing convictions, and therefore, under those Acts, the onus of proof is thrown on the defendant. But I do not think that there is power, under the Customs Act, or the Australian Industries Preservation Act, for the prosecuting officer to delegate the power of prosecution to somebody else.

Senator CHATAWAY.—I call attention to the fact that there is not a quorum present.

[*Quorum formed.*]

Senator ST. LEDGER.—Why the Minister is so seized with the idea that it is necessary to retain this tyrannical provision in the clause is a mystery to me. There is not the slightest justification for the provision. It seems to me that this Government is getting body, soul, and boots under the control of the departmental officials The Government officers, in their desire to make the enforcement of Acts easy, seem to have lost all instinct for natural justice. The Departments are gradually becoming one wholesale bureaucracy. I could give dozens of instances to show that that is the growing tendency.

Sitting suspended from 1.0 to 2.30 p.m.

Senator ST. LEDGER—I have pointed out difficulties that may arise under this proposal, especially in the back-blocks districts of the larger States. Take the case of a drover at Winton, Queensland, who is in charge of sheep or cattle. Because he neglects to comply with regulations which he may never have seen, the policeman will be sent after him. He will then have to consider whether he shall give up his occupation in order to go to Court, or whether he shall let the Minister and the Department go to a very warm place. In the latter event, a conviction will be recorded against him. For what object? Of course, the Vice-President of the Executive Council regards this criticism with derision. Personally, I find it hard to determine whether the proposal is a subject for laughter or for tears. There is no precedent for such a thing in any law with which I am acquainted. For all offences against the person, whether the most trivial or the most severe, whether the personal or moral effects are grievous or slight, and whether the case be heard by a Court of summary jurisdiction or by the High Court itself, the onus lies upon the prosecutor to prove his case. In regard to injury to property the same rule prevails, whether the case be the larceny of a pennyworth of paper or of thousands of pounds. Every prosecutor in every Court has to make out a *primâ facie* case and prove his charge beyond the shadow of a doubt.

Senator GIVENS.—That is not the invariable rule. I can quote a Queensland Act in which it is not the rule—the Aboriginals Protection Act.

Senator ST. LEDGER.—The honorable senator must know that that Act deals with quite exceptional cases.

Senator GIVENS.—The honorable senator said there was no exception.

Senator ST. LEDGER.—The exception simply illustrates the force of a great principle. As has been pointed out by Government supporters, injury will not be done to the community because a person neglects to apply for enrolment. The injury is done to the man himself, if to anybody.

Senator GIVENS.—Does not the honorable senator think that failure to perform the duties of citizenship constitutes an injury to the community?

Senator ST. LEDGER.—I do not think so. If there were penalties in all cases for neglect to perform citizen duties, whether municipal, State or Federal, most of us would be in gaol, especially if the proof required by the law were merely the word of an official, which was to be taken as though it were the ukase of a czar. I am by no means hide-bound to precedent. I do not think that, because a proposal is put before the Legislature for the first time, it must on that account be presumed to be injurious or dangerous. But there is something in precedent, after all. We have had about 100 years of electoral reform, leading up to adult suffrage. In every civilized country the facilities for enrolment and voting have been increased. Yet there is not a single precedent in any country in the world for such a proposition as this. The proposal is reminiscent of the French Revolution, when the leaders professed themselves to be adherents of the highest principles of justice, order and law. They declared, "We must all be brothers," and those who would not be brothers with them they killed. They affirmed that it was necessary to establish fraternity, and they guillotined those with whom they were not inclined to be fraternal. In this case the Government say that it is necessary that all the citizens of this free country should enroll. Those who neglect to enroll they will punish. Furthermore, they will take from these citizens the natural right of being proved guilty before they are convicted and punished. Ministers never proposed such a thing when they assisted in framing previous Electoral Acts.

Senator GIVENS.—I never before ate the same lunch as I had to-day. Would the honorable senator argue that I ought not to have eaten it because it was not the lunch I ate ten years ago?

Senator ST. LEDGER.—I cannot follow the analogy. If it is intended to suggest that because this proposal is novel it is good, the argument is an unsound one. It is not good because it is novel, nor is it bad for that reason. But there is neither precedent nor reason for what is proposed. None whatever. Senator Rae gave a sound warning to the Government. If our parliamentary institutions are such that people are indifferent to them, and will not perform what should be regarded as one of their greatest rights, there must be something radically wrong with Parliament and its administration. Evidently the feeling for the exercise of the franchise is weakening. We desire to strengthen it. But the Government propose to do so in a manner which is most repulsive to all Britishers. Ministers would do well either to amend this clause or throw it out of the Bill. There is not a single honorable senator opposite who can afford any justification for it.

Senator W. RUSSELL.—We think we can.

Senator ST. LEDGER.—Honorable senators may console themselves with the idea that they have done so.

Senator HENDERSON.—We think that the honorable senator's speech is not argument, but a mere jumbled-up heap of words.

Senator ST. LEDGER.—The honorable senator is welcome to think what he likes, and, I suppose, to express himself in the courteous fashion which is the usual refuge of so many of his colleagues. Our retort is—what possible injury is done to the community by a person's neglect to enroll; and what justification is there for endeavouring to effect remedial measures by a penal clause which perverts the whole principle of the administration of justice in British communities, and reverts to the practice of the old French penal code? It almost calls for an apology that one should have to stand up and insist upon this plain principle of justice. The very insistence upon it makes one more or less of a bore; but, nevertheless, it must be done. Do honorable senators realize the injustice that may be done under this provision through the negligence of officials in the back-blocks, or through their misdirected zeal in administration? A man may be required to give up his work and travel many miles to a Court, where he will be asked to establish his own case, and

at every step will be presumed to be guilty. What has happened in the use or neglect of the franchise in Australia that calls for so drastic a provision in an Electoral Bill? We have been invited to believe that the card system, which was to be introduced, will be almost perfect, and I say, let us put it to the test, and if, by prosecutions in the ordinary way, the Department cannot give effect to the compulsory provisions of the Bill, the Government can then come forward with a proposal such as that now before the Committee. Before the card system is given a trial, they anticipate that it will be impossible to secure compulsory enrolment without a provision involving a disgraceful perversion of the principles of justice. Amongst a nomadic population, covering great distances, I have no doubt that this proposal will result in the persecution of many very deserving electors. If the Government do not accept the suggestion to postpone the consideration of the proposed new section, I hope the Committee will recognise the force of the objections to it, and will negative it.

Senator PEARCE (Western Australia—Minister of Defence) [2.48].—There are two very simple propositions before the Committee. After long deliberation, the Committee has affirmed the principle of compulsory enrolment. We are now called upon to deliberate as to how that principle is to be given effect. Much of what Senator St. Ledger has said about compulsory enrolment has nothing whatever to do with the matter now under discussion. We are faced now with the question of how we are to carry out a principle we have affirmed, and the Government, with the advice of the Crown Law officers, say that this is the only practical way in which we can enforce compulsory enrolment.

Senator KEATING.—Do I understand that that is the advice of the Attorney-General's Department?

Senator PEARCE.—Yes.

Senator KEATING.—Is it a legal question or the advice of the Crown Law Department?

Senator PEARCE.—The question arises as to how we are to enforce the principle of compulsory enrolment, and the Crown Law Officers say that this is the only practical way in which to do it. The proposed new section 61E reads—

> In any prosecution in any Court of summary jurisdiction in respect of any contravention of any of the regulations relating to compulsory enrolment, instituted by any officer or by any person acting under the direction of an officer, the averments of the prosecutor contained in the information or complaint shall be deemed to be proved in the absence of evidence to the contrary.

What is the alternative? It is that the Department shall prove that the person charged is not entitled to be enrolled, and is not enrolled. Let honorable senators consider what a task the Department would have to take upon itself in order to prove these two negatives. It would, first of all, have to prove that the elector was over twenty-one years of age, and it would be necessary to hunt up birth certificates to do so. It would have to prove that he had been in the Commonwealth for a certain length of time, and then that he was not enrolled for any one of the seventy-five electorates throughout Australia. Before honorable senators allow themselves to be carried away by the sentimental objection to this provision, they should consider the difficulty which would be placed in the way of the Department if, by the adoption of the only alternative for this proposal, it was called upon to prove a negative. The opposition to this proposed new section is really opposition to compulsory enrolment. If there is a general desire for compulsory enrolment, the Bill provides the only practical way of giving effect to it. While the officials of the Department would, if the ordinary procedure were followed, be called upon to prove a negative, the individual charged under the proposed new section could, at any time and with the greatest possible ease, establish the affirmative. He would know whether he was enrolled or not. I ask honorable senators to bear in mind, also, that the averments of the prosecutor are to be deemed to be proved only in the absence of evidence to the contrary, and if a person charged under this proposed section is prepared to appear before a Court, and say that at a certain time and place he registered his name as an elector, the Department would then be called upon to prove its case, and that he had not registered his name at the time and place mentioned. It is clear that if a frivolous prosecution were instituted under this proposed new system, and the Department could not refute the evidence of a man brought before the Court, it would have to pay the costs of the prosecution.

Senator MILLEN.—Where are costs given against the Crown?

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Senator PEARCE.—In plenty of cases in which it is considered that the Crown has brought a frivolous charge before the Court. Of course, my honorable friends opposite do not want compulsory enrolment, and, therefore, do not desire the adoption of a provision by which it could be enforced. I quite understand their position. I am not appealing to them. I do not expect them to vote for any proposal which would give effect to a principle in which they do not believe. But I do appeal to honorable senators who desire to see the system of compulsory enrolment made effective. Unless they are prepared to give the Government the power asked for in the proposed new section, it cannot be made effective. But for such a provision the Department would be placed in an impossible position, and the Bill, so far as it makes provision for compulsory enrolment, would be made unworkable.

Senator MILLEN (New South Wales) [2.56].—I am not at all surprised at the line of argument adopted by the Minister of Defence, but I direct attention to the fact that he has given the whole case away in the effort to defend it. The honorable senator asked, first of all: "How are we to enforce compulsory enrolment?" The answer is: How do we enforce other provisions of the law? We are continually passing laws, and attaching penalties to any breaches of them. How do we enforce the provisions of those laws? Certainly not in this way. We adopt the ordinary procedure of making a complaint and establishing it in Court. When we are asked how we are to enforce this law, the answer is that we should enforce it just as we enforce every other law, with some exceptions, to which reference has been made. I do not think that the Minister of Defence could have heard the speech made by Senator Findley earlier in the debate, because he has given a complete answer to it. Senator Findley said that the Electoral Department was not likely to move unless it had clear proof that an offence had been committed. The Minister of Defence says that the Government want this proposed new section in order that the Department may, without proof, enter upon an exploring expedition.

Senator PEARCE.—I never said anything of the kind.

Senator MILLEN.—The honorable senator asked the Committee how the Department is to prosecute these charges unless we agree to this provision.

Senator PEARCE.—There is a difference between having proof and having cast upon one the onus of proof.

Senator MILLEN.—Senator Findley distinctly assured the Committee that, before the Department proceeded in these cases, it would have definite knowledge of the fact that an offence had been committed.

Senator PEARCE.—Hear, hear. I say the same.

Senator MILLEN.—Then what does the Minister of Defence mean by the picture he drew of the enormous difficulty with which the Department would be faced in proving offences, the proof of which they have already in their possession? Either the Department will have substantial proof of an offence before it launches a prosecution, or it will not. Now, which is it to be? Is the Department going on the blind —on a mere game of bluff?

Senator GIVENS.—That is a poker expression.

Senator MILLEN.—I was sure that Senator Givens would understand where it came from, and if ever we were engaged in a game of political poker, it is on the present occasion. I want now to "call" the Minister. I will "call" if he will "show." I ask the honorable senator definitely: Does he pretend that the Department will proceed to take legal action against any person unless it has what may be considered reasonable proof of an offence?

Senator FINDLEY.—Why are you putting these queries to me now?

Senator MILLEN.—I admit, at once, that it is folly to put any query to the Minister with the hope of eliciting information. We may take it for granted that, before the Department launches a prosecution, it will have made itself reasonably certain that a breach of the Act has been committed. All that we ask is that, when the Department has that information in its possession, it shall be disclosed in the Court before the man is asked to answer the charge. The Minister of Defence has talked of the difficulty to which the Department will be put in hunting up certificates and getting other evidence. It will have to do that anyhow, and do it before it takes out a summons. Otherwise it will take out a summons on the blind or "on spec." Is it going to plead guilty to seeking the power to issue summonses broadcast in order to save itself the trouble of looking into matters? It must have in

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its possession such proof which is sufficient to make out a *primâ facie* case. It is only in accordance with ordinary procedure that, when a case under this Act is called on in a Court, the plaintiff shall state the grounds of his plaint. That is all we seek to secure. We are reminded of the amount of trouble which our suggestion, if adopted, will throw on the Department. Are not the electors entitled to consideration?

Senator FINDLEY.—They get it, too.

Senator McGREGOR.—Electors do not want any consideration, because they have complied with the Act. It is wanted by those who refuse to put themselves in the position of electors.

Senator MILLEN.—I do not propose to refine words on that point. If our proposal will involve the Department in a tremendous amount of trouble in a prosecution of this kind, does not the provision put an individual to the same amount of trouble? Take, for instance, the proof of residence. The Department ought to make itself clear as to how long a man has been resident in a district before it takes out a summons against him. The man has to call evidence to prove that he has not resided in the district for a certain time. It is he who has to prove the negative. The Department, by its averment, declares that he has lived in the district for a certain period. On what did it make its declaration? In the language of Senator Pearce, the officers say, "It is too much trouble to us to prove the facts." According to the honorable senator we must not venture to ask the Department to go to any trouble before it launches a prosecution. That would be too great a crime for serious consideration by a democratic assembly. That public servants should be asked to secure their proofs before they venture to launch a prosecution is, according to Senator Pearce, asking too much. We are to throw all these burdens on the citizen, but the public servant must not be inconvenienced. It is beneath his dignity that he should have to go round and make inquiries to build up a case against a man who, he thinks, has done a wrong. Or, if he has that proof, if he has made preliminary inquiries, and built up a case, what possible objection can there be to him stepping into the witness-box and relating that experience for the benefit of the magistrate? What we ask has nothing whatever to do with compulsory enrolment. I have not heard any objection to compulsory enrolment from this side, except so far as it is incomplete. All we ask, I repeat, is that the Department, having its proof sufficiently pronounced to justify an action, shall do with persons charged with breaking the Electoral Act, exactly what is done with persons who are alleged to have broken other Acts, and, that is, that the officers shall go into the witness-box, and explain and elaborate the charge which the elector is called upon to answer. Is that asking anything very serious? Does it affect at all the principle of compulsory enrolment? For the Minister to say, and to give the authority of the Attorney-General for the statement, that there is no other way in which compulsory enrolment can be enforced, is, I think, to speak under a misapprehension. I decline to believe that the Attorney-General's Department has laid it down that in no other way can this principle be enforced. There are dozens of ways in which it could be done. We could give greater powers to the officers. We could, for instance, give them the power to arrest a man, who was not enrolled, and take off his head straight away. I would remind Senator McGregor that, in a country with a large nomadic population, thousands of persons will be unable to attend the Courts, and, therefore, will have verdicts given against them. What does the Department propose to do in such cases?

Senator McGREGOR.—The Department will have to catch the men.

Senator MILLEN.—Exactly. Does the Minister mean to say that the Government will not make an effort to collect the fines, and that the whole Act is to be allowed to break down?

Senator McGREGOR.—I am not troubling about them.

Senator MILLEN.—I know that the Minister is not troubling about them, but I am.

Senator McGREGOR.—It is very recently that you began to trouble about them.

Senator MILLEN.—Whenever the Minister is called upon to say anything here all that he can appeal to is either class or party prejudice. He has never attempted to seriously argue any point. What he always does is to fall back on some more or less imaginary evils committed by his opponents. Can he, or any one else here, point to a time since I have taken an active interest in public affairs when I have been anything else but an ardent advocate of adult suffrage? We have already approved of the principle that there shall be a fine inflicted, and the only way in which we

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can make enrolment compulsory is by having a penalty. The fine may be small, or it may amount to £2. What is to happen if men do not appear to meet the charge, and the Court fines them 5s. each? Will the Department let the verdict stand, or send somebody to find the men? Suppose that there is default in payment, what is to happen? What the Government are going to do if they have anticipated the position at all is to say, "We will ignore that portion of the Act." I venture to predict that, in such circumstances, no Government will attempt to enforce the provision. If it is intended to carry out the brutal tyranny which is being set up, the Government will have to follow a man, no matter what the cost may be to the country, to compel obedience to this provision, or, practically, to proclaim to the electors at large that they need not bother about the matter at all, as there is no intention to enforce the penal provisions. Since Ministers have referred to the Attorney-General, and obtained his definite opinion, and also that of his officers, that there is no other way of enforcing this principle, I want them to put to that Department this proposition: "When a judgment has been given against an elector, and there is every reason to believe that he is still in Australia, what is it going to do?" That is, I think, a problem which ought to be answered before we proceed any further with the provision.

Senator KEATING (Tasmania) [3.11].—The more the Ministers address themselves to the clause, the more apparent it becomes that either they have misconceived its purpose and effect, or they are not furnishing the Committee with the fullest information that they have. Just before we adjourned for lunch Senator McGregor pointed out repeatedly what the officer, engaged on behalf of the Electoral Branch of the Home Affairs Department, will have to prove, quite heedless of the fact that the whole object of the clause is that he shall be called upon to prove nothing. The averment, which will have been made some days before the hearing of the case, and which will consist of a very perfunctory act, in most instances, will be proof in itself. Speaking more recently, the Minister of Defence has told us that the Attorney-General's Department has furnished the Government with advice, or with an opinion to the effect that a clause of this kind, is absolutely necessary to carry out the provisions for compulsory enrolment. With Senator Millen, I have no hesitation in saying that that is making too great a strain on the credence of the Senate. The Minister must have misunderstood entirely the effect of the Attorney-General's opinion. I would certainly like to see the opinion of the Attorney-General's Department on a point of this kind. I have never yet known a case where a member of the legal profession, eminent or otherwise, has had the temerity to give an opinion on data not supplied. The clause provides that the averment of the officer shall be proof, in any case, of a prosecution for "any contravention of any of the regulations"—that is, regulations which are not yet in existence.

Senator FINDLEY.—Let us stick to the point.

Senator KEATING.—That is the point.

Senator FINDLEY.—What it refers to is "regulations in respect to compulsory enrolment."

Senator KEATING.—Of course.

Senator MILLEN.—By degrees the Minister will get to know his own Bill.

Senator KEATING.—How many regulations are there to be, and how many penalties are to be provided in connexion with, not a regulation, but any of the regulations—to enforce compulsory enrolment? The Minister has *carte blanche*, as we have said repeatedly, to make any number of regulations in respect to compulsory enrolment, and to impose penalties for a contravention of them. And now we are asked to believe that the Attorney-General's Department has advised that averment for proof is the only means of enforcing compulsory enrolment—averment for proof of a breach of a regulation which is not yet in existence. I venture to say that, neither the present, nor any past, Attorney-General ever hazarded such a speculative opinion. As regards Senator Pearce's allegation that, in a prosecution, the Department will be called upon to prove a series of negatives, I wish to say that it will be in no harder position in that respect than is any one of the State Departments which are constantly enforcing the law. For instance, they are enforcing the Codlin Moth Act, and other Acts, relating to pests. They are enforcing the Local Government Acts.

Senator MCGREGOR.—And enforcing the Dog Act.

Senator KEATING.—Yes, and enforcing the Dog Act, with which the honorable senator appears to be familiar. Senator

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Pearce seemed to confuse entirely two distinct things, namely, what is called *primâ facie* evidence, and what is called proof. In this case, simple averment will not be *primâ facie* evidence, but conclusive evidence, and that makes all the difference. I think I am right in saying that in the large centres of population, particularly, the course will be followed of issuing a whole host of summonses returnable on the one day. I think the Department, anticipating that there will be a great number of offences will have its own form of printed summonses. Those summonses will be issued to a number of persons, and a not inconsiderable portion of those persons will naturally imagine that the summonses are intimations that they are not enrolled, and will suffer some penalty in consequence—the penalty of disfranchisement. Probably that is the only notice they would take of the matter until a fine was demanded of them. I do not want proposed new section 61E to be carried without some provision to protect the individuals who will be served with summonses in that wholesale way, and, before I sit down, I shall indicate an amendment which I shall move in the event of proposed new section 61E not being deleted. The Minister in charge of the Bill took a totally different ground from the other two Ministers. One would be inclined to believe that, in his opinion, the form of procedure proposed is a commendable one—that is to say, that simple averment should be taken as proof if a defendant does not appear and prove the contrary. Does the Minister really believe that?

Senator FINDLEY.—In regard to this measure, yes.

Senator KEATING.—In the Commonwealth Statutes 1905, the Minister will see, if he looks at page 218 in the "Index to Acts in the Appendix—Electoral Act," pretty nearly the whole of a closely printed page under the heading of offences. Will the Minister tell me, in connexion with what other offences under the Electoral Act is averment proof? It is provided in section 173 that—

> To secure the due execution of this Act and the purity of election, the following acts are hereby prohibited and penalized—
>
> (1) Breach or neglect of official duty.
>
> . . . . . .

Then section 174 provides that—

> "Breach or neglect of official duty" includes—
>
> (1) Any attempt by any officer to influence the vote of any elector or, except by recording his vote, the result of any election.
>
> (2) The disclosure of any knowledge officially acquired by any officer or scrutineer touching the vote of any elector.
>
> (3) Any neglect or refusal by any officer to discharge any official duty and any violation by any officer of any provision of this Act.
>
> (4) Any attempt by a person authorized or required by this Act to witness the signature of an elector on the counterfoil of a postal ballot-paper to influence the vote of the elector whose signature he witnesses.

The Minister said just now that he believes that to insist on the principle of averment being proof is the best form of procedure in connexion with this Act. Will the Minister, and the Department behind him, be prepared to take themselves the sauce which they provide for the goose?

Senator FINDLEY.—I said "in regard to this measure."

Senator KEATING.—Here we have an Electoral Act which is filled with provisions for offences, and if the Department, well equipped as it is, and having all possible organization and means to put forward its knowledge in a proper form, thinks that it is necessary to fall back upon averment for proof of an offence against an individual, why will it not accept the same position itself? If any of the officers of the Electoral Branch are charged with an offence against the electoral law, are they prepared to allow a simple averment to be taken as proof of their guilt in the absence of proof to the contrary? If not, I ask, why do they wish to hold that advantageous position as against an individual? If there should be any advantage at all in these matters, the advantage should be extended to the individual—not to the official or the Department. I think it should be certainly explained why, if averment is to be taken as proof in the one case, it should not be taken as proof in the other. I indicated a moment or two ago that I believe that prosecutions under the provision with which we are dealing will be instituted in a wholesale way, and that, in most instances, the Department will find it necessary to have on hand a large number of information or complaint forms, so that the persons alleged to have evaded the obligation of compulsory enrolment may be summoned at a proper time and dealt with in a batch. I can understand that, if the Department had twenty or thirty persons who had endeavoured to evade their obligations to proceed against, it would wish to have them dealt with on the one day, so that the officers could give evidence in a number of

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cases without having to attend Court on several days. But it is obvious to me that a number of persons served with summonses will take no notice of them, and, for that reason, if proposed new section 61E is carried, I desire to have an additional provision inserted.

Senator MILLEN.—You do not mean that the persons who would refrain from taking notice would do so out of disrespect for the law?

Senator KEATING.—No. I would suggest that if proposed new section 61E is carried, the following should be inserted as new section 61F—

> Every summons to a defendant in any such prosecution as last mentioned shall have conspicuously printed upon the face of it a notice in the following terms, namely, "At the hearing of this information or complaint you must tender or produce evidence, otherwise the statement above set forth will be taken as proof without the evidence of any further witness or witnesses in support of the same, and the penalty prescribed for the offence with which you are charged is here set forth."

Unless something of that kind is conspicuously printed on the face of the summonses, a large proportion of the persons receiving them will take them as being notices of the kind which they have received in the past, non-compliance with which involves no responsibility or punishment.

Senator McGREGOR. — The honorable senator is placing a very high estimate on the intelligence of his fellow citizens.

Senator KEATING.—I am not dealing with the intelligence of my fellow citizens at all. I am speaking from some experience and observation, and I know that many circulars sent out in conformity with various Acts of Parliament, both Federal and State, are not read. My honorable friend may think that the glamour of his particular legislation will have a greater attractive force for the recipients of summonses, but I venture to think that experience will prove him wrong. What possible objection can there be to notifying the recipient of a summons that, unless he tenders evidence to the contrary, the statements set forth in the summons are to be taken as proof? I have only indicated this amendment in case there is no possibility of defeating proposed new section 61E. I certainly think that provision should not appear in an Electoral Act. I hope it will be defeated, but, in case it should be carried, I intend to move the addition of the further provision which I have indicated.

Senator MILLEN (New South Wales) [3.25].—I omitted previously to move the deletion of this provision. I now move—

> That proposed new section 61E be left out.

Senator VARDON (South Australia) [3.26].—It was said some time ago that the members of the Opposition were doing all they could to defeat or weaken the Bill. The Opposition did not oppose the second reading of the measure, and we have done nothing, so far, to defeat it. What we did was to endeavour to preserve some of the most humane provisions of our electoral law. When I read proposed new section 61E, I begin to wonder whether I am living in a part of the British Empire where it is a fundamental law that a man shall not be held to be guilty of an offence until his guilt is proved, or whether I am living in France, where, as soon as a man is charged with an offence, he is treated as if he were guilty. Under this provision we are going to throw on a defendant the onus of proving his innocence, instead of putting the onus of proof on the man who makes the charge. That is contrary to all ideas of British justice. It was said that all persons are called upon to obey the law. That is so. The law says, "Thou shalt not steal," but if a man is accused of stealing a penny post-card, the person making the accusation must go to Court and prove the charge before the person accused is held to be guilty. It would not be sufficient for the prosecutor simply to make an averment. Yet, in this proposed new section it is provided that if any officer or any person acting under the direction of an officer simply makes an averment that a man is guilty of contravening the regulations, he is to be adjudged guilty unless he proves the contrary. If a man accused of not having given notice of his change of residence said in Court, "I posted the notice to the electoral officer, and the letter miscarried," how could he prove it? The whole thing is utterly absurd. The Minister says he is going to have the regulations printed and sent to every elector in the Commonwealth. It will mean a big job for the Government Printer to print about 2,000,000 circulars, and it will give a good deal of work to the Postal officials to deliver them, but when a man has got a copy of the regulations, will he fold it up carefully and carry it round about in his breast-pocket, so that he may examine them from time to time to see that he is not violating them in any way? The whole thing is absurd from top to bottom. We are asked to pass a

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provision subjecting electors to penalties for contravening regulations of which we know nothing There may be a dozen regulations. A man will have to bear them all in his mind, carry them about in his breast-pocket, and study them daily for fear he should break one of them.

Senator McGREGOR.—The honorable senator is very innocent.

Senator KEATING.—Can the Minister tell us how many offences there are under the regulations respecting postal voting?

Senator FINDLEY.—No, I cannot.

Senator KEATING.—How can the man in the street know if the Minister does not?

Senator VARDON.—The Opposition have been charged with imagining extreme cases. But extreme cases have to be provided for in Acts of Parliament. If you build a bridge, you have to provide for the heaviest load which it is likely to have to sustain. Similarly an Act of Parliament must be comprehensive enough to cover every instance that is likely to occur. This Bill must be made as perfect and equitable as possible. It is quite true that under some Commonwealth Acts the onus of proof is upon the defendant. A man who violates the Customs law is placed in that position. But such a man violates the law for the sake of personal gain. He is willing to take the risk. But what is an elector going to gain by failing to comply with the compulsory enrolment law or by breaking one of the regulations? He merely injures himself, and does not prevent any one else from exercising the franchise.

Senator FINDLEY.—He contravenes an Act of Parliament.

Senator VARDON.—The Government ask persons to prove what in some cases may be exceedingly difficult of proof. A man's name may not appear on an electoral roll after a change of residence. The Electoral Officer may proceed against him. Suppose the man says, "I filled in a notice of change of residence, put it in an envelope, and posted it to the Electoral Officer." If the Electoral Officer declares that he did not receive the notice, how is the accused going to prove that he duly sent it? Yet that man is to be branded as a law-breaker. I trust that the proposed new section will not be embodied in the Commonwealth Electoral Act.

Motion (by Senator RAE) negatived—

That the question be now put.

Senator MILLEN.—The Committee having just negatived a motion for the putting of the question by an overwhelming majority, can the question be put by the Chairman immediately after that decision?

Question—That proposed new section 61E be left out—put. The Committee divided.

Ayes	...	...	12
Noes	...	...	14
Majority	...	...	2

AYES.

Gardiner, A.	Sayers, R. J.
Keating, J. H.	St. Ledger, A. J.
Long, J. J.	Vardon, J.
Lynch, P. J.	Walker, J. T.
Millen, E. D.	
O'Keefe, D. J.	*Teller:*
Rae, A.	Chataway, T. D.

NOES.

Barker, S.	Needham, E.
Blakey, A. E. H.	Pearce, G. F.
Buzacott, R.	Ready, R. K.
de Largie, H.	Russell, W.
Findley, E.	Story, W. H.
Givens, T.	
McDougall, A.	*Teller:*
McGregor, G.	Henderson, G.

PAIR.

Cameron, Lt.-Colonel	Russell, E. J.

Question so resolved in the negative.

Amendment negatived.

Senator KEATING (Tasmania) [3.45].—I move—

That the following proposed new section be inserted to follow the proposed new section 61E:—

61F. Every summons to a defendant in any such prosecution as last mentioned shall have conspicuously printed upon the face of it a notice in the following terms:—"At the hearing of this information, or complaint, you must tender or produce evidence, otherwise the statements above set forth will be taken as proved without the evidence of any witness or witnesses in support of the same. The penalty prescribed for the offence with which you are charged is (here set forth the penalty)."

I move this amendment because I think the proposed new section 61E will be a dead letter, or it will result in a tremendous number of persons receiving summonses, and not realizing their significance, being found guilty, when they ought not to be, or without having availed themselves of the ordinary methods of fighting the charge. There can, I think, be no possible objection to intimating to every recipient of a summons under the proposed new section 61E, which will be quite different to any other summons they are likely to receive, the consequences which may follow.

Progress reported.

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PAPERS.

Senator PEARCE laid upon the table the following papers :—

Public Service Act 1902-1909—
Documents in connexion with the promotion of Mr. Arthur Philip Westhoven to the position of Clerk (Ledger-keeper), 3rd Class, Clerical Division, Accounts Branch, Postmaster-General's Department, Perth.
Repeal of Regulations 204 and 207, and substitution of new Regulation 207 in lieu thereof.—Statutory Rules 1911, No. 175.

Senate adjourned at 3.50 p.m.

House of Representatives.

Friday 3 November, 1911.

Mr. SPEAKER took the chair at 10.30 a.m., and read prayers.

PARLIAMENTARY REFRESHMENT BAR.

Mr. BAMFORD.—I ask you, Mr. Speaker, what is the position regarding the parliamentary refreshment bar. Yesterday afternoon the House resolved that intoxicating liquor shall no longer be supplied within its precincts, but about a fortnight ago the Senate negatived a similar resolution. Must honorable members who occasionally desire alcoholic refreshment be invited to the bar by honorable senators? Is a notice to be put up in the bar "for honorable senators only," and will members of this House be expected to go elsewhere when they wish a little wine for their "stomach's sake," as I occasionally do. If members of this House are not to be permitted to obtain liquors within the precincts, the bar should be removed to another position, because it is aggravating to have to pass a place where another member is getting a drink when one is not allowed to get one there himself.

Mr. SPEAKER.—I am not prepared to make a definite statement at present, but under the circumstances, if the honorable member wishes to go to the bar he had better get a senator to take him there.

WHARF LABOURERS STRIKE.

Mr. GREENE.—I wish to know from the Prime Minister whether he is aware of the state of things prevailing in the north-eastern parts of New South Wales, as revealed by the following telegram—

Chamber of Commerce, Lismore.
Food supplies running short, heavy losses, local producers' trade dislocated through strike. McLean, President.

Has he read what has been said by the Premier of the State, as reported in this morning's *Age*, to the effect that the work of the port must be carried on, and that the Government will take all steps necessary to prevent the trade of the port from being suspended? Will the right honorable gentleman tell the House what steps he has taken to co-operate with the Premier of New South Wales to keep the Inter-State trade of the port of Sydney going during the strike? If no steps have been taken, will he tell the House how he proposes to assist the Premier of New South Wales?

Mr. FISHER.—The only question that need be answered is the last one. The others mean nothing but a placard.

Mr. JOSEPH COOK.—Is it in order to describe a respectfully-framed question as a placard?

Mr. SPEAKER.—The Prime Minister will withdraw the word, if it is offensive.

Mr. FISHER.—I cheerfully do so, if the use of the word is regarded as offensive.

Mr. GREENE.—It was certainly offensive, and under the circumstances uncalled for.

Mr. FISHER.—Not only am I aware of the trouble in Sydney, but I take my share of the responsibility for localizing it and bringing it to an end. The Government will do everything in its power as in duty bound, to see that the law is obeyed. Ministers are sworn to do that. I read the newspapers as a matter of duty, to make myself acquainted with the facts. Every strike causes loss, but a declaration in Parliament in anticipation of action is likely to be mischievous rather than beneficial.

Mr. W. H. IRVINE.—Have the Prime Minister and Attorney-General taken into consideration the power in the Arbitration Act to have members of an organization who are recalcitrant, or not controlled, or not controllable by it, removed from it? I do not ask for an immediate answer, but I understand that the Ministers really and anxiously desire to localize this dispute.

Mr. FISHER.—I have said so. Why does the honorable member use the word "really"?

Mr. W. H. IRVINE.—I had no intention of saying anything that would annoy the Prime Minister. I draw his attention

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to section 70 of the Arbitration Act, which reads—

The Court may, on the application of any organization, made in the manner prescribed by the rules of the Court, order that any member of an organization shall cease to be a member thereof from a date and for a period to be named in the order.

I ask the Prime Minister whether it may not be wise to consider that provision, which gives ample power to the Court to act on the application of an organization, and to bring it under the notice of the organization with which I understand he and the Attorney-General are not unconnected. It is within their power to apply to the Court to remove from the organization the persons who have actually struck.

Mr. HUGHES.—That organization includes all the persons employed in the industry throughout Australia, and we are doing everything that can be done to obtain the resumption of work. The honorable member suggests certain action in regard to recalcitrant members, and directs attention to section 70, but those who have had experience of unions know that the suggested remedy would be worse than useless at this juncture.

Mr. W. H. IRVINE.—Why?

Mr. HUGHES.—Could we put 5,000 men out of a union?

Mr. W. H. IRVINE.—Yes. That is the only way to deal with them. Otherwise the organization is a farce.

Mr. HUGHES.—They could not be put out without being heard separately.

Mr. W. H. IRVINE.—The branch to which they belong could be heard.

Mr. HUGHES.—The Court does not know branches; it deals with the organization. The members of the organization would have to be dealt with as individuals.

Mr. W. H. IRVINE.—The certificate of registration of the organization is a certificate of the registration of branches.

Mr. FISHER.—I should like to point out for the public information that our positions in connexion with the Waterside Workers Union are purely honorary. That should be made known.

Mr. JOSEPH COOK.—I assure Ministers and honorable members opposite that I wish to do nothing to hinder the peaceful settlement of this dispute. I ask the Attorney-General if his attention has been drawn to the following statement in this morning's paper, made by the Premier of New South Wales, who says—

The Inter-State wharf labourers are bound by an agreement which covers the whole of Australia. Without any notice to their colleagues in other States, without any notice to the Government, they suddenly leave work in violation of that agreement. No definite grievance was stated to anybody in authority in order that some efforts at conciliation might be made, but cessation of work was suddenly brought about by a section of the Sydney branch.

Mr. McGowen then goes on to state his own attitude.

I will appoint an arbitration tribunal to immediately consider the issue. . . . . The work of the port must be carried on, and the Government will take all necessary steps to prevent the trade of the port being suspended. Whatever the consequences may be to the Government, they will discharge their duties to the community.

Under the circumstances, it is the fairest of fair things that the Attorney-General should tell the House and the country what he is doing to co-operate with Mr. McGowen to remove these blocks to Inter-State trade, which it is the special function of the Government to safeguard. That is my question to the Attorney-General, and I now desire to say generally——

Mr. SPEAKER.—The honorable member must not go on to speak in general terms.

Mr. JOSEPH COOK.—I merely desire to say in another form what I have already said.

Mr. SPEAKER.—The honorable member has already asked a question.

Mr. JOSEPH COOK.—I know that; but I ask the leave of the House to say generally two or three words bearing on a very important matter. I take it that we are all anxious to see this trouble settled. I, for one, at any rate, have given evidence of my desire not to embarrass the Government in the slightest degree.

Mr. SPEAKER.—The honorable member is now going beyond the question. He will understand that if I allow him to proceed I cannot reasonably refuse to permit other honorable members to discuss the matter, and a difficulty may, therefore, arise.

Mr. JOSEPH COOK.—I ask the leave of the House; and if I am refused leave, of course I cannot help it.

Mr. SPEAKER.—I shall put the request to the House if the honorable member desires.

Mr. JOSEPH COOK.—I desire to say one sentence only.

Mr. FOWLER.—Why does the honorable member not move the adjournment of the House?

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Mr. HUGHES.—My attention was called to the statement made by Mr. McGowen; and the facts, as stated by him, and read by the honorable member for Parramatta, are, to the best of my knowledge and belief, absolutely correct. That is to say, an agreement did and does exist, and it covers members of the union who work in Sydney as well as those who work in every other port of the Commonwealth. It is a fact that, without any notice at all to their organization, or to any of the branches, the men in Sydney ceased work and broke the agreement. It is a fact, of course, as I have said here previously, that on their doing so, the Council was immediately called together, and the men were asked to resume work, and declined. The honorable member for Parramatta went on to point out what Mr. McGowen had declared his intention to do. As for Mr. McGowen's offer to appoint arbitrators, I say that there is nothing to arbitrate about. There is the agreement which the Federation has entered into, and the men must keep it—they must abide by the conditions, and there is nothing to arbitrate about. So far as the deep-sea men are concerned, I know nothing of the terms of the agreement, if any, existing between them and the deep-sea stevedores. As regards this Government, the position appears to be this: Under the agreement there is a provision made for a penalty, which is, after all, nothing but liquidated damages, for the recovery of which the Attorney-General cannot proceed.

Mr. GROOM.—Can the Registrar of the Industrial Court proceed?

Mr. HUGHES.—No, he cannot. I asked the Registrar to supply me with a report as to what he conceives to be necessary and proper under the circumstances, and the following are extracts from that document—

On reference to clause 13 of the agreement between the members of the union and the steam-ship owners which was filed with me on the 23rd ultimo, it will be apparent that the amount referred to for breach of the agreement is not a "penalty" within the meaning of section 78 of the Act, but "liquidated damages," and therefore the proper person to sue for the recovery of the amount is the Commonwealth Steam-ship Owners' Association (sec. 44*b*), or one of its component companies (sec. 44*c*).

If it is a penalty in the proper sense and not damages, the agreement itself seems not to be an industrial agreement under the Act, for it relates to industrial disputes in the State of New South Wales only, and not to industrial disputes extending beyong the limits of a State (sec. 4).

If it is not an industrial agreement the Commonwealth Steam-ship Owners' Association can sue for it also, and the chances of success are therefore much greater than if the Registrar sued for the recovery of the penalty. The foregoing is clearly an answer to any question as to why the Registrar has not sued under sec. 44 (2) (*a*).

If proceedings are taken by either the Commonwealth Steam-ship Owners' Association or by one of its component companies, or by the Registrar, they would seem to have to be taken, not against the Wharf Labourers' Union or Waterside Workers' Federation, or the officials thereof, who are apparently innocent, but against some one or more workmen who have actually struck work (sec. 44 (1).

As regards the Commonwealth Court of Arbitration, it would be well to understand clearly that it has no jurisdiction to deal with this New South Wales dispute by way of arbitration; but as there was for some time danger of the dispute extending to the other States the President exercised his jurisdiction under section 16*a* to call the parties together to prevent the extension of the dispute to some other State.

That appears to be the position, and nothing, therefore, can be done by the Government until, if such a contingency should unfortunately arise, the dispute extends to other States, when, of course, quite apart from the agreement, there would be an Inter-State dispute, over which the Court has jurisdiction. There remains, then, nothing for the Government to do, and everything that can be done by the organization, as such, has been done. I very much regret the position individually. I am perfectly confident in my own mind that the overwhelming majority of the men now on strike do not desire, and never did desire, for one solitary half-minute, to strike.

Mr. PALMER.—In view of the statement of the Attorney-General that the vast majority of the men now on strike did not desire to strike, who is responsible for the strike taking place?

Mr. HUGHES.—Those honorable members who have had any experience of unions will understand perfectly the position which I put. According to the statement made to me by the Registrar, there were 170 or 180 men present at the meeting which originally decided to strike. There may have been a few more or less at the meeting—I am not quite sure—but there are 4,700 men, to my certain knowledge, in the union. If that meeting had not carried a resolution to strike, there would have been no strike. That is what I meant; and I am going by what I know of the union—

no man knows it better—and I say deliberately now that, if a ballot were taken in the union, there would be an overwhelming majority for a return to work.

Sir JOHN QUICK.—In regard to the question asked by the honorable member for Richmond relating to the duty of the Government to enforce and maintain the principle of Inter-State Free Trade, will the Prime Minister explicitly state that the Government does recognise its duty to remove any obstruction or interference with the free flow of trade between the States?

Mr. FISHER.—This Government, whatever may be said about other Governments, have no need to express the fact that they intend to carry out the duties of a Government according to law.

Sir JOHN FORREST.—In view of the Attorney-General's statement, I desire to ask the honorable gentleman if there are any means by which a vote of 4,700 men of the union can be taken?

Mr. HUGHES.—There are no means at the disposal of the Government. As for the rest, I may inform the House, as already stated in the press, that there is to be another meeting of the men to-morrow morning, and it is to be hoped that from that meeting a different result will follow. If that, unfortunately, should not prove to be the case, a recommendation will be made by the Council of the Waterside Workers' Federation that a ballot shall be forthwith taken.

GENERAL ELECTION: POLLING DAY.

Dr. MALONEY.—In view of the fact that Saturday is chosen as the polling day for general elections many members of the Jewish persuasion have waited on me with a suggestion that some other day should be chosen. One Jewish minister pointed out that if Saturday were now fixed, it might be proposed to have the election on Sunday on the next occasion.

Mr. KING O'MALLEY.—I will have the matter carefully considered. A great race of people, who have played a most important part in the history of the world, should have arrangements, which they consider prejudicial to their interests, carefully weighed.

PERSONAL EXPLANATION.

Mr. PAGE.—I desire to make a personal explanation. Last night I so far forgot myself as to say to the honorable member for Wentworth something for which I am truly sorry. That honorable member was man enough to come and tell me that he did not intend to insult me, and I, of course, accepted his statement. That the honorable member had no such intention is borne out by what appeared in the newspapers of this morning. I mistook the meaning of the words he used, and I apologise, not only to the honorable member, but to the House.

Mr. KELLY.—Perhaps I may be permitted to express my deepest regret that I should, even momentarily, have inadvertently offended the honorable member for Maranoa. My regret now is that for one brief moment he should have thought me prig enough not to feel a deep respect for the ability and grit which have enabled him to graduate with honours in the university of life's experience.

SPECIAL ADJOURNMENT.

Motion (by Mr. FISHER) agreed to—

That the House, at its rising, adjourn until half-past 7 o'clock p.m. on Tuesday next.

PARLIAMENTARY REFRESHMENT BAR: SALE OF INTOXICATING LIQUORS.

Mr. CHANTER asked the Prime Minister, *upon notice*—

1. Is not the vote given in the House of Representatives yesterday that the Parliamentary refreshment bar be closed a breach of the agreement entered into between the State and Federal authorities under which this Parliament occupies the building?

2. The honorable member for Brisbane having stated he had received a letter from the Premier of Victoria in which Mr. Murray said he had no objection to the refreshment bar being closed—is the Prime Minister aware whether that was Mr. Murray's consent, or that of a majority of the Victorian Parliament?

3. Can effect be given to the resolution carried yesterday without the concurrence of the Senate?

4. Has not the Senate during the present session declined to give its concurrence to a similar motion?

5. Does he know of any Parliament in the British Empire that has not a refreshment bar for the private use of its members?

6. Does he consider that the want of sobriety or good orderly conduct on the part of the members of this Parliament has made it necessary or desirable that its refreshment bar should be closed?

Mr. FISHER.—The answers to the honorable member's questions are as follow:—

1. I am unable to say, and have not had time to make inquiries.

2. I understand it is a personal letter.

3. I do not think so.

4. Yes.

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5. I have no information on the subject.
6. People with greater experience declare it to be a model of sobriety.

TRADE AGREEMENT: VICTORIAN MILLERS' ASSOCIATION.

Mr. McDOUGALL asked the Attorney-General, *upon notice*—

1. Whether his attention has been drawn to the printed trade agreement of the Victorian Mill-owners' Association, which fixes the price and general selling conditions of flour, bran, and pollard, and particularly to Rule 47, which reads—

> "The Committee may offer and pay a reward not exceeding Fifty pounds to any person (including a traveller, but not being a member) giving such information with respect to a breach of this Agreement as shall lead to a member being proved to have committed such breach, and the Committee may also pay to such informer (including a traveller, not being a member) the whole or any part of any fine paid by a member committing a breach"?

2. Has he noticed that the flour prices quoted in the Victorian daily papers are supplied by the Victorian Mill-owners' Association?
3. Does he consider that the trade practices of the Victorian Mill-owners' Association in the matter of fixing prices and regulating market conditions are conducive to fair trading?

Mr. HUGHES.—The answers to the honorable member's questions are—

1. Yes.
2. I am not aware whether this is so.
3. No.

ESTIMATES.

ADDITIONS, NEW WORKS AND BUILDINGS.

In Committee of Supply (Consideration resumed from 2nd November, *vide* page 2219):

Divisions 1 to 5 (*Home Affairs*), £824,915.

Mr. JOHN THOMSON (Cowper) [11.3].—We should have some statement from the Minister of Home Affairs regarding the item, "Timber storage shed, £146." I presume that if this item be agreed to it will be followed by a proposal to expend a certain sum on the purchase of timber to be stored and seasoned.

Mr. FISHER.—We are doing that now.

Mr. JOHN THOMSON.—The experiment, I believe, will be found to be impracticable, and neither advantageous nor economical. It is absurd to think of storing in one centre timber for distribution all over the Commonwealth when local requirements can be supplied on the spot. I doubt very much whether there is as much in this idea as some people believe, but even if the Government specified that contractors for Government buildings should use only seasoned timber supplied by the State, I think that the scheme would be found unworkable. I am afraid that there is something in the nature of a fad about this proposal, and, as the representative of a district where hard woods are largely produced, I think the experiment should not be proceeded with. If the Government specify that only seasoned timber should be used on a Government work, why should not the contractor for that work be permitted to purchase that timber wherever he desires to do so? There are in the trade people who make a point of storing millions of feet of timber, so that it may be properly seasoned. Seasoned timber can be purchased in Sydney or Melbourne to-day by any one who requires it. I am not so hide-bound as to be unable to appreciate any innovation, but I am afraid that this experiment is due to the fact that the Minister, who has no personal experience, has been led away by the recommendations of others who are also without experience, and that it will result in loss to the Government. The experience of all men engaged in the building trade is that seasoned timber can be purchased, in the sizes specified, in almost any part of the State of New South Wales. If the intention of the Government is merely to erect sheds in Melbourne or Sydney, and store timber there, I fail to see how they are going to compel contractors for the erection of public buildings in, say, my own electorate, to carry timber from the Sydney shed to the district where, perhaps, it was produced. I am willing to give fair consideration to any innovation that may be proposed, but I hold the view that this experiment should not be taken up, and I hope the Government will not proceed with it.

Mr. RILEY (South Sydney) [11.7].—I trust that the Minister will stand by the item. I have been in the building trade all my life, and am satisfied that the Government are well advised in taking steps to secure a supply of seasoned timber. Nothing depreciates the value of a building to a greater extent than does the use of unseasoned timber in its construction, for green timber causes the walls to crack in every direction. Since the Government propose to erect large buildings in the Federal Capital and other parts of the Commonwealth, they are acting wisely in

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taking time by the forelock and providing for supplies of seasoned timber.

Mr. PAGE.—The Government do not propose to drag timber from one district to another and back again.

Mr. RILEY.—No. I think that the honorable member for Cowper is mistaken in the belief that seasoned timber can be purchased in any part of the Commonwealth to-day. The demand is so great that it is almost impossible to secure it in certain parts of New South Wales.

Mr. ARCHIBALD.—Or anywhere in Australia.

Mr. RILEY.—I believe the position is the same in other States.

Mr. McWILLIAMS.—Nonsense. If a reasonable order is given and reasonable time allowed millions of feet of seasoned timber can be obtained.

Mr. RILEY.—I know men in the building trade who have had to wait weeks to get even green timber. The price of timber is gradually increasing, and there is every reason to believe that that which we buy to-day and store for seasoning purposes will be far more valuable later on. The Government cannot go wrong in storing and seasoning timber. Their proposal is not to compete with timber merchants. This is simply an attempt to provide for our own requirements. The honorable member for Cowper spoke of the Government specifying in their contracts that only certain timber should be used. That is quite a common practice. The Government of New South Wales for example in inviting tenders for the building of an iron bridge specify that the iron shall have been made in the Commonwealth. We have a right to protect ourselves, and I hope that the Committee will not quibble over this item. All men in a large way of business try to keep by them a stock of seasoned timber for building, furniture-making, and other purposes, so that this is really not an experiment. I commend the action of the Minister.

Mr. McWILLIAMS (Franklin) [11.11].—We ought to have some information from the Minister regarding the item. I have no objection to the Government making experiments in regard to the seasoning of timber, but the question raised by the honorable member for Cowper is a very important one. Surely it would be unwise to centralize the timber seasoning process in Melbourne or Sydney and to send timber from one of those centres to Queensland or Western Australia, where material equally good could be obtained on the spot. I do not hesitate to say that if a reasonable order be given and reasonable time allowed any man can secure all the seasoned timber he requires at an exceedingly reasonable price. Instead of there being a dearth of timber, the position until quite recently has been the reverse. For four years and until quite recently the timber mills had an exceedingly bad time, and had to export timber at prices which, in some cases, scarcely paid for cutting. I hope that the Minister will be careful not to attempt to localize in any one State, or in the hands of a few people, the storing and seasoning of the timber required for Commonwealth purposes.

Mr. ARCHIBALD.—It would be all right if the store was to be in Tasmania!

Mr. McWILLIAMS.—My experience of the honorable member is that he judges every one by the unfortunate standard of his own particular proclivities. I suggest to the Minister that it would be better to have a number of small experimental stations or stores in the different States. A process that might be suitable for the seasoning of the pines of Queensland or the jarrah of Western Australia might be totally unsuitable in the case of the stringy bark and blue gums of Tasmania and Victoria. It is well that these experiments should be made, but the Minister, instead of having one large station in Victoria, should distribute his stores over the various States. If the Minister contemplates storing a large amount of timber, cut green, and stacked in sheds without any preparation at all he will find by the time he requires to use it that some of it is turning round and looking at him. I hope the Minister will go a good deal further than he now proposes, and take in hand some of the many preparations now known by which timber can be dried and seasoned without risk of curling, twisting, and splitting. The Minister should also have these stations distributed all over Australia so that all the timbers of the different States will get a fair deal, because it would be positively absurd to attempt to use timber seasoned in Victoria for public works in Western Australia or Queensland.

Mr. FENTON (Maribyrnong) [11.17].—I agree with the honorable member for South Sydney in commending the Minister for taking this very desirable step. I can assure the honorable member for Franklin, who says there is plenty of timber for all

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purposes in Australia, that there is great difficulty, for example, in getting timber, especially Queensland pine, for butter boxes. There should be no need for the Department to rent premises for storing purposes. The back yards of the post-offices in various centres can be made use of for storing timber to be used from time to time in the surrounding districts. I am not enamoured of the idea of patent or hurried seasoning. I question whether it gives the same good results as are obtained from sun-dried or air-seasoned timber. If the Minister proposes to extend his operations in that direction he will require far more money than he asks for in this item. If he wants to go even further than he now proposes, I will lend him every help, because a good supply of seasoned timber will mean that the erection of our public buildings will not be retarded by a shortage of timber supplies.

Mr. HEDGES (Fremantle) [11.20].—If the Government are serious in wishing to season a lot of timber for use in public buildings they can hardly expect to do it by the methods proposed within the time required. There are a number of well-known systems for seasoning timber, and if any of them are to be adopted provision will have to be made on the Estimates for the necessary machinery and kilns. Storing in sheds is not always the most desirable way of seasoning. It takes a long time. In England it has been found that the best way with certain timbers is to leave the logs lying in the water until the natural sap is leached out Then the water which has taken the place of the sap is evaporated, and the timber is found to be better seasoned than if the sap had been left in it. As to the statement that timber is not procurable for public purposes in Australia, honorable members can find an object lesson in this building, containing as it does perhaps the finest piece of work that has ever been put up in the way of timbering and joining. It has stood here for twenty or thirty years to my knowledge, and I defy any one to say it was not built with seasoned timber. There is nothing wrong with it after all that time.

Mr. WEST.—Seasoned timber cannot be got in Australia.

Mr. HEDGES.—Any one who has the money can get whatever he wants in Australia. Storing a lot of timber in a shed will never meet the requirements of the Department. They must go a little deeper into the matter. Whatever timber is required can be obtained in the log or the plank from the different States, brought to one centre, and there put through the process best suitable for each class. Timber is brought to Melbourne in the log from all parts of the world to-day. I passed a trolley load of oak logs only the day before yesterday in Collins-street. They had come from Japan, and would be seasoned here by whatever process was most suitable. The system of seasoning which is suitable for hard wood is not suitable for soft wood. If the Department stacks a lot of timber in twenty or thirty sheds, and tries to treat it all by the same process, no good result will be arrived at. The best and most scientific methods known to the world must be adopted. A great deal has been said of the process of Powellising timber by putting it through boiling water or steam, and then treating it with arsenic and sugar, but I think the boiling or steaming has as much to do with the result as the stuff which is put into it afterwards. Some years ago a vacuum system by which the natural sap was drawn from the timber, was established at Port Adelaide, in South Australia, but so far as I know no process has been so successful as that which I have described as adopted in England. Whoever took on the business of furnishing this House knew more about the processes of seasoning timber than we do here to-day.

Mr. FENTON.—They did not do things so much in a hurry in those days.

Mr. HEDGES.—I doubt if the building of the Federal Capital will be done in a hurry. I believe there will be plenty of time to adopt any system known to the world for seasoning the timber that will be required to furnish the new Parliament House there. It would be hardly advisable to use the hardwoods of Australia in all work. Before money is spend on sheds the Minister should get the best advice obtainable as to the systems of seasoning most suitable for the woods which he proposes to use.

Mr. CHARLTON (Hunter) [11.26].—I agree with a good deal that has been said, but I believe the Minister's action is in the right direction. The question seems to be whether he should adopt some recognised artificial system of seasoning timbers, or whether he should erect sheds as proposed. It is in the best interests of the Commonwealth, from the point of view of economy, to have all the timber it

requires seasoned, and the question of whether Powellising or any other system should be adopted is a matter for future consideration, which will take a considerable time.

Mr. HEDGES.—It is quicker than the shed business.

Mr. CHARLTON. — It may be, but whilst the Government are obtaining information with regard to the different processes some time must elapse, and when the information is obtained a considerable sum of money will be necessary in order to bring the system which is adopted into operation. Our position is that we require timber immediately. Consequently it is necessary to procure it at once, and allow it to season by exposing it to the open air, perhaps under cover of sheds. Our experience has been that timber is now bought direct from the mills and put down before it is properly seasoned, with the result that the floors shrink, and have to be taken up and relaid.

Mr. HEDGES.—That is mostly the case with hard woods.

Mr. CHARLTON.—It applies to any timber, but to hardwoods particularly. In one case I put the timber aside for four months to season, and as a result I had no trouble with the floor. The Powellising system which is used by a certain firm in Sydney is chiefly intended to prevent the ravages of white ants. The Minister has acted properly in providing sheds so that timber may be obtained from the different mills within the Commonwealth, and not imported. If we have timber of our own, we should obtain it and allow it to season until it is wanted. I can assure the honorable member for Franklin that timber is scarce in Australia. I represent a timber-growing constituency—as I did in the State Parliament—and know that timber supplies are rapidly being exhausted, and that as a result the price of timber has increased by 5s. or 6s. per 100 feet during the last few years.

Mr. WEST.—The price has increased 25 per cent.

Mr. CHARLTON.—More than that within the last eight years.

Mr. HEDGES.—Timber was being cut at a loss a few years ago.

Mr. CHARLTON.—The price of timber having increased, it is the more necessary that the Government should have its own supply of seasoned wood. Timber should be stored, not in one State only, but wherever it is likely to be required, and particularly in the Federal Territory, where there will be so great a demand for it in the near future. Timber should be obtained at least five or six months before it is needed.

Mr. HEDGES.—As many years.

Mr. CHARLTON.—The Commonwealth and State Departments now buy their timber as they require it.

Mr. SAMPSON.—All our Government services live from hand to mouth.

Mr. CHARLTON.—That is so. Timber supplies, however, should be bought a long time ahead, and allowed to season. The Commonwealth would save considerably by adopting that policy.

Mr. SAMPSON (Wimmera) [11.38].—As the honorable member for Hunter has pointed out, storage for timber should be provided in all the States.

Mr. WISE.—The sum of £700 is to be voted to provide for storage in Victoria.

Mr. SAMPSON.—I hope that we shall have an explanation from the Minister of what is intended. The need for storing timber has been emphasized by honorable members. I am sorry that the Minister, who prides himself on his progressiveness, has not commenced to grow timber for the Commonwealth. We are asked to vote and re-vote sums for expenditure on the Federal Capital amounting to £100,000, and if the whole amount were expended in planting timber in the Federal area, it would make provision for the future which would be very valuable, and prevent expenditure in directions in which it is not yet necessary. We have, too, enormous areas which might profitably be devoted to the planting of timber. Re-afforestation is one of the most important problems that the Commonwealth and the States have to face. The States might have done more, and we might have done more. In other countries timber reserves are a most valuable asset. The German Government looks after its forests in accordance with the most scientific and best technical principles, and benefits therefrom to the extent of several millions a year. Most of the Federal area, not being suitable for cultivation, should be fit for the growing of timber, it having been proved all over the world that where there is a sufficient rainfall timber can be grown satisfactorily on poor country. On the European Alps, land which was previously valueless has been planted with trees, and now produces good returns.

Mr. KING O'MALLEY.—An amount for afforestation appears on the Estimates.

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Mr. SAMPSON.—No policy has been announced. We should make plantations which will be of value in the future. I hope that the Minister will tell us what he proposes to do in regard to the re-afforestation of the Federal Capital Site. I hope that on revising his estimates he will apply a large part of the sum for which he asks for the Federal Capital, to the planting of the Territory with trees.

Mr. ATKINSON.—Is he not going to plant 1,000,000 trees there?

Mr. SAMPSON.—We have not been told what he is going to do, but if his explanation is not more lucid than that of the other night, we shall not learn much from him. It is a step in the right direction to provide store houses for timber, it being a weakness in our departmental administration that the timber reserves are altogether too small.

Mr. ATKINSON (Wilmot) [11.39].—It seems to me that the Minister means no more than the construction of sheds in Melbourne and Sydney for the seasoning of timber.

Mr. KING O'MALLEY.—That is all.

Mr. ATKINSON.—A great deal has been said about afforestation, and we should be told whether it is the intention of the Department to assist the State in that matter. The timber stored in the sheds which are to be erected will not be available for all the works which the Home Affairs Department will have to carry out; it would not pay to send it from the proposed storehouses to distant States. I should like the Minister to say what is proposed in regard to the Commonwealth generally, apart from New South Wales and Victoria.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [11.43].—The Department has had a good deal of trouble at times in obtaining seasoned timber, and complaints have been made by honorable members about the difficulty of getting work done Owing to the difficulty in obtaining assistance from New South Wales and Victorian officials, who have had an immense amount of work to do themselves, although they have done what they could for us, we have decided, in the interests of expedition, to look after our own works in the two States named, and are, therefore, providing timber stores in them, so that if we cannot get what we need from the mills we can draw on our own supplies. On the Federal area we had a great deal of trouble in getting timber, and had to send all through the electorate of the honorable member for Eden-Monaro for it, buying it green. In some of my own houses I find the verandahs looking at me when I go for the rents, showing that the timber has not been properly seasoned.

Mr. GREENE.—What kinds of timber are to be stored?

Mr. KING O'MALLEY.—All kinds necessary for the works we have in hand. Honorable members opposite appear to be afraid that we are going to establish a great branch or department for the sale of timber. There is, however, no such intention underlying this modest vote of £700.

Mr. WISE.—The Department spent £500 last year.

Mr. KING O'MALLEY.—What is £500? A decent kitchen could not be put up in some houses for such a sum. One of the projects in the Federal territory is afforestation. The honorable member for Eden-Monaro says that I never do anything without letting the world know; but did I let the world know as to the afforestation project?

Mr. AUSTIN CHAPMAN.—Yes.

Mr. KING O'MALLEY.—Then why worry me about it to-day?

Mr. GREENE.—We only desire to know whether the Minister is redeeming his promises.

Mr. KING O'MALLEY.—A Labour Minister must always do that, because his promises are his capital. I agree with the honorable member for Wimmera that there are several processes used; for instance, the one in operation in Sydney has cost the present Mayor of that city £25,000. Possibly later we may have to adopt some process of the kind, which, I understand, has been successful in Western America for over thirty years. They will be required, perhaps, in the building of the transcontinental railway, when there must be timber to resist the white ants. At present, however, we only ask for £700, with a view later to having a shed in each State where timber can be stored and ready for use without delay. We are going to run great industries and have mighty activities in contemplation; and we must make preparation, especially in a territory like this, where there is little or no settlement, and everything is in a state of nebulosity. Under the circumstances we cannot put down the exact sum for every complete work.

Mr. GREENE (Richmond) [11.50].—The Minister of Home Affairs has talked about

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everything and anything but the particular item under discussion. What kind of timber is it proposed to store? The Minister tells us that in the Federal area all sorts of timber has to be used in a green state; but a great deal of our timber cannot be used in any other form. Honorable members who have had any experience of building with seasoned ironbark will know what I mean.

Mr. AUSTIN CHAPMAN.—There are very few buildings of ironbark.

Mr. GREENE.—But my remarks apply to all our hardwoods, which it is practically impossible to use in a seasoned state. On the other hand, all the joinery woods, such as cedar, rosewood, beech, silky oak, and Queensland maple, may be stored and seasoned as much as we like, and are improved thereby, provided they are kept free from ants.

Mr. SCULLIN.—Does the honorable member suggest that no hardwood should be seasoned?

Mr. GREENE.—Not for building purposes, except, perhaps, for flooring, and even in the latter case the wood must not be seasoned too long, or it is otherwise most difficult to join together. There is no necessity to provide storage for any but our joinery woods; and in contemplating the storage of hardwoods the Minister is wasting the country's money.

Mr. OZANNE (Corio) [11.54].—I also am of opinion that the Minister is wasting the country's money in providing £700 for the seasoning of this timber. No doubt it is difficult to season hardwood, but it can be done with proper attention in the case of many varieties. When I was in the Public Works Department we found that if we did not season the hardwood we had a tough job in getting the buildings in proper line. Why I say the Minister is wasting the public money is that in the Northern Territory, and in Papua, we have Possessions from which very valuable timber could be obtained, and where we could establish our own saw-mills.

Mr. AUSTIN CHAPMAN.—Does the honorable member propose to bring the timber from the Northern Territory to the Federal Capital?

Mr. OZANNE.—Undoubtedly. Personally, I am against the establishment of the Federal Capital at Yass-Canberra; but, as the numbers are against me, I must make the best of a bad bargain. By utilizing the timber of the Northern Territory and Papua, we could develop these magnificent Possessions, and save much expenditure to the taxpayer. A gentleman who has travelled through the greater part of the Northern Territory tells me that very valuable timbers are to be found there; and, when I visited Papua, I found launches, yachts, and practically all the residences constructed of local timber, amongst which was some of the best I have ever seen. Instead, therefore, of building the proposed sheds, we should erect saw-mills, and do the seasoning at the places where the timber is grown.

Mr. PALMER (Echuca) [11.58].—I am concerned, not so much with the amount of this vote, as with the principle it involves. This appears to me to be another step in the direction of socializing the enterprises of the Commonwealth; and that view is strengthened by the speeches of the Minister and of the honorable member for Corio. Both of these gentlemen showed us clearly that this proposal is only the straw which indicates the flow of the stream, and that it is intended, ultimately, to establish great and important Commonwealth works in regard to the growing and storage of timber. The success of public enterprises of this kind, up to the present, does not justify us in increasing them, for they are not carried on by the State anything like so satisfactorily as they are by private enterprise. It would seem as if this Parliament has conceived the idea of a socialistic condition of things which. I am quite sure, is not shared by the great bulk of the public. What use can these sheds serve unless they are to be stacked with timber, and how large a sum of money is likely to be involved in filling them with timber if we are to carry a stock sufficient to supply the needs which the Minister has mentioned? I do not think the great bulk of honorable members have seriously considered this question. The erection of the sheds is a comparatively trivial matter, but the storage of timber will involve us in an expenditure that is of the utmost importance. The sheds will be absolutely useless unless a very large sum is spent in storing timber in them.

Mr. GROOM.—Perhaps the Minister will tell the Committee what he is going to spend in that respect.

Mr. PALMER.—I cannot secure his attention; if he has the figures he has not given them to us. The honorable member for Corio has objected that this item does

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not go far enough. He says that we ought to have our own saw-mills. If the Ministry submitted such a proposition to the people it would probably be rejected, because the country is not yet ripe for Socialism. By passing such items as these honorable members opposite are gradually undermining existing conditions in favour of a state of affairs under which the number of Commonwealth employés will be increased, and those engaged in private enterprise will have to compete with those employed by the State. Such a thing ought not to be encouraged, and I think, therefore, that we ought to reject this item. Representing, as I do, a large and important constituency, comprising the Goulburn Valley and Echuca districts, I shall raise a vigorous protest against every item of the kind in these Estimates. This is simply the initial movement towards establishing that which the people whom I represent strongly object to.

Mr. WISE.—Unfortunately, the honorable member represents only a minority of the electors—7,000, as against 10,000.

Mr. PALMER.—After the next general election I do not think the honorable member will represent any one. I am sure that he does not desire to be disagreeable, but he cannot help it; it is his nature, and if he makes disagreeable remarks he must not complain if he receives a reply that is somewhat disagreeable to him.

Mr. WISE.—I do not complain of disagreeable prophecies.

Mr. PALMER.—Will the Minister tell us what class of timbers he proposes to store in these sheds, and what will be the cost to the community? I believe that it will be simply enormous.

Mr. KING O'MALLEY.—The honorable member will have a chance of stopping anything of the kind by his vote in this House.

Mr. PALMER.—I shall vote against it, but, unfortunately, that will not put a stop to the proposal. It is just as well that the public should know that the Opposition are in an absolutely helpless position, so far as the protection of their interests is concerned, since the Government have behind them a majority that is prepared to support them, willy nilly, right or wrong. This is simply another socialistic move, calculated to be for the advancement of a party, and not for the well-being of the country.

Mr. WEST (East Sydney) [12.7].—I should not have risen but for the stupid and uncalled-for remarks made by a number of honorable members regarding this question.

The CHAIRMAN.—The honorable member must withdraw that remark.

Mr. WEST.—I withdraw it. Those who have opposed this item have shown that they have no knowledge of the matter. Users of timber will admit that the Minister has been well advised, for in no part of the Commonwealth can dry timber be purchased to-day.

Mr. GREENE.—People can purchase it if they like to pay the price.

Mr. WEST.—I think not. I know contractors in Sydney who are prepared to give 2s. and 3s. per thousand feet more for dry timber than they are giving for that which is now available; but they cannot get it. Green timber is more costly to work than is dry timber. A joiner cannot use green timber and give satisfaction to the person for whom he is working, and the same may be said with regard to the use of unseasoned timber in the building trade generally. Every system of drying timber tried up to the present time has been purely experimental. Timber can be made fit for use only by atmospheric drying, and honorable members opposite, instead of condemning the Minister, should give him credit for taking action to ensure a supply of dry timber for use in our public buildings. Timber for furniture and fixtures must have been stored for at least four or five years. That which has been put away for fifteen years is better still, and will pay for the cost of storing. Timber used in the manufacture of pianos is sometimes stored for twenty years. I agree with the honorable member for Franklin that the timber-getters have not been receiving a fair price; but that has not led to any reduction in prices to the consumers. The middleman has been reaping the advantage. Our timber supplies are controlled by a combine, which, either on the 1st October or the first of the present month, put up prices by 10 per cent. Our referenda proposals having been rejected, we cannot deal with such combines, and it is therefore more than ever necessary that this action should be taken. I trust that a much larger sum will be asked for to provide for the storing of timber, because seasoned timber must be an invaluable asset to the Commonwealth.

Mr. FAIRBAIRN (Fawkner) [12.12].—Although these are rather small items, a big principle is at stake, and I hope that the

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Minister will look carefully into them. The Minister appears to be introducing the thin edge of the wedge. I suppose that when the store is erected we shall be asked to provide for a storeman, who in turn will want an assistant storeman, and thereafter, perhaps, an inspector will be required to see that those men are not overworked.

Mr. KING O'MALLEY.—We are only going to store timber in these sheds and lock them up.

Mr. FAIRBAIRN.—It would be far cheaper for the Department to go into the open market and buy in the ordinary way the timber that is required.

Mr. KING O'MALLEY.—We are buying it from the mills and seasoning it for ourselves.

Mr. FAIRBAIRN.—As long as the Minister is looking carefully into the matter and can assure me that this proposal does not mean that we are to have a host of additional employés in the service, I shall be satisfied. We must keep a watchful eye on the growth of our financial responsibilities.

Mr. KING O'MALLEY.—The Department of Home Affairs has to carry out works for the Defence and other Departments in which seasoned timber is absolutely essential.

Mr. FAIRBAIRN.—If the Minister assures me that there is not to be a great increase in the number of our employés as the result of the passing of this item I shall be satisfied.

Mr. JOSEPH COOK (Parramatta) [12.14].—This seems to be a very small item to have occupied the attention of the Committee so long, but in some of its aspects it is undoubtedly important. I take it that it consists largely of a re-vote for a project which was discussed last year. I have no doubt in my own mind that many of the projects we are now putting into operation will furnish food for reflection later on, when we see their remnants scattered thick as leaves about the country, and reminding us of the time when people made foolish experiments with the people's money. We have, in fact, got into the habit in Victoria of voting a sum of money for a certain purpose and declaring, there and then, "Look what a success it is," when, as a matter of fact, some years must elapse before we shall be able to take account of these experiments. Although the amount that we are asked to vote in respect of this item is small, I am told on good authority that if the Government propose to go in for the storing and seasoning of timber they will have to spend hundreds and thousands of pounds rather than the trifling £50 or £100 with which the Minister is now tinkering. I am afraid the Minister is neither doing this thing nor letting it alone. He cannot store very much timber in a place that costs £1,000 to build, and where is the money for the timber coming from? Is that on the Estimates, too? If we are to season timber for years, it means the expenditure of hundreds of thousands of pounds, and if all these big projects are to be hung up pending the seasoning of our own timber, I am afraid my good friends, the Victorians, will be perfectly happy, for instance, about the Federal Capital. From all I can see, it is going to be some years yet before the preparations for the Federal Capital are by any means completed.

Mr. KING O'MALLEY.—You will be there in less than five years.

Mr. SCULLIN.—Would the honorable member object so strongly if this money were going to be spent elsewhere than in Victoria?

Mr. JOSEPH COOK.—I am not objecting to the item. What is the good of objecting? I am objecting in the interests of Australia that the scheme of storing and seasoning timber has not been sufficiently thought out. These proposals do not touch the real problem which the Minister professes to have in mind. A trickle of money like this will be no good if he is going into the matter thoroughly. It is only a make-believe.

Mr. OZANNE.—He needs to establish his mills as well.

Mr. JOSEPH COOK.—I believe we voted money last year to build mills with, and we are re-voting the same money to build the same mills now. At this rate the Minister, or somebody after him, will be storing and seasoning timber in the year 1956. Why Victorian members should keep pecking at the Minister on account of the Federal Capital, I do not know. I believe most of their attacks are only make-believe, because at the rate the Minister is going it will be fifty years before we get into the Federal Capital. The Minister is only tinkering with this question; he cannot season timber on the scale that he is suggesting.

Mr. KING O'MALLEY.—The architects and engineers pick out certain timber for

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flooring, and so on; that is all we can season.

Mr. JOSEPH COOK.—I take it that the Department want to season the bulk of the timber they require.

Mr. KING O'MALLEY.—Just essentials.

Mr. JOSEPH COOK.—More than that is required. Is flooring essential?

Mr. KING O'MALLEY.—Yes, very.

Mr. JOSEPH COOK.—Flooring, and posts, and even rails, will need to be stored if the Department are going in for this process, and I make the confident prediction that next year the Minister, if in office, will still have these amounts on the Estimates—a little spent, but a big re-vote asked for—and that there will be no timber in these sheds when we meet again. If these items satisfy honorable members opposite, I suppose it is all right. They are on the Estimates, and what does it matter about the work of the country as long as the Ministerial party are staging their Socialistic schemes? Let honorable members opposite stand up to them, or let them alone. Let us see them carry out their policy in an effective and sensible way. This proposal is doing nothing of the kind. It is only playing at the job.

Mr. GROOM (Darling Downs) [12.22].—There are several items that require explanation. The first is the sum of £100,000 for the Federal Capital, regarding which we are entitled to more information from the Minister than he gave us the other night. Last year £16,043 was expended upon the Capital site. The following are what the Minister said last year were covered by the proposed expenditure of £50,000 voted for 1910-11:—£13,000 for surveys of land; £5,000 for designs; £4,000 for a nursery in which the Minister said he was going to plant a million trees; £22,000 for roads and bridges; and £6,000 for the acquisition of lands. Out of that total of £50,000 he expended only £16,043. We want to know from the Minister how much of those works have been carried out. How much of that money was spent upon surveys? Has he started the large nursery for the planting of trees, which I quite agree is a very necessary and urgent undertaking if the Federal City is to be a beautiful one? How much has been spent on the acquisition of land? These are matters which I presume the Minister has at his fingers' ends under his new reform system, and so he will be able to give us the information without any trouble. With regard to the expenditure for this year the matter is much more serious. The Minister stated that the contingent liability which we would incur by expending a sum of £100,000 on certain works would amount to £250,000. What is that sum for? The Committee ought to know that, by voting the additional amount in these Estimates, they will commit themselves to an expenditure of a quarter of a million pounds. We should be clearly told by the Minister the particular items which are to involve us in that ultimate liability. I am not raising this question in any carping spirit, because, from what I know of the advisers who are behind the Minister in this matter, I believe they would advise him to take only sound courses of action. I believe that he has competent advisers, and I hope he will realize that he has the sympathy of the Committee in expediting necessary works. At the same time we like to know what we are doing. According to the Minister's statement the other night, the works to be constructed include a weir, bridge, water pipes, reservoir, temporary railway, power plant, road-making plant, bridge-building plant, and other things. The Minister, the other evening, bunched all those together, without giving any clear indication of what each would cost. Will he indicate clearly now the nature of each of those works, giving the report of the engineers or other officers upon them, and describing what they are intended to serve? Will he say whether they are to be mere temporary works or to be part and parcel of the ultimate scheme of the completed city? Are the roads and the bridge which are to be built to be part of the general design of laying out the Federal Capital? The Minister has indicated that the railway is to be only a sort of portable tram line. I do not think we can find fault with him in that respect; but I think he had £22,000 down last year for that purpose. Is that what it is going to cost us?

Mr. KING O'MALLEY.—£25,000 this year.

Mr. GROOM.—The Minister also said that all the private properties within a radius of 7 miles of the city are to be resumed. Will he tell us now the exact area of the land which he is absolutely resuming within the city proper? I presume that area has been surveyed, and that the Minister can give us definite information. He ought al[illegible] be in a position to indicate in wha[illegible] is proposed to administer [illegible]; because we have now when [illegible] area

ought to be administered simply as a part of the ordinary work of a Department. We are approaching very near the time when it will be necessary to appoint a Board of Commissioners, or some other body.

Mr. RILEY.—We want a Works Committee.

Mr. GROOM.—We certainly do; but, in the meantime, we want some body with a definite responsibility to supervise and manage the Federal territory.

Mr. FENTON.—Why not have a Public Works Department to look after the whole thing?

Mr. GROOM.—Apart from that question, the problem of the government of the territory will have to be faced very soon. Questions have already been raised regarding its representation in Parliament; but it will become every year more necessary to think over the problem of its local government. It may be necessary to appoint three commissioners, to whom the administration of the whole of the city will be intrusted; or we may have some elective municipality, or a combination of election and Government nomination. We need some body to carry out all public works in the territory and supply the House, from time to time, with a report to show exactly what is going on there. We are dealing with this matter to-day without any printed report showing the progress made, the nature of the works carried out, or the scheme that is ultimately to be evolved for the whole area. We are simply asked blindly to vote one large sum of £100,000.

Mr. KING O'MALLEY.—You get, every two months, a report of what is going on in the Federal territory.

Mr. GROOM.—We are thankful for that information, but we ought to be told what policy is being followed.

Mr. KING O'MALLEY.—A schedule, of which I hand a copy to the honorable member, is being circulated to-day.

Mr. GROOM. — It would have been more satisfactory had the Minister set out in the Estimates the details of the proposed expenditure of £100,000. Perhaps he will make a statement now of his policy. To do so would facilitate the passing of the item.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [12.32].—Usually Estimates are not dealt with until some time after their presentation to Parliament, and to inform myself thoroughly I sent my two leading officers to Yass-Canberra on Monday. I am not omniscient, and can only give such information as I possess. I have prepared a statement of what has been done, and a schedule will be issued to-day.

Mr. SAMPSON.—Why not postpone the item until honorable members have received the schedule?

Mr. KING O'MALLEY.—That is not necessary. The sum of £100,000 is asked for as a contribution towards the cost of starting certain works. Not a penny can be spent until we obtain the necessary land. The Northern Territory land belongs to the Commonwealth, but the land in the Capital Territory is in the hands of freeholders, who purchased it years ago, and must be paid for it. We wish to erect a power plant, which will cost approximately £20,000.

Mr. FENTON.—What is it needed for?

Mr. KING O'MALLEY.—For the enterprises and activities connected with the building of the Federal Capital.

Mr. GROOM.—Is it to provide electrical power?

Mr. KING O'MALLEY.—It is to provide steam power, and is to be built in units, for the generation of electricity.

Mr. GROOM.—Has a site been fixed?

Mr. KING O'MALLEY.—Yes, but no arrangement has been come to regarding land values. Whatever price we pay in the first instance will govern all future transactions in the Territory. I have had as much experience in land valuation as most men, and I am not going to pay what is asked.

Mr. SAMPSON. — Have valuations been made?

Mr. KING O'MALLEY.—Yes.

Mr. AUSTIN CHAPMAN.—The landowners are told that if they do not agree to the Departmental proposals, they must go to Court. That is a nice thing to say to poor men!

Mr. KING O'MALLEY.—If we cannot agree about values, the matter must be taken to the High Court.

Mr. GREENE.—Why to the High Court? Will not that be very expensive?

Mr. KING O'MALLEY. — It is the Commonwealth Court, and the cheapest Court in the world.

Mr. AUSTIN CHAPMAN.—Why not have arbitration?

Mr. KING O'MALLEY.—That is a new proposal. The honorable member

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for Wentworth has stated that the value put on the land must be that which it had in 1908, but he has not gone into the question. Every improvement we make in the Territory adds to the value of the land, and will unconsciously bias any Judge before whom proceedings are taken for resumption. Besides, if we wait another ten years, who will be able to swear to the value of the land in 1908?

Mr. McWILLIAMS.—Why not take the land, and settle these matters afterwards?

Mr. KING O'MALLEY.—That cannot be done.

Mr. SAMPSON.—What provision is there for arbitration?

Mr. KING O'MALLEY.—The High Court has been appointed by the people to settle these matters.

Mr. SAMPSON.—What steps are to be taken before a case goes to the High Court?

Mr. KING O'MALLEY.—We shall meet the men, and deal honestly with them.

Mr. AUSTIN CHAPMAN—The Minister is dealing like a regular Czar.

Mr. KING O'MALLEY.—This is not a personal matter, but were I to pay foolish prices, honorable members would be quick to storm at me for my mismanagement. I am here as a business man, and am not going to make mistakes.

Sir JOHN FORREST.—The Minister is not going to do the work himself.

Mr. KING O'MALLEY.—Certainly, I am. That is why I am here.

Sir JOHN FORREST.—The Minister has his officers.

Mr. KING O'MALLEY.—My decision is final. I am not going to be a rubber stamp.

Sir JOHN FORREST.—The honorable gentleman knows nothing about land values in the Territory.

Mr. KING O'MALLEY.—I should like to have a deal with the right honorable member for Swan. I have not looked back since I struck your country.

Sir JOHN FORREST.—The honorable gentleman knows too much.

Mr. KING O'MALLEY.—I know enough to run this show. The eyes of the world are on Yass-Canberra. We propose to spend £30,000 on brickworks. £30,000 on the Cotter river weir, and £140,000 on water supply, mains, pipes, reservoirs, pipe tracks, pumping stations, &c.

Mr. GROOM.—Has a site been settled?

Mr. KING O'MALLEY.—Nothing can be done until land is available.

Sir JOHN FORREST.—Where is the water to be brought from?

Mr. KING O'MALLEY.—From the Cotter river, across the Murrumbidgee. The water that supplies New York is brought across the Harlem River at Highbridge. A pipe bridge over the Murrumbidgee will cost £40,000, and £25,000 is to be spent on a railway from Queanbeyan.

Mr. SAMPSON.—A permanent line?

Mr. KING O'MALLEY.—No. A permanent line cannot be constructed until the plan of the city has been determined, and designs will not be sent in before February. All the earth could not make me do anything until then. Ten thousand pounds is needed for road-making and deviations of existing roads, and £13,000 is asked for offices at Acton, afforestation, &c.

Mr. GROOM.—Does that include the nursery?

Mr. KING O'MALLEY.—Yes. I am prepared to do all that honorable members suggest should be done, but it cannot be done in a moment. For joinery timbers £5,000 is asked. This makes a total of £313,000.

Mr. GROOM.—That is what we are committing ourselves to?

Mr. KING O'MALLEY.—Yes.

Mr. AUSTIN CHAPMAN.—That will only touch the fringe.

Mr. KING O'MALLEY.—Only the outer skirts. Money is also required for the purchase of land; and the reason for fixing a lump sum is that some of the works will depend on its acquisition. If we simply vote each item, we shall not be able to go beyond the vote, and at certain places the work must be stopped. After eighteen months' experience as Minister I have come to the conclusion that we have a most foolish method of finance. If we had a proper system, money not required for one item could be used for another, instead of having to be re-voted.

Sir JOHN FORREST.—The Minister could do as he chose then!

Mr. KING O'MALLEY.—Do honorable members think that a Minister, no matter on what side of politics, is going to devote the money to his own private use?

Sir JOHN FORREST.—A Minister should not have unrestricted control.

Mr. McWILLIAMS.—How much is down for land acquisition?

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Mr. KING O'MALLEY. — That is bunched with the other proposed expenditure, and no amount is specified for that purpose.

Mr. GROOM.—There is the re-vote.

Mr. KING O'MALLEY.—Of the re-vote £24,000 is already spent, leaving only £9,000. Without ill-feeling I ask whether honorable members mean to carry out the contract with New South Wales. When I took office I swore to administer the Department, not in the interests of one State or of a section of a State, but in the interests of all Australia.

Mr. PAGE.—What will be the effect if we knock this vote out?

Mr. KING O'MALLEY.—It will be a repudiation of a contract, like a man repudiating his honest debts.

Mr. WISE (Gippsland) [12.48].—Honorable members must more than ever be impressed with the necessity for some new arrangements in connexion with the Federal Capital. Last night I said that some scheme ought to be laid before the House so that we may know how much we are called upon to spend over a certain number of years; and the importance of some statement on the subject is made more manifest by what we have heard from the Minister to-day. He now seeks to commit us to an expenditure of £313,000, although the building of the city is not yet started.

Mr. KING O'MALLEY.—It will be more like £3,000,000!

Mr. WISE.—I am glad to know the extent to which the Minister is prepared to go. Is the Committee going to blindly vote, year after year, immense sums to be expended in any way the Minister may think fit, or are we going to insist on a proper scheme for the government of the Territory, with the necessary policy statement placed before us and approved before the money is spent? We must not forget that last year strong objection was raised to the expenditure of £50,000. That was the beginning of this reckless expenditure; and I have no hesitation in saying that we are acting recklessly when we vote large sums in the absence of any binding details. We were asked last year, without any warning, to vote £50,000; and we were kept here until the next morning before it was voted. Many members who voted for the expenditure on that occasion justified the Government; but they did not anticipate that a lump sum would be asked for again this year. The Minister tells us that £24,000 has already been spent of the £33,957; and I take it that that has been spent since the 1st July, or otherwise it would have been added to the £16,000. I have good reason to know that the expenditure on the Territory was stopped about a couple of months ago, owing to the difficulty of dealing with the lands; and I should like to know the details of the expenditure of £24,000 after the 1st July. We are asked to vote in this sum £20,000 towards the expenditure on a power plant, the establishment of brick-works, and a weir, without being told where these are to be established. The weir involves the question of whether we are to have a pumping scheme of water supply, or, as the honorable member for Swan suggested the other day, a gravitation scheme. Is that question to be decided by the Minister at his own sweet will, or are we to have a say? It seems to me that we have reached a stage when we must insist on some scheme being submitted before we vote further money. There are other unsatisfactory aspects of the question. I have a recollection of hearing the Minister, within the last twelve months, state that the Government were still negotiating with New South Wales for the handing over of some further territory in connexion with the waterworks.

Mr. KING O'MALLEY.—Hear, hear!

Mr. WISE.—We have not been told how these negotiations have proceeded. I take it that, when the negotiations were started, it was considered necessary to obtain the land; otherwise, why spend the money until the land is considered necessary? Again, the Government were also negotiating for some further territory at that precious seaport called Jervis Bay, where we have a small strip which stops at high-water mark. Have the Government got another concession there, or are they still negotiating?

Mr. KING O'MALLEY.—That is settled.

Mr. WISE.—Have we got any right to go into the water?

Mr. KING O'MALLEY.—I think we have got everything at Jervis Bay.

Mr. WISE.—If so, does the Minister not think it fair that he should have informed the House on the matter by means of a return laid on the table? I am very much surprised to hear the Minister say that he was taken by surprise by the Government going on with these Estimates this week. Does the Minister know what the Government have decided on?

Mr. KING O'MALLEY.—Certainly.

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Mr. WISE.—Then why was the Minister taken by surprise? Why did he think it necessary to send two of his officers on Monday to furnish us with information, when the item was being debated? The Minister either knew nothing of the Government being determined to go on with the Estimates this week, or he simply sent those officers away on a fool's errand. If he considered it was necessary to get the information, he certainly ought to consent to postpone this item until it is obtained. Singularly enough, he tells us to-day that a report is to be issued to members showing what has been done up to date; but what is the use of giving us that information to-morrow when we are dealing with the item to-day? In order to test the sincerity of the Committee, and taking it that the Minister has spent £24,000 out of the £33,000, I move—

That the item "Federal Capital at Canberra, towards cost of establishment, £100,000," be reduced by £66,000.

Mr. SAMPSON (Wimmera) [12.55].—The amendment is a very timely one; and I hope it will be carried by the Committee. At this critical moment, we ought to have regard to the expenditure that must take place if this vote be passed. A warning was given last year when £50,000 was asked for purely preliminary work; and we had no idea that the Minister would this year submit votes involving an expenditure of between £300,000 and £400,000.

Mr. KING O'MALLEY.—Only a few thousands are to be spent this year.

Mr. SAMPSON.—But we shall commit ourselves to a policy involving, as the Minister tells us, an expenditure of perhaps £3,500,000.

Mr. RILEY.—The whole Commonwealth committed itself to this expenditure by adopting the Constitution.

Mr. SAMPSON.—It is true that, having made a bad bargain, we should carry it out faithfully; and I have never heard any desire expressed by any honorable member to repudiate the contract entered into. But, having selected a site in good faith, it seems to me unseemly to attempt to force an expenditure of millions; all we should be called upon to do at present is to carry out works of a preparatory or preliminary character. I have in my mind more particularly the planting of trees.

Mr. JOSEPH COOK.—Are we to stay here until the trees grow?

Mr. SAMPSON.—That is not necessary. We all realize that New South Wales, as the largest State, may desire to have the Federal Seat of Government within its territory. Personally, I should be prepared to allow the Parliament to sit in Melbourne for twenty years; then in Sydney for twenty years; and then, if practicable, in one of the other States for a similar term.

Sitting suspended from 1 to 2.15 p.m.

Mr. SAMPSON.—I realize that there is no possibility of calling a halt in the huge expenditure that is promising in connexion with the Federal Capital.

Mr. RILEY.—These Nationalists are downhearted.

Mr. SAMPSON.—The question can be dealt with on purely national lines without our spending more money for some considerable time on the Capital site. I do not think that the honorable member for South Sydney, nor any other honorable member, can complain that any desire to repudiate the bargain entered into with New South Wales at the inception of Federation has ever been manifested in this House. Some honorable members think that the Capital site having been selected, we should have proceeded at once to erect there necessary public buildings.

Mr. WEST.—Hear, hear.

Mr. SAMPSON. — That may be all very well from the stand-point of the life of one individual, but we are intrusted with the destinies of Australia as a whole, and our first duty is to encourage people to come here, and to assist in developing the resources of the country as speedily as possible. Our public moneys should be expended in that direction before we proceed to a large outlay on ornamental buildings for which there is no crying necessity. If any of our early pioneers who struck out on the land, either as farmers, graziers, or cultivators, had expended the whole of their capital in building elaborate homesteads, instead of fencing in their ground, excavating dams, and otherwise improving the productivity of the soil, they would have found themselves in the Insolvency Court before they had made a fair start in the development of their holdings. But what position are we taking up? We are but a small scattered community controlling an enormous territory comprising 3,000,000 square miles, and there can be no doubt that it is the unmistakable duty of this Parliament to push on with the development of the continent. No one can say there is

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any pressing necessity to procced at once to expend millions in building the Federal Capital in order that our work of legislation may be carried on. There is no desire on the part of representatives of Victoria to keep the Federal Parliament in Melbourne for any length of time. I would willingly vote for any other capital city in the Commonwealth being made the Seat of Government in order that we might escape for some years, at least, the enormous expenditure of which this item on the Estimates is but a preliminary. We have to take up a new position in the light of the statement made to-day by the Minister of Home Affairs. Last year we were told that the item of £50,000 which we were asked to vote towards the establishment of the Federal Capital at Canberra was merely designed to meet preliminary expenses. To-day, however, we are asked to agree to an additional vote of £66,000, and we have forecasted by the Minister an immediate expenditure of £313,000. This sum of £66,000 is to be expended on preliminary work, the total cost of which will amount to £313,000, and we have the Minister's own statement that that work is to be the basis of a further outlay of £3,500,000. This is a very serious matter, having regard to the fact that the present Government has already heaped up the debt of the Commonwealth to the extent of £14,500,000. This is not the occasion on which to discuss the whole of the finances of the Commonwealth, but we cannot view this proposed expenditure of something like £3,500,000 on a Federal Capital without glancing at the growing general expenditure of the Commonwealth.

Mr. FISHER.—Does the honorable member wish the public to believe that this Government has incurred a debt of £14,500,000?

Mr. SAMPSON.—I do.

Mr. FISHER.—Then the honorable member has no reasonable conscience.

Mr. SAMPSON.—The right honorable gentleman might well have waited until I had finished my statement before making such an uncalled for interjection.

Mr. FISHER.—The honorable member said that this Government had piled up a debt of £14,500,000.

Mr. SAMPSON.—It has landed the Commonwealth in a liability of about £14,500,000.

Mr. WEST.—Nonsense!

Mr. SAMPSON.—Then I will explain the items. In connexion with the Northern Territory, we have taken over a debt of £3,500,000; the construction of the railway from Port Augusta to Kalgoorlie will involve an expenditure of anything up to £5,000,000; the liability taken over in connexion with the Oodnadatta railway amounts to another £2,000,000; and our Defence expenditure has been increased by about £4,000,000.

Mr. KING O'MALLEY.—Did not every Government for about ten years pledge themselves to that expenditure?

Mr. SAMPSON.—If the Minister will restrain himself for a little while, I shall proceed to tell the Committee that I believe the expenditure to which I have just referred is necessary. I have no complaint to make regarding the way in which our liabilities have been increased to this extent. We shall be able to deal with all those matters when the Budget is before us; but I may say that I agree with the principle that, for the development of this great continent, these enormous works must be undertaken. That in itself is the best justification we could have for our objection to an expenditure of £3,500,000 on works at the Federal Capital, which cannot be reproductive, are not necessary, and, in time of drought and scarcity, must seriously detract from our ability to enter upon great undertakings that are essential to the development of the country. It is because we have incurred this great liability that I say we should hesitate to enter upon an expenditure with respect to the Federal Capital, for which there can be no justification at this early stage in our history. In view of the enormous debt we have incurred, we must also remember that our taxation has been substantially increased. The revenue from Customs and Excise last financial year is nearly £3,500,000 in excess of that of previous years, and we have also collected something like £1,500,000 in respect of the land tax. I am not prepared to say now whether or not there is any justification for the largely augmented revenue which the Treasury is enjoying, and to which our wonderful and beneficent seasons have materially contributed; but, in the light of this enormously increased revenue, and the substantial instalment of direct taxation that has been imposed, and in the light of the liabilities already incurred—amounting, as I have said, to nearly £14,500,000—it must be admitted

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that there is no justification for the proposed heavy expenditure in ornamenting what is now an unpopulated expanse of country. This is not a battle between Victoria and New South Wales; no question of provincialism is involved. An important national issue is at stake, and it ought to appeal to every honorable member. We ought, first of all, to do our duty to the people of Australia by developing the interior in a way that will induce people to come here in large numbers, and thus provide, in the best of all ways, for our safety. I am not criticising the expenditure on the Federal Capital in any captious spirit. If it could be shown that we could remove to Yass-Canberra with a minimum of expenditure, and be able there to carry out more efficiently the work intrusted to us, I should say by all means let us go there at once. Let us establish the Seat of Government in Sydney, or any other State capital, for fifteen years; let us do anything that is reasonable, in order that we may escape this immediate expenditure of £3,500,000. It is time for us to seriously consider the whole financial position of the Commonwealth. We must look into the future and decide whether, in any circumstances, we should be justified in plunging at once into this reckless and wasteful expenditure of public money. I support the amendment moved by the honorable member for Gippsland, and regret that the Parliament has not had an opportunity to review the whole financial situation before being called upon to deal with the Works and Buildings Estimates.

Mr. RILEY.—The same principle was involved last year when we voted £50,000 towards the construction of the Federal Capital.

Mr. SAMPSON.—Certainly; but the position has become more acute. We can avoid the whole of this proposed expenditure without repudiating the bargain with New South Wales. The cry of "repudiating the compact" is always raised in order to strangle the national consideration of this question; but I have never heard any talk of repudiation, except on the part of some honorable members directly interested in New South Wales. Representatives of the other States do not wish to repudiate the bargain. In the history of Australia, a delay of twenty-five or fifty years in the building of this Capital will be as nothing.

Mr. KING O'MALLEY.—We shall all b[illegible] dead fifty years hence.

Mr. SAMPSON.—We are not building for our own pleasure or convenience, but for the future safety, progress, and comfort of the people of the Commonwealth. The Minister's view is a purely individual and almost a selfish one. This Parliament has cast upon it the duty of building up and perfecting the permanent institutions of the Commonwealth, and, therefore, we, as members of it, should take the same view of the future requirements of the Commonwealth as we do of our own individual pleasure and comfort. The Minister, I am glad to say, has given us a good deal more information than he vouchsafed on this subject on a previous evening. The information we now have gives us an idea of the proposed destination of the money, but it has placed the question in a light in which it was never placed before this House previously. The Minister forecasts an expenditure of £313,000 immediately.

Mr. KING O'MALLEY.—Not immediately.

Mr. SAMPSON.—The Minister proposes to start immediately works which will involve that expenditure. Part of the £66,000 now asked for will be devoted to beginning certain works which once started must be completed. They will involve an eventual cost of £313,000. No period is stated, but in the next Estimates, which will be brought down in about six months' time, the rest of that sum is sure to be asked for. The Minister has indicated that this is only the beginning of an undertaking that will cost £3,000,000.

Mr. KING O'MALLEY.—That £3,000,000 will be expended over about thirty years.

Mr. SAMPSON.—The Minister will finish the work long before that if he has his way. He is always quoting America as the pink of perfection in all public institutions, but if he looks up the authorities on the condition of Washington, he will find that it is the "deadest" and least progressive city on the face of the earth. That is the position of the Capital City of a nation of 90,000,000 energetic and progressive people, who have an immense commerce, after being established for over a hundred years.

Mr. KING O'MALLEY.—It is a purely political city.

Mr. SAMPSON.—It has no resources, and yields no revenue. It is a constant source of ex[illegible] to the American S[illegible]

[illegible] The trouble is [illegible] as we shall.

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Mr. SAMPSON.—The land fit for settlement immediately surrounding the Capital at Yass-Canberra is valued at about £2 an acre on the average. I am not including the ranges in that, but am speaking only of the freehold land that has been alienated from the Crown. Land of that value, if leased out, will return a very small revenue to the Commonwealth. As a matter of fact, the Federal Capital has been unfortunately placed in a territory which, under any conditions, cannot be made to yield a large revenue by the leasehold system. It will, therefore, mean all out-going, to be borne by the people of Australia. The place cannot be made a reproductive business concern. If the United States, with their 90,000,000 people cannot make a progressive commercial city of their capital, how is it possible for the Australian Commonwealth, with 4,500,000 people, to build a capital that will be anything more than an enormous annual drag and drain on its resources for the next hundred years, even in the most favorable circumstances? We ought to bear in mind the enormous financial undertakings in which we have already embarked, and the greatly increased expenditure undertaken by the present Parliament and Government. I hope, in view of the great liabilities which we are undertaking, and the greatly increased taxation rendered necessary, that this Parliament will hesitate, apart altogether from State or provincial considerations, before it commits the people of Australia to the enormous expenditure of £3,500,000 on the creation of a Federal Capital.

Mr. PARKER MOLONEY (Indi) [2.37].—The honorable member for Wimmera, in referring to the enormous expenditure which is, he says, "being heaped up" by this Government, repeated a statement that we frequently see in the press. To prove it, he made reference to the transcontinental railway and the Northern Territory, but the very people who are accusing the Government of heaping up expenditure in connexion with those matters cry out with the same breath about the great necessity for going on with those great national works.

Mr. SAMPSON.—I did not condemn the expenditure.

Mr. PARKER MOLONEY.—I know the honorable member made a further explanation of his statement, but we hear and read almost daily accusations against the Government of increasing the expenditure. While the expenditure has gone up, and must necessarily go up, great works are now being undertaken in Australia which have never been faced in the past. If this is to be a great country, and we are to have an adequate system of defence, projects like the transcontinental railway and the development of the Northern Territory cannot be lost sight of. I recognise those to be necessary works, and, therefore, we should go on with them, but that is all the more reason, as the honorable member for Wimmera said, why we should cut down expenditure on unnecessary works, of which the building of the Federal Capital is one. While we are blessed with bountiful seasons now, there may be droughts and bad times ahead of us. That is no reason why we should not go on with necessary works, but it is a very good reason for not embarking upon unnecessary works. When last I spoke on the question of the Capital site I condemned the site itself and its water supply, mostly, I admit, upon hearsay, as did a number of other members who had not had the opportunity of seeing the place. Since then I have been to the site, and seen it for myself, I am prepared to admit that it is a much better place than I previously thought, and the water supply is much better than a great many honorable members here thought it was. In fact, it exceeded my anticipations altogether. I was rather agreeably surprised with what I saw at the site in regard to the water supply and the scenery —I recognise that I saw it at the best time of the year—yet I am consistent in still opposing the expenditure of any further public money on works at Yass-Canberra. My action on previous occasions was not based solely on the ground of any demerits of the site, but was rather directed against the expenditure of public money upon a work which could be set aside for the next quarter of a century.

Mr. MATHEWS.—You are up against the Constitution if you take that stand.

Mr. PARKER MOLONEY.—There is great anxiety on the part of certain honorable members to obey the Constitution when it suits them, but the Constitution does not demand that immediate steps should be taken to build the Capital City. I should like the Minister of Home Affairs to supply us with information as to the sums now spent in renting public buildings. If we knew what we are now paying in rent, we might compare that with the probable cost

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of establishing the Capital at Yass-Canberra, and the removal to the Federal City might prove a businesslike arrangement. I hope that before the debate concludes the Minister will give us the figures needed for the comparison I suggest. They might obviate a lot of criticism. Whenever a Victorian representative speaks on this subject, he is told by the representatives of New South Wales that his views are parochial, but personally I should be quite ready to have alternative meetings of Parliament in Melbourne and Sydney, or any of the other State capitals. The sum of £20,000 is to be spent, the Minister tells us, on power plant, £140,000 on water supply mains, pumping works, &c., and £40,000 on a pipe bridge over the Murrumbidgee. Much of this expenditure would be unnecessary were not the Capital site so remote from a water supply. I understand that the water that is needed will have to be raised 800 ft. by means of pumps driven electrically from a power-house at Yarralumbla, and then conveyed thirteen or fourteen miles.

Mr. WEST.—We could not dispense with water mains in any case.

Mr. PARKER MOLONEY.—Mains would cost less if the water had not to be conveyed so great a distance. The Minister tells us that we are committing ourselves to an expenditure of £3,000,000. We are not asked to vote that sum right away—it is being asked for piecemeal—but we cannot shut our eyes to the fact that we are committing ourselves to the whole expenditure. I shall not now criticise the site that has been selected. All that can be said has been said on that subject. New South Wales members seem to want to have the thing settled. They are in favour of the expenditure of large sums at Yass-Canberra, so that in future the country cannot draw back. Apparently Sydney representatives in the Parliament of New South Wales are afraid that otherwise a rival to Sydney will spring up. The electors of Australia, however, are not demanding this expenditure, and the Constitution does not say it must be made at once. I think that there is no hurry, and the Minister will not lose kudos by delay. Although times are good now, they may be bad in the near future. There are large developmental works which we must undertake, and unnecessary works can wait. More good could be done by spending this proposed sum of £313,000 in improving our telephone system, and in providing conveniences to the country districts than by carrying out works at Yass-Canberra. The contract with New South Wales embodied in the Constitution cannot be set aside, but I hope that the carrying of it out will be deferred for some years.

Mr. McWILLIAMS (Franklin) [2.55].—The Minister has told us that in voting for the item under discussion we shall be committing ourselves to an expenditure of nearly £400,000. He enumerated a number of proposals, but gave no information as to the need for them, nor did he tell us whether plans and specifications have been prepared. I think Parliament should consider immediately the advisability of creating a Public Works Committee such as they have in New South Wales and Victoria, to which large proposals of this kind would be referred. While surpluses were being returned to the States, there was a check on our public works expenditure, and there was not so much need for the investigation of Ministerial proposals by a Committee. But the public works expenditure of the Commonwealth is now attaining such proportions that it is our bounden duty to prepare for its careful scrutiny. In New South Wales every work estimated to cost £20,000 or more must be inquired into and reported on by the Public Works Committee, and the report of the Committee must be considered by Parliament. The works referred to by the Minister of Home Affairs would, under the New South Wales law, nearly all have to go before the Public Works Committee, and it is not fair to ask us to commit ourselves to them without giving us any information regarding them. I opposed the building of a Federal Capital at the present time, thinking it twenty or tweny-five years too soon. We might very well have put up a building in the National Park, at Sydney, and sat in Melbourne and Sydney for alternate 10-year periods.

Mr. KING O'MALLEY.—One has to pay by the inch for land in Sydney.

Mr. McWILLIAMS.—The National Park is public property, and I am sure that the citizens of New South Wales would be glad to give us the necessary land. This House has, unfortunately, by a large majority, decided that the Federal Capital shall be established; and, as the Government h[illegible] behind them, it is [illegible] to offer any op[illegible]rge the necessity [illegible]ic works in the [illegible] by the States.

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If a proposal such as this had been made in any State Parliament, it would have received very short shrift. By this vote of £66,000 we are committing ourselves to an expenditure of nearly £400,000. I desire to know, Mr. Chairman, whether I should be in order in moving an addition to the amendment providing that the money be not voted until the matter has been referred to a public works committee.

The CHAIRMAN.—The honorable member would not be in order in moving such a condition, because it would apply a condition to the vote, which is distinctly against what is laid down in *May*.

Mr. McWILLIAMS.—Then, I feel so strongly that I shall take the course of submitting a motion in the House affirming that a Public Works Committee should be appointed. We are faced with enormous expenditure in the case of the overland railway and the Northern Territory, if the latter is to cease to be a mill-stone round our necks, and become reproductive. It is too much to ask any Minister or Department to deal with large expenditure of the kind without the assistance of some such body as I suggest, and such as can be found in operation in some of the States. We are asked to vote lump sums without any official reports or other information as to details; and I am sure there is not a business man in the community who would permit such a method in his own affairs. The sooner we realize the seriousness of the position, and appoint a Public Works Committee, the better it will be for Australia.

Mr. OZANNE (Corio) [3.5].—I intend to support the amendment. I looked on the Minister of Home Affairs as a business man; but the manner in which he placed the Estimates before us the other night inclines me to waver in my loyalty to that ideal. I have had some experience in drawing up estimates; and I know that it is necessary, not only to show all the details, but to give reasons for the details. Here we are simply asked to vote £100,000 in order to build a city in the bush. Last year, when we voted the £50,000, some details were given.

Mr. KING O'MALLEY.—We can do nothing unless we buy the land.

Mr. OZANNE.—Then the Minister should not ask for further money until the land is secured, because we may be in the same position next year.

Mr. KING O'MALLEY.—Then we shall send no money.

Mr. OZANNE.—Had details been given the other night, a great deal of time would have been saved. It is only when the Minister finds himself, as it were, in a hole, that he lays before us information which shows an expenditure, not of £100,000, but of £313,000. It is false economy to ask for only £100,000 if a larger sum be necessary, because to fall short of funds at a particular period of construction might largely increase the ultimate cost. It is stated that the Federal Capital will cost £3,000,000, but I think the figure will prove to be much higher. When, a little time ago, we asked for some consideration to be shown to the members of our Military Forces, we were told that the finances would not permit of it; and yet we are asked to vote this large sum for the purposes of a Federal Capital. I feel quite sure that if the question were submitted to the country, every State but that of New South Wales would vote against the establishment of this city. The population of Australia is only a little over 4,000,000; and yet it is proposed to have another capital. It is true that in the United States there is a Federal Capital, but it is purely a political city—practically dead commercially—and there are 103,000,000 people to share the cost. As pointed out by the honorable member for Wimmera, we are faced with expenditure in other directions amounting to £14,000,000; and yet the handful of people here are to be asked to provide another £3,000,000 for this unnecessary undertaking. It seems strange that the Labour party, which aims at high ideals, cannot see its way clear to pay the individuals who are the producing workers of the country sufficient to bring their families up in comfort, and that the Government, at the same time, should ask us to pass the vote under discussion. The whole position is absurd. I understand that there are Public Works Committees in some of the States which do very valuable work, and the creation of such a body for the Commonwealth would relieve Ministers of great responsibility. With a Public Works Committee to inform and advise him, the Minister of Home Affairs would not find himself in the predicament of the other night, when he was absolutely unable to reply to the criticism levelled at him.

Mr. PALMER (Echuca) [3.12].—I regard it as irrevocably settled that we shall have a Federal Capital, but I submit that the proposed expenditure is absolutely in

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defiance of the desire of the important constituency I represent. It is, therefore, my intention to support the amendment moved by the honorable member for Gippsland, and I, perhaps, should do all that is necessary if I said "ditto" to what has already been advanced in favour of that proposal. There is, however, one aspect that has not yet been dealt with. It is the determination, I understand, that this city shall be a model one in every respect, and to that end competitive designs have been invited. We are now asked, however, to vote money for certain works, and we are not told whether these will dovetail in with the plans as ultimately adopted. It appears to me that, in carrying out works at this stage, we run the risk of having to undo them when the plans for the city are adopted. That is not a fair position in which to place the country and Parliament. Before a penny is spent in any permanent work, the whole scheme and design should have been settled. I, for one, have not that faith in the Minister of Home Affairs that he has in himself. Perhaps that is only reasonable. Certainly, even if he be the only banker in Australia, I do not think he can claim to be the only architect in the Commonwealth.

Mr. RILEY.—Did not the honorable member's vote determine the selection of Yass-Canberra?

Mr. PALMER.—I have already said that I consider that the question of site is irrevocably settled. We are now dealing with the question of the money to be expended upon it.

Mr. KING O'MALLEY.—The honorable member does not want anything to be done.

Mr. PALMER.—I do not desire that there shall be expended on the site the large sum proposed by the Minister. I believe that there is developing in the public mind a feeling of dismay regarding the enormous expenditure that we have in contemplation. Many of the items are justifiable——

Mr. PARKER MOLONEY.—But this is the least justifiable of them.

Mr. PALMER.—It is.

Mr. JOSEPH COOK.—Things are getting serious!

Mr. PALMER.—They would be if the Minister were open to conviction, but, unfortunately, I believe the ambition of his life is to have it said of him that he was the founder of the Federal city.

Mr. KING O'MALLEY.—No, I want to be honest with the Australian people.

Mr. PALMER.—Then the honorable member will do well to proceed along the lines I have indicated before incurring this expenditure. Having called for competitive designs, let him submit to a competent authority those sent in. I may say, in passing, that I doubt whether the honorable member himself is a competent authority in this regard. Let the designs be finally submitted for adoption by this Parliament, and that having been done, let every expenditure incurred be an expenditure towards carrying out the accepted designs. If that course be followed, the country will be benefited, and a great deal of heavy expenditure will be put off, as it should be, for a term of years, in accordance with the needs of the Commonwealth, and until our population is considerably augmented. If the Minister and the honorable member for Parramatta could be induced to view this matter in a proper light, I am sure that they would vote for the amendment. Having entered my protest, I hope that we shall proceed to a division, and I am confident that, if honorable members vote in accordance with their convictions and with due regard to the desires of the people, the result of the division will be such as will prevent this threatened outrage, and ward off the heavy demand that is being made under this heading upon the public Treasury.

Mr. FENTON (Maribyrnong) [3.19].—During the last few minutes I have been picturing in my mind the honorable member for Parramatta in his best form denouncing a scheme or proposal with which he does not agree. I could well imagine the honorable member, if this proposal did not relate to New South Wales, displaying his best book-and-table-thumping style in condemnation of it. I am sure that, in such circumstances, the Minister would have received at his hands such a castigation for his lack of information concerning this item as he had never previously experienced.

Mr. JOSEPH COOK.—The Minister is a statesman.

Mr. FENTON.—It was said of some one of old, "I leave him to his idols," and I may say at once that I leave the honorable member for Parramatta riveted very strongly to his parochialism. I do not wish to repeat what has already been so well said by the honorable member for Wimmera and the honorable member for Indi, but I think the present is a splendid opportunity to peer into the future. Notwithstanding

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the Estimates of the Treasurer, I believe that we are not likely to have, during 1911-12, such a rosy time as we experienced during 1910-11.

Mr. SINCLAIR.—The boom will burst.

Mr. FENTON.—I am not going to say that there is a boom, but I think that the honorable member will agree with me that some of our chief lines of production will be considerably less than was the case last year. A decreased production means decreased revenue, and consequently a lessening of the funds available for desirable works. We need somewhat to husband our resources, but if we are going to spend on wasteful schemes a hundred thousand pounds here and another hundred thousand pounds there, the national exchequer will suffer seriously. I agree with the honorable member for Franklin that the proposals, as outlined by the Minister of Home Affairs, in regard to the Capital site are absolutely alarming. The Minister pleads that portion of the £100,000 which we are asked to vote is a re-vote, but we have to remember that that expenditure is to go on developing, according to the honorable gentleman, until it reaches £313,000, which, in turn, will develop into an expenditure of £3,000,000.

Mr. J. H. CATTS.—How much did this building cost?

Mr. FENTON.—£800,000. If we are going to enter the Federal Capital, no doubt there must be an immense expenditure, but the honorable member for Cook will agree with me that the selected site is lamentably deficient of those materials so essential to the building of a city.

Mr. J. H. CATTS.—The honorable member objects, not to this expenditure, but to the site itself.

Mr. FENTON.—I object to the expenditure of money on what I regard as an undesirable site. The honorable member for Wimmera, and one or two others, accused this Government of having enormously increased the expenditure of the Commonwealth, but I would remind them that that expenditure relates chiefly to work sanctioned by previous Governments and Parliaments. The Minister of Home Affairs has told us that the erection of a power plant and necessary buildings at the Federal Capital will cost £20,000. To what plant does he refer?

Mr. PARKER MOLONEY.—A plant for pumping water.

Mr. FENTON.—As was pointed out when the Estimates were before us last year, a pumping scheme means a constant expenditure, and the result obtained from it is not nearly so satisfactory as that secured from a gravitation scheme. In company with a number of honorable members, I paid a visit to Yass-Canberra some little time ago, and we were fortunate in experiencing a couple of those delightful Australian days which make a man feel glad that he belongs to Australia, and not to the misty climes where the sun is rarely seen, and the faces of the people are not often illumined by a smile. Our visit was preceded by an extensive rainfall, and I noticed that the volume of water passing down the Cotter River, from which the water supply for the Federal Capital is to be drawn, amounted to 160,000,000 gallons for twenty-four hours. On analyzing the figures before leaving camp, however, I found that the volume of water passing down the river on some days during the preceding twelve months had been as low as 4,000,000 gallons for twenty-four hours. There is a remarkable variation in the flow, and if that part of New South Wales has had recently an experience similar to that which has befallen other parts of the State, there is probably very little water running down the stream to-day. I object to the site because of the enormous expenditure that will be necessary to provide there what we know as the ordinary modern conveniences. I have no desire to deal with this question from a parochial stand-point. My only regret is that a better site has not been selected within that magnificent portion of Australia known as New South Wales. I understand that we shall not be allowed to draw any water from the Murrumbidgee.

Mr. KING O'MALLEY.—We can draw water from that source, but not for special purposes.

Mr. FENTON.—What does the Minister mean by "special purposes"?

Mr. KING O'MALLEY.—I do not think we could use it, for instance, for irrigation purposes.

Mr. FENTON.—The Government of New South Wales have stipulated that the waters of the Murrumbidgee shall be used only for ordinary domestic purposes?

Mr. KING O'MALLEY.—They could not prevent us putting up a weir on the Murrumbidgee if we desired to do so.

Mr. FENTON.—Why erect a weir on the Murrumbidgee if our water supply is to be drawn from the Cotter?

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Mr. KING O'MALLEY.—The Murrumbidgee is not a river from which drinking water could be drawn?

Mr. FENTON.—A good water supply can be got from it, if it is tapped high up. I objected last year, and object again now, to the pumping scheme. It is not right to put the country to that great expenditure simply for water-supply purposes. We have first to dam back the Cotter, and then from that dam to pump the water up to the top of a hill 800 feet higher, and carry it from the reservoir there across the Murrumbidgee river in pipes; and thence into the Capital. The scheme, now that I have seen it, strikes me as even more "wild-cat" than I thought it before. I admit that it is beautiful water. I understand that when Victoria comes into her own, the country south of the Murrumbidgee will pass into her possession, and then the water supply of the Federal Capital will come within her territory. Unfortunately, it appears that we are to be committed to a great expenditure on the Capital site; and I believe that, as the years go by, and increasing amounts are asked for to carry out this great scheme, Parliament will become more and more doubtful of its wisdom, until, probably, it will refuse to vote further money for the purpose. If we happen to strike a few bad seasons, any Government that goes on expending money on this site will be doing what, to my mind, will be criminal. It must be remembered, in regard to the water-supply scheme, that when a stream like the Cotter is dammed back, and millions of gallons of water are stored in the dam, underneath the surface of that water, as a rule, a large amount of vegetable matter accumulates. That is sure to happen in this case, and considerable trouble will be caused by it. Instead of having a live running stream, the water coming in will just flow over the surface, and over the top of the weir, while the water underneath, which will be taken to supply the city, will be almost dead water, adversely affected by a great deal of vegetable matter, and, perhaps, not conducive to public health. Instead of having a real live gravitation stream from a pure source into a dam immediately outside the Federal Capital, we shall be, unfortunately, troubled with a bad water supply. Firstly, therefore, we shall have a somewhat deficient supply of water as compared with what we might have had at other sites; and secondly, we shall be put to a great amount of expense in order to get the water to the city. I hope that the bridge which is to carry the water across the Murrumbidgee will be used for general traffic also.

Mr. KING O'MALLEY.—It will be for general traffic on the one side, and the water pipes on the other.

Mr. FENTON.—That will make the expenditure on the bridge a little more justifiable. The works proposed involve an exceptionally big expenditure. The weir is to cost £30,000; the mains and pipe head, &c., will run into £140,000; the bridge over the Murrumbidgee will cost £40,000; the temporary railway from Queanbeyan to the Capital site will cost £25,000; road-making and deviations, £10,000; offices at Acton and afforestation, £13,000; and joinery timber, £5,000. With regard to the latter items, I expected, after hearing the delightful picture presented to the House by the Minister on the last occasion, to see a number of trees fairly well advanced at Yass-Canberra.

Mr. KING O'MALLEY.—We have not got possession of the land yet.

Mr. FENTON.—I think there will be some difficulty about obtaining the land; and if it is true that its value is only £2 per acre on the average, as the honorable member for Wimmera said——

Mr. SAMPSON.—That is the freehold.

Mr. FENTON.—The other land could be given away. On seeing that country, I thought that the words used in the New South Wales Legislative Council, to the effect that the Federation could have this territory, as it was of no good to the State, were very true. What timber is growing there is very stunted. When there, I saw a bridge being built across the so-called Molonglo river, which we called a creek. I learnt from the men engaged on the work that the timber they were using did not come from the neighbourhood, but was brought from a place a long way outside the confines of the Territory. It was not timber of extra size, and there were no difficulties about the work. It was simply an ordinary bridge to span a mere creek. That incident proved conclusively to me that there was in the Territory a dearth of the materials necessary for building even an ordinary town. The Minister is also going to spend a considerable sum on brick-making. If the Government cannot make better bricks there when their machinery is erected than those which I saw being used in erecting what I understood were to be permanent buildings on the Acton Estate, I am sorry

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for the buildings that will be put up there. I do not think I ever handled worse bricks in my life. Those were newly-made bricks when I was there two or three months ago.

Mr. KING O'MALLEY.—We have not made any bricks there yet.

Mr. FENTON.—Those bricks were made upon the ground. Were they fair specimens of the bricks likely to be made there in the future?

Mr. KING O'MALLEY.—We brought the clay to Hoffman's in Melbourne, and they made bricks as fine as the world ever saw.

Mr. FENTON.—In the case of the bricks I saw and handled at the Federal Capital site, one could take off the corners with finger and thumb. I had made complaints before in regard to the deficiencies of the selected Capital site, and so I wanted, by my own personal observation, to rectify any mistakes I had made or to justify my statements. I admit that I saw the Cotter river under charming conditions, which left an impression which is hard to remove; but, at the same time, I find from the figures that the flow of 160,000,000 gallons a day is often reduced to 4,000,000 gallons. In the Sydney *Bulletin* of this week appears the following little poem, which puts the case very much better than I could:—

Rock, and gorge, and dust;
Scrub and fallen tree—
Kerosene tin—bust;
Lizards running free.

Here and there a tent,
Shows a dingy peak,
Where the dwellers went
Hunting for the creek.

Hungry is the land—
Stony, brown and bare;
Thirsty is the band
Stuck forlornly there!

Desolate and dry,
Round and round about—
Winds that whistle by,
Speak of Coming Drought.

Should it strike next week
On the Site of Fools,
With Molonglo Creek
Just a chain of pools.

What, oh, what the tale
That we shall be told?
"*Rivers never fail . . .*
Mountains full of gold! . . .

Scenery superb! . . .
Cataracts and lakes . . .
Pools no winds disturb . . .
Not a sign of snakes. . . .

Thus—and thus—and thus—
Through the Press that rules,
Comes the tale to us,
From the Site of Fools!

It would appear that even the Department of Home Affairs is much in doubt as to the desirability of the site that has been chosen for the Federal Capital, judging by the following circular issued by the Minister for the information of persons undertaking work there—

> The greater part of the city area lies on the Molonglo River, and during periods of prolonged dry weather the river ceases to run. It is readily fordable at short intervals during the greater part of the year, though subject to sudden alterations in volume. In 1891 the highest recorded flood took place, when the waters overflowed the selected site for the Federal Capital. The maximum record summer temperature is 104 deg. During winter the temperature frequently falls below freezing point.

I have been informed, too, by residents that the statements are borne out by facts, and that the city will be on practically the lowest part of the site. Round about are some stone-covered hills, but in winter the place is fog bound. We know the Minister's famous utterance about being fog-bound on a shoreless sea, which would be a terrible predicament, but it is not comfortable to be enveloped in fog anywhere.

Mr. CANN.—We get heavy fogs in Melbourne.

Mr. FENTON.—Yes, but there must be places in New South Wales free from fogs such as are prevalent during the winter at Canberra. When I was there I hardly slept for the cold, although well covered with blankets. This is a very serious question, because we are embarking on an expenditure of many millions. While the revenue is what it is, the expenditure may not be much felt, but the day will come when it will cause great inconvenience. I do not know whether I shall again raise my voice against this project. Hope deferred maketh the heart sick, and the hope of the reversal of the decision regarding the Capital has made my heart very sick indeed. Were the composition of this Parliament the same as that of earlier Parliaments, we should not now be voting money for expenditure at Yass-Canberra. There is no reason why we should not make a change of site even now. It is always best to turn back when warned of certain evil. I hope that in the interests of Australia the reduction proposed by the honorable member for Gippsland will be carried as an intimation to the Minister not to proceed further with this expenditure.

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Question—That the item "Federal Capital, £100,000," be reduced by £66,000—put. The Committee divided.

Ayes	...	...	10
Noes	...	...	29
Majority	...	...	19

AYES.

Archibald, W. O.	Sampson, S.
Brennan, Frank	Wise, G. H.
Fairbairn, G.	
Fenton, J. E.	*Tellers:*
McWilliams, W. J.	Moloney, Parker
Ozanne, A. T.	Scullin, J. H.

NOES.

Brown, Thomas	Mathews, J.
Cann, G.	O'Malley, King
Catts, J. H.	Page, J.
Charlton, M.	Riley, E.
Cook, Joseph	Ryrie, G. de L.
Finlayson, W. F.	Sinclair, H.
Fisher, A.	Smith, Laird
Forrest, Sir John	Thomas, J.
Fowler, J. M.	Thomson, John
Frazer, C. E.	Watkins, D.
Hedges, W. N.	Webster, W.
Hughes, W. M.	West, J. E.
Johnson, W. Elliot	*Tellers:*
Johnson, W. J.	Greene, W. M.
Mahon, H.	Kelly, W. H.

PAIRS.

Bamford, F. W.	Spence, W. G.
McDougall, J. K.	Chapman, Austin
Salmon, Dr. Carty	Hall, D. R.
Palmer, A. C.	Carr, E. S.
Quick, Sir John	Smith, Bruce

Question so resolved in the negative.

Progress reported.

PAPERS.

Ministers laid upon the table the following papers—

Public Service Act—Regulations Nos. 204 and 207 repealed; New Regulation No. 207—Statutory Rules 1911, No. 175.

Public Service Act—Papers relative to the promotion of A. P. Westhoven to the position of Clerk (Ledger-keeper), Third Class, Postmaster-General's Department, Perth.

ADJOURNMENT.

PERSONAL EXPLANATION.

Motion (by Mr. FISHER) proposed—

That the House do now adjourn.

Mr. CANN (Nepean) [4.0].—I desire to make a personal explanation, in connexion with the debate on the motion submitted yesterday by the honorable member for North Sydney. The following appears in the *Argus* of this morning:—

A motion brought forward by Colonel Ryrie, calling for the appointment of a Select Committee to inquire into the pay and allowances of warrant and non-commissioned officers and men of the Permanent Forces, next came up for consideration. An excellent case was made out for the inquiry by members on both sides of the House, but the motion was talked out by the Labour party.

I desire to correct that misleading statement. I asked for leave to continue my remarks, but objection was raised by the honorable member for North Sydney himself. My desire now is to place the true facts before the House.

Mr. KELLY (Wentworth) [4.2].—It is only fair to say that the object of the honorable member for North Sydney in objecting to the honorable member for Nepean continuing his speech on another occasion was to have a vote taken immediately on the motion. The honorable member for Nepean, in the course of his remarks in the same connexion, was good enough to say that the responsibility for the wiping out of the motion lay with the honorable member for North Sydney and myself.

Mr. SPEAKER.—Order! The honorable member must not discuss that matter.

Mr. KELLY.—I only desire to say, by way of personal explanation——

Mr. SPEAKER.—The honorable member must not discuss a motion that is on the business-paper.

Mr. KELLY.—I am discussing the responsibility for the wiping out of the motion.

Mr. SPEAKER.—I point out that the motion is still on the business-paper.

Mr. KELLY.—And I am discussing as to who was responsible——

Mr. SPEAKER.—The honorable member will not be in order in discussing that matter.

Mr. KELLY.—Am I not to have the same latitude as the honorable member for Nepean?

Mr. FISHER.—Order!

Mr. SPEAKER.—The honorable member must not discuss the motion.

Mr. JOSEPH COOK.—I rise to a point of order. You will see, Mr. Speaker, how unfair it would be if an honorable member is allowed to charge or suggest some dereliction of duty against another honorable member in connexion with the miscarriage of some Bill or proposal, and that the honorable member so charged may not put his case.

Mr. SPEAKER.—A certain motion was before us yesterday, and in the ordinary procedure it has dropped to the bottom of the paper. The honorable member for Nepean felt that he had a personal explanation to make, and he made it. I did

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not take it that that honorable member cast any reflection on any other honorable member.

Mr. JOSEPH COOK.—He did.

Mr. SPEAKER.—In any case, it will be quite open to the honorable member for North Sydney to make any explanation he wishes, but I cannot allow a discussion to take place upon a motion that is already on the business-paper.

Mr. KELLY.—Without canvassing the merits of the particular proposal, which, I admit, would be out of order at this juncture, I wish to submit to you, sir, the outstanding fact that I was definitely charged by the honorable member for Nepean with having been responsible for what occurred. By way of personal explanation, I wish to say that I myself suggested to the honorable member——

Mr. SPEAKER.—The honorable member is now trying to evade my ruling.

Mr. KELLY.—I am trying to do no such thing, sir. I am trying to show that an attempt has been made to saddle upon my shoulders a responsibility of which I am in no way deserving.

Mr. SPEAKER.—I have already repeatedly called the honorable member to order. He is now distinctly referring to a debate which took place in the House yesterday. He must not do that.

Mr. KELLY.—Then I shall wait, sir, until the *Hansard* report is issued, when I shall claim the right inherent in every honorable member to right himself in regard to remarks made in this Chamber. I shall claim that right, and exhaust all the processes under the Standing Orders to prove that it exists.

Mr. FISHER.—Who objects to that?

Mr. SPEAKER.—The honorable member will be in order in doing so.

Mr. KELLY.—Under existing circumstances I shall be compelled to adopt that course in justice to myself.

Mr. JOSEPH COOK.—The honorable member must do so. An honorable member has——

Mr. SPEAKER.—Order. I do not desire to be drawn into a controversy with any honorable member, but when I hear the honorable member for Parramatta say that I allowed one honorable member to make a charge against another, and refused to allow a reply to be made ——

Mr. JOSEPH COOK.—I did not say that, Mr. Speaker.

Mr. SPEAKER.—The honorable member distinctly made a statement to that effect whilst the honorable member for Wentworth was speaking.

Mr. JOSEPH COOK.—What I said was that an honorable member had made a charge against another honorable member, and that under your ruling we were not to be allowed the right to reply.

Mr. KELLY.—I shall wait until I see the statement in *Hansard*. I hope the *Hansard* reporters have taken the statement referred to——

Mr. SPEAKER.—Order.

Mr. KELLY.—I shall then take every opportunity open to me under the Standing Orders to conclusively prove the *bona fides* of my position in this connexion. The honorable member for North Sydney is now in his place, and I am sure that he will be able to free himself from the imputation attempted to be placed upon him.

Mr. SPEAKER.—The honorable member must not make that statement.

Mr. RYRIE (North Sydney) [4.9].—I understand that the honorable member for Nepean, in my absence from the chamber a few moments ago, made a statement by way of personal explanation, to the effect that it was my fault that a certain motion standing in my name yesterday, was "talked out."

Mr. FINLAYSON.—He did not say anything of the kind.

Mr. KELLY.—He did.

Mr. THOMAS.—He said that the honorable member for North Sydney objected to leave being granted to him to continue his speech.

Mr. RYRIE.—My object in objecting was to get a division on the motion.

Mr. SCULLIN.—The honorable member wanted to "gag" the other side.

Mr. RYRIE.—No. I thought honorable members opposite had ample opportunity to discuss the motion during the two and a half hours that it was under consideration. I wished a vote to be taken, and believed that what occurred in connexion with the motion for the abolition of the parliamentary refreshment bar would follow my action in this case. It will be remembered that the honorable member for Brisbane, who submitted that motion, asked leave to continue his remarks at a later date, and that when leave was refused the House immediately proceeded to a division. In the circumstances I thought that my objecting to the honorable member for Nepean having leave to continue his remarks on the motion which I had submitted, I should

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also be able to secure an immediate division. When I found that he was going on with his speech, I said at once that I would agree to the necessary leave being granted, but the honorable member's reply was, "No. The honorable member refused to grant me leave when I asked for it." I absolutely repudiate the imputation that it was my fault that a division was not taken on the motion last evening.

Question resolved in the affirmative.

House adjourned at 4.11 p.m.

House of Representatives.

Tuesday, 7 November, 1911.

Mr. SPEAKER took the chair at 7.30 p.m., and read prayers.

IMPORTATION OF HORSES.

Mr. PAGE.—Has the attention of the Minister of Trade and Customs been drawn to the statement of an officer of the Indian service, published in this morning's *Argus*, to the effect that there is grave risk of the introduction of surra and glanders by horses coming originally from India, whose owners evade the quarantine regulations by sending them to England, and shipping them out from there? I ask the honorable gentleman to take particular notice of the statement, because if the diseases named get into Australia, it will be God help the stock-owners.

Mr. TUDOR.—I have read the article referred to. The importation of horses from India is prohibited, and I shall direct the attention of the Quarantine Department, first thing to-morrow morning, to the statement that horses are sent from India to England, and then shipped from there here.

PAPER.

Mr. TUDOR laid upon the table the following paper, in substitution of that presented on 12th October—

Copy of Letters Patent appointing a Royal Commission to inquire into and report upon the Sugar Industry in Australia.

PAPUAN LABOUR.

Mr. FENTON.—Has the Minister of External Affairs read the statement in to-day's newspaper, made by a Mr. Mawson, a Papuan trader, that, owing to the lack of coolie labour in the Territory, progress is retarded? Has the Department, or has the Minister himself, received a request to permit the introduction of coolie labour into Papua?

Mr. THOMAS.—No such request has been received since I have been at the head of the Department of External Affairs.

INTER-STATE TRADE.

Mr. McWILLIAMS asked the Attorney-General, *upon notice*—

1. Is not the Commonwealth responsible for the preservation of free intercourse and perfect freedom of trade between State and State?

2. If that Inter-State trade is being prevented by an Industrial dispute, will the Executive take the necessary action in order to allow the free flow of Inter-State trade and commerce?

Mr. HUGHES.—The answers to the honorable members questions are:—

1. The Commonwealth Government is responsible for the execution and maintenance of the Constitution and the laws of the Commonwealth.

2. It is not the practice to answer hypothetical questions.

NORTHERN TERRITORY.

Mr. PALMER asked the Minister of External Affairs, *upon notice*—

In view of the statement contained in the Northern Territory scientific expedition report, that the country was visited at the time of year when the climate was most suitable for Europeans, will the investigation be continued throughout the seasons generally supposed to be detrimental to health?

Mr. THOMAS.—Yes. Investigations respecting the health conditions of the Northern Territory will be continuous.

HOSKINS BROS.' BOUNTY.

Mr. McWILLIAMS asked the Minister of Trade and Customs, *upon notice*—

1. The amount of bonus paid to Hoskins Bros. Limited, from 1st January to date?

2. Upon whose report was the bonus paid?

3. Was the Minister responsible satisfied that the provisions of the Bounties Act were being complied with?

Mr. TUDOR.—The answers to the honorable member's questions are—

1. £17,579.

2. Upon the report of the Expert Testing Engineer, who was appointed an officer for the purpose of the Manufactures Encouragement Act. Mr. Burrow held this office from 1st January, 1909 to 16th May, 1911, and Mr. R. S. Littlejohn has since been responsible for the necessary supervision.

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3. A question arose some months ago as to the legality of permitting payment of claim for bounty on certain pig-iron, partly the product of slag, as to which there was no clear evidence of origin from Australian ore. In this connexion, there was a disallowance of bounty to the extent of £2,274 4s. 9d. Certain statements have been attributed to Mr. Paul, who recently made investigations into this matter; but I have not yet been furnished with his report.

GOVERNMENT ADVERTISING.

Mr. GREENE asked the Minister of Home Affairs, *upon notice*—

Referring to his answers to questions relative to advertising the referenda in New South Wales country papers, given on the 27th ultimo—

1. Is he aware that through the advertisements not being sent direct from his office, or through the Government Printer of New South Wales, the newspapers lost 20 per cent. of the amount they would otherwise have received?

2. What was to prevent these advertisements from being sent direct to the papers instead of through a private advertising agency?

3. Why did not he invite tenders for this service from the advertising agencies?

4. Is it his intention in the future to farm out advertisements, or will he have them sent direct to the newspapers, so that they shall receive full payment for the service?

Mr. KING O'MALLEY.—The answers to the honorable member's questions are:—

1. No.

2. The New South Wales Country Press Co-operative Association was authorized to act on behalf of the newspapers concerned.

3. It is not considered advisable to utilize private advertising agencies.

4. Uniform and satisfactory results are achieved by negotiating direct with the central and duly authorized representative of the Country Press Association.

ESTIMATES.

ADDITIONS, NEW WORKS, AND BUILDINGS.

In Committee of Supply (Consideration resumed from 3rd November, *vide* page 2274):

Divisions 1 to 5 (*Home Affairs*), £824,915.

Mr. GROOM (Darling Downs) [7.38].—A sum of £40,000 appears as "towards cost of the Military College," The Minister will have the support of the whole Committee in doing everything necessary to make the College sufficient for its purposes.

The CHAIRMAN.—The Committee has taken a division on an item subsequent to that.

Mr. GROOM.—I merely wish the Minister to tell us what is meant by the words "towards cost"? I wish also to obtain some information with regard to the proposed vote of £22,500 towards the cost of the construction of the Kalgoorlie to Port Augusta railway. When the Bill providing for the construction of this line was introduced, it contained a provision practically making the Consolidated Revenue liable for the cost of construction, but on a question being raised by the Opposition the Prime Minister said that the Government would withdraw the appropriation clause. It was pointed out by the honorable member for Richmond that the procedure usually adopted in the State Parliaments in regard to the construction of railways is first of all to lay upon the table of the House plans and specifications and books of reference, showing the whole contemplated scheme. I do not know what is the practice in the other States, but the honorable member for Richmond said, quoting from the Queensland *Hansard*, that in Queensland, it was usual for the Parliament to refer the plans and books of reference to a Select Committee for report upon the proposed line. When the Frime Minister was reminded of this procedure by the Opposition, he, and the Minister of Home Affairs also, promised that, before an appropriation was made, detailed information would be laid before the House. The Minister, however, is now asking the Committee to make the first appropriation for the construction of the railway, although he has not submitted to us either plans, specifications, books of reference, or any information whatever.

Mr. KING O'MALLEY.—This proposed vote is towards the construction of a railway that will cost £4,000,000.

Mr. GROOM.—Does the honorable gentleman think the item has been submitted in the proper way to the Committee? He has our support in carrying out this railway, and we are anxious that it shall be constructed as soon as possible; but there is a proper business-like method of procedure to follow, and I submit that it has not been followed in this case. I presume that the Minister will lay on the table of the House books of reference and other information relating to this proposal. The Minister, by instinct, is a business man.

Mr. KELLY.—Why does the honorable member differentiate between the Minister's instinct and his achievement?

Mr. GROOM.—The Minister is always protesting that the House should follow business-like methods, and I am sure that

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if he were sitting in Opposition his business-like capacity and instinct would lead to his insisting upon more information being given in this case. Will he tell us whether it is proposed to enter upon the work of constructing the line during the next twelve months; and, also, whether the final survey has been made? We should be put in the position that every State Parliament occupies before it authorizes any big undertaking. This proposed vote of £22,500, perhaps, is not intended for the actual construction of the line, but is designed merely to provide for preparatory work. The Minister will, I hope, give us some information on the subject. Let me make it perfectly clear that the Opposition are eager to assist him in his desire to carry out this work, but we want to know what we are doing. I presume that the honorable gentleman will submit to us a detailed estimate of the cost, based upon information as to the class of rails and other material to be used. I wish now to refer to the item of £2,500 towards the construction and alteration of lighthouses, and I should like to know whether, during the next twelve months, a final decision will be arrived at regarding the lighthouses more urgently required upon the Australian coast. From two to four lighthouses need to be erected as soon as possible on the Queensland coast, and one or two lights are also urgently required along the South Australian coast. The question is likewise of great importance to Tasmania and Victoria.

Mr. KING O'MALLEY.—And especially to Queensland.

Mr. GROOM.—All the States are interested in the matter. I understand that an officer has been appointed to furnish a report on this question of the lighting of the Australian coast. Can the Minister also state what particular lighthouses are likely to be undertaken this year? I do not think there is any necessity to wait, because the Minister could easily determine upon several of the leading lighthouses that are necessary. He could proceed with the plans for their acquisition and construction, and, in the meantime, could make further inquiries as to lighthouses required in addition to those already mentioned in the report. I understand that on some part of the Queensland coast, and in other parts of Australia, improved beacons and minor guiding lights are required. Perhaps the Minister can explain what is being done in that respect.

Mr. KELLY (Wentworth) [7.51].—Towards the close of the discussion on the Kalgoorlie to Port Augusta Railway Bill I suggested that the line should be extended along the 33rd parallel, from the neighbourhood of Lake Eyre, to connect up with Broken Hill, and thence due east to Sydney. I understand that, at present, the New South Wales Public Works Committee have before them a proposal to connect Broken Hill with Sydney, and, if the line were taken along the 33rd parallel, as I have suggested, we should have a transcontinental line not touching the sea, or approaching anywhere close enough to the sea to be attackable from the sea, between Sydney and Fremantle. That would be a great advance on the present proposal from a defence point of view. The Minister undertook at the time to take the suggestion into consideration, and I take this opportunity of urging upon him its extreme importance from a defence point of view. If any enemy gained the command of these seas, the line proposed in the Bill could be cut at Port Augusta with the utmost ease.

Mr. TUDOR.—That is the line for which this House has passed the Bill.

Mr. KELLY.—I am not asking the Minister to alter the Bill. He could bring down an additional Bill. The section from Lake Eyre to Port Augusta, connecting the line with the South Australian system, is, I think, necessary in any case, but the direct line along the 33rd parallel to Broken Hill should be constructed coincidentally with that from Broken Hill to Sydney. I hope that, in the near future, we shall see a further Bill introduced for that purpose, from a defence point of view purely and simply.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [7.54].—It is impossible within the next eight months to spend a large amount of money. The time will be taken up chiefly in calling for tenders and receiving them, and issuing orders for the materials required for construction. The chief materials required for construction will be rails and sleepers, and it is not at all likely that even the first batches of these will be delivered before the beginning of the next financial year, much less that money will be required to pay for them. The Engineer-in-Chief, Mr. Deane, says—

> There are some preliminary expenses, which I have pointed out in my minute of 30th ultimo; but, even if these matters can be settled and the work put in hand, it will be impossible to

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spend much money over them during the present financial year, so that the amount proposed to be voted should be sufficient for all purposes.

Mr. GROOM.—But you will not go on with the work until you lay plans and specifications before Parliament?

Mr. KING O'MALLEY.—I do not know what we will do. We may not be ready, but we want to get ready. The question is, when will Parliament meet next year? The suggestion of the honorable member for Wentworth will have careful consideration; but, of course, it will have to go before Cabinet, which will have the final decision.

Mr. TUDOR (Yarra — Minister of Trade and Customs) [7.56].—Ever since it was intended that the Commonwealth should take control of lighthouses, beacons, and buoys, the inefficiency of some of our lights, on account of the increased speed of vessels, and for other reasons, has been brought under my notice, and, probably, under the notice of other Ministers who preceded me in the Department. That is why I considered it advisable to obtain expert advice on the subject; and no exception has been taken, so far as I know, to the qualifications of the gentleman appointed for that duty. It is not possible for the expert to inspect all the existing lights, except when the vessels which go out to providore them are available—that is once in every three or six months. As soon as Commander Brewis was appointed, we communicated with the States, and asked when their vessels would be going out, so that we could fit in his arrangements with them. Commander Brewis is now in Tasmanian waters. The honorable member for Darling Downs asks what lights are considered by the expert to be the most important. The only report which it has been possible for the expert to lay before the Department concerns the Bass Strait lights. Most people who use the sea consider that the south-eastern corner of Australia is the most dangerous. Captain after captain has said that he has practically passed the whole of the dangers before the Wilson's Promontory light opens out. Although only £2,500 has been set down on the Estimates, that is considered sufficient to make a start with the most urgent lights. Speaking from memory, I believe that the recommendation is to alter the Wilson's Promontory light from a 12-mile to a 25-mile light, to place an unattended light upon one of the islands of the Glennie Group, and another unattended light at Cape Liptrap, and to alter the light further along to the east, at or near Cape Howe. It is estimated that 4,000 vessels pass that corner of Australia every year. Although it was originally estimated that to alter the Wilson's Promontory light, and to put additional lights in the places I have named, would cost about £60,000, it is now possible, by the use of unattended acetylene lights, on what is known as the AGA system, for the same work to be done for less than £8,000. As soon as the Lighthouses Bill is passed, we shall proceed to take action in regard to this matter. The papers will be sent to the Department of Home Affairs, in order that the work may be put in hand as soon as possible.

Mr. GROOM.—Has not the Minister received a report about Queensland yet?

Mr. TUDOR.—No; the Queensland report is being prepared. On the day when the expert arrived from New South Wales, there was an opportunity for him to go away in the tender that visits the Tasmanian lighthouses. He was only in Melbourne two or three hours, because he wished to make an inspection of the Tasmanian lighthouses immediately. As soon as I receive his report, I shall make recommendations to the Cabinet. If the amount already appropriated for the purpose is not sufficient to enable urgent and necessary work to be commenced, I shall recommend the Treasurer to bring down Supplementary Estimates, with a view of doing all that is necessary in that regard. As to beacons, I understand that the expert will make some recommendations with regard to the Barrier Reef, but, until I receive his report, it is impossible for me to state what will be done. He has already been round the coast as far as Port Darwin for the purpose, and his report, when completed, will be comprehensive as to the coast as far round as Brisbane.

Mr. GREENE (Richmond) [8.2].—I should like to have a definite statement from the Minister of Home Affairs with regard to the Kalgoorlie to Port Augusta railway. The honorable member for Darling Downs has drawn attention to the fact that the sum of £22,500, which we are asked to vote for the purpose, is practically for the building of the line. It commits Parliament to the total expenditure for the whole line. During the progress of a previous debate, the attention of the Minister was drawn to the fact that it was customary, before money was voted for railway works such as this, to give Parliament full particulars. On page 1427 of

Hansard for the present year it is reported that when the honorable member for Darling Downs—following up something that I had said a little while before—asked the Minister whether he would promise that before any appropriation was made by Parliament for this line he would lay upon the table of the House plans, sections, books of reference, and so on, the Minister of Home Affairs said, "We will give the fullest information." The Committee is entitled to that information before voting this money. Seeing that the survey has been completed a considerable time, I fail to see why the information has not been furnished. It surely could have been made available to honorable members. The Minister is ever priding himself upon, and impressing honorable members with, his great and undoubted business capacity. I put it to him, as a business man, whether he, in the conduct of his own business, when paying what was tantamount to a deposit on a contract which would involve him in an expenditure of £4,000,000, would not insist on knowing what the terms of the contract were? Surely his business instincts will tell him that that is merely a reasonable proposition to put before business men?

Mr. GROOM.—Is the railway to be built by day labour, or by contract?

Mr. GREENE.—That is another point as to which we are entirely in the dark. We are entitled to a full statement of the policy of the Government. What are they going to do? How do they propose to construct the line—by day labour, or by contract? Is purely Australian-manufactured material to be employed in the construction of the railway? We ought to have a quantity of information on these points. What the Minister has already said, we knew before. We knew from Mr. Deane's report that the money was simply for preliminary work. But what we did not know, and what we still want to know, is the policy of the Government. We want to have some idea of the way in which the line is going to be built. That information should be furnished before we vote this money. The same remarks apply —perhaps to a fuller extent—to money voted for purposes of the Federal Capital site. I had an opportunity, of [illegible] availed myself recently, of visiting Canberra. For my own part, I may say that I am very glad indeed that [illegible] ment with regard to that matter [illegible] tived on Friday last.

The CHAIRMAN. — The honorable member must not discuss that matter now.

Mr. GREENE.—I shall not discuss the amendment. I am simply expressing my pleasure that it was negatived.

The CHAIRMAN. — The honorable member is not in order in discussing the Capital site at all. The Committee has passed the line of the Estimates dealing with it.

Mr. GREENE.—I understand that the whole subdivision is under discussion.

The CHAIRMAN.—The division taken on Friday was on the question that item 2 of subdivision 3 be reduced by £66,000. That question was discussed in every phase, and the item was disposed of.

Mr. KELLY.—On a point of order, Mr. Chairman, I think that if you look at the records you will find that the amendment on Friday was to reduce the whole item by £66,000. I believe that, under the Standing Orders, it would now be in order for an honorable member to move for the reduction of the item by any lesser sum, though I do not think that the honorable member for Richmond proposes to submit any amendment on the subject.

The CHAIRMAN.—I think that what the honorable member says is correct.

Mr. GREENE.—Do I understand, then, that I can discuss the proposal to spend money on the Federal Capital site?

The CHAIRMAN.—Yes, the honorable member will be in order.

Mr. GREENE.—I was very pleased with the site, which, I think, is admirably suited for the particular purpose for which it is to be used. It is certainly infinitely better than I had been led to believe that it was.

Mr. PAGE.—The honorable member saw the country at its best.

Mr. GREENE.—I was informed by those who have been at Yass-Canberra frequently that it was looking even better six months ago. My point now is, however, that the matter under discussion is not being dealt with by the Minister of Home Affairs in a business-like way. First of all, he comes down with no information as to the £100,000. He made no attempt at an explanation until it was absolutely [illegible] as to how much money [illegible] volved in the work. [illegible] out that by voting the [illegible] were committing our- [illegible] ture of £313,000. [illegible] with

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a full and clear statement as to the policy of the Government in that regard. We should be informed how the undertaking is to be financed. Indeed, the Minister should disclose the intentions of his Department, so that we may understand exactly what we are asked to commit ourselves to, because, as he admitted the other night, the £313,000 to which we shall be committed by voting this item of £66,000 will be only a very small portion of the total outlay. In the future there must be an enormous expenditure in connexion with the Federal Capital; and, therefore, I think that the Committee are entitled to a statement from the Minister as to the policy of the Government, and how it is proposed to finance this vast undertaking. Surely he does not intend to proceed from hand to mouth, taking a drib here and a drab there, and adopting a policy of utter drift, until he is committed to the expenditure of an enormous amount, without the faintest idea of where the money is to come from. Is that the position which he is taking up? Has he not any clear, definite idea of how the whole of this scheme is to be finally worked out; and, if he has such an idea, will he not take the Committee into his confidence? Surely that is only a business-like view to take. When we remember that we have not yet acquired a single foot of land in the Territory outside the grant from the State and the acquisition of Acton Estate, and that we will have to acquire an enormous area from private owners, it should make us pause. From what I saw of its character the other day, we are not going to get the land for nothing. It is carrying a sheep and a half to the acre over the greater portion of it.

Mr. LIVINGSTON.—Where?

Mr. GREENE.—The Federal Capital site.

Mr. FENTON.—No.

Mr. GREENE.—During my visit I took considerable trouble to get into touch with persons who had been in the district for years. I found that on Duntroon, an estate of about 28,000 acres, there were about 27,000 sheep, 300 cattle, and 80 horses. The cattle have been there for a long time, too.

Mr. KING O'MALLEY.—And they are "hog fat."

Mr. GREENE.—As the Minister has interjected, the cattle are fat. I did not see a single poor beast, or horse, or sheep. This country will cost us a big sum.

Mr. FENTON.—Do you want to put a bit on the price?

Mr. GREENE.—No. The question of price will have to go to arbitration.

Mr. FENTON.—There are not a sheep and a half to the acre there.

Mr. GREENE.—If the honorable member doubts my statement, why did he not come and see the country for himself?

Mr. FENTON.—It is a barren waste.

Mr. GREENE.—If the honorable member will make a visit, he can see much better crops growing on Duntroon Estate than he can see on some of the land within 20 miles of Melbourne.

Mr. FENTON.—I have been there. I saw plenty of bleached bones.

Mr. GREENE.—Apart from the fact that all these sheep and cattle and horses are on the property, I do not know how many hundreds of thousands of rabbits it carries. When the country is properly rabbited, as it should be, it will have a still greater carrying capacity. I think that the honorable member ought to know that.

Mr. FENTON.—I suppose you know that fat rabbits and starving stock have been taken off the same property sometimes?

Mr. GREENE.—That may be, but when we find fat rabbits and fat stock on a property, we have a better proposition still. I think that the general character of this country must be perfectly evident to every honorable member. I do not say that it is all of the same character, because it is not. It comprises very good hills; some of them are remarkably good, while others are poor; but the flats are very good indeed, and, with up-to-date farming, they will produce excellent results.

Mr. SCULLIN.—One would think that you were selling the estate.

Mr. GREENE.—I am endeavouring to impress upon honorable members what an excellent property we have up there.

Mr. SCULLIN.—Your speech sounds like an auctioneer's preliminary to a sale.

Mr. GREENE.—We have to consider what the property is worth on the market as an ordinary farming proposition. We are not going, I repeat, to get the property for nothing, but will have to pay a considerable amount for it.

Mr. LAIRD SMITH.—Thirty shillings an acre.

Mr. GREENE.—And the rest.

Mr. ARCHIBALD.—And you are a trustee!

Mr. GREENE.—If I were a trustee, I would boom up the property a good deal more than I am doing.

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Mr. TUDOR.—But you are a trustee for the people.

Mr. GREENE.—No doubt. I am endeavouring to point out that we are asked to commit ourselves, not only to the expenditure of a particular sum, but also to the cost of resuming a very large area of country, which, as I said, will run into a considerable amount.

Mr. SCULLIN.—You should have voted with us the other day.

Mr. GREENE.—We must not lose sight of the fact that Australia will have to provide for an enormous expenditure. It will be necessary for Parliament to finance two transcontinental railways, the Northern Territory, the Army and the Navy, and the lighthouses; in fact, we have taken upon our shoulders all sorts of responsibilities.

Mr. FENTON.—All the more reason why we should not play with the Federal Capital toy.

Mr. GREENE.—We can see that in the next half-year we shall have to provide for an enormous expenditure. That is one of the reasons why I am trying to-night to impress on the Minister the necessity of taking the Committee into his confidence, especially as regards finance. The honorable member for Maribyrnong referred just now to what he called the Federal Capital "toy." It is my impression that it is possible to finance the Federal Capital scheme and make it pay for itself.

Mr. FENTON.—If it is good land, I am with the honorable member every time.

Mr. GREENE.—I believe that the whole scheme, if properly handled from the outset, can be made to finance itself; and I should like to know how the Minister proposes to tackle the question. I ask for some definite information as to the particular scheme, if the Minister has one in view, as he must, seeing that he applauded my words in this connexion. I have a scheme in my own mind; but I do not propose to weary honorable members with it to-night. It is not necessary to pledge the credit of Australia to any appreciable extent; and yet, at the same time, it is possible to inaugurate a vigorous policy and carry out the work on proper lines.

Mr. LIVINGSTON (Barker) [8.22].—We ought to have full particulars as to the cost of the Kalgoorlie to Port Augusta railway. This is a big undertaking, of which I approve; and, as the Minister is a good business-like man, I know that he will not proceed unless everything is in proper order. My own opinion is, however, that there ought to be a Public Works Committee, or some body of that kind. Instead of proceeding with this railway as a scheme by itself, the Government ought to direct attention to the construction of a railway through the Northern Territory, which would pay from the start. This would be much better than developing a territory belonging to other people.

Mr. CANN.—To whom does the Territory belong?

Mr. LIVINGSTON.—To Western Australia and South Australia; and it is land over which we have no control. There ought to be some definite scheme in regard to the Northern Territory; and I dare say that, before long, the Minister of Home Affairs will tell us what he proposes to do. As to the Federal Capital site, I know something of land, and when I paid a visit of inspection, I saw nothing like what the honorable member for Richmond has described. He told us that the land at Yass-Canberra will carry one and a-half sheep to the acre. If that be so, I am glad to hear such good news, for, personally, I saw neither sheep nor cattle, and was told that they had all been sent to the mountains to wait for the grass to grow. The honorable member further told us that on the Federal Territory he saw fat rabbits, fat sheep, and fat cattle; but, if so, that is a sight which cannot be enjoyed in any other part of Australia. Fat sheep and fat rabbits do not flourish with one another, because fat rabbits mean that there are no fat sheep. We shall live to be ashamed of ourselves for spending money on this Capital site. As the honorable member for Echuca said, there ought to be a referendum on the question before another shilling is spent. The honorable member for Richmond said that he had a scheme by which the Federal Capital could be made self-supporting; but I think it will be a dead loss from the start, and we cannot afford any loss at the present time.

Mr. KING O'MALLEY.—I have dozens of applications for land.

Mr. LIVINGSTON.—The land will not carry any people. Why does the Commonwealth seek to deal with land? That ought to be left to the States. It is quite enough for the Commonwealth to secure land for building purposes, without going in for grazing, farming, and other similar businesses.

Mr. FOWLER.—Does that objection apply to the Northern Territory?

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Mr. LIVINGSTON.—There is a vast difference between Yass-Canberra and the Macdonnell Ranges, which, we are told, can carry 20,000,000 sheep. It has a 15-inch rainfall, and most fertile land, suitable for the growing of wheat, and so forth. We should be better employed in developing the Northern Territory than in dealing with this miserable Capital site, which never was wanted and never will be. Surely we have sufficient capital cities in Australia already, with aggregations of population? I hope and trust that this Parliament will never spend anything on a Capital site, or any other scheme that is not self-supporting. I was much surprised to hear the honorable member for Richmond suggest that the Federal Territory would finance itself, for we know that he is a good business man, and understands Australia. The honorable member has not seen very many nice dairy farms in that country.

Mr. GREENE.—They are not too bad!

Mr. LIVINGSTON.—Then they must have improved very much since I was there.

Mr. KING O'MALLEY.—With irrigation the land will be a "bonzer"!

Mr. LIVINGSTON.—Where are we to get the water from? We cannot get enough to drink from the Cotter River.

Mr. KING O'MALLEY.—From the Murrumbidgee.

Mr. LIVINGSTON.—The water will have to be taken a long way, and I think it could be taken on to better land. So far as I can see, the Yass-Canberra country is too porous for irrigation. I really wish the Minister would give us the benefit of what he really knows of the Yass-Canberra site. It is all very well to build a Military College there, because the site is far enough away from civilization, affords abundance of room for drilling, and plenty of rabbits for shooting practice. I hope honorable members will be very careful before they sanction any further expenditure, because all the money we have is required to develop Australia generally on proper lines.

Mr. FENTON (Maribyrnong) [8.30].—I have been highly amused in listening to the honorable member for Richmond. I thought that, as a man of the soil, the honorable member would have been able to give a better idea of the carrying capacity of the land at Yass-Canberra than his estimate of a sheep and a half to the acre.

Mr. GROOM.—Has the honorable member been there?

Mr. FENTON.—Yes. When I spoke against this particular site before, I said that I had not seen it, and quoted from the statements of Ministers and others who had visited the site. I can speak now from a personal knowledge of the country, which has more than confirmed me in the opinions I previously held concerning it. The honorable member for Richmond is anxious to know exactly how every item of the vote for the Federal Capital is to be expended.

Mr. GREENE.—No; I want to know the broad lines of the Government's financial scheme.

Mr. FENTON.—I have no desire to block the Estimates, though I should have liked to block a particular vote the other day. I should have been glad to have had the assistance of the financiers, and those who know something of land values; but I found the honorable member for Richmond, and other honorable members, when they had the opportunity to prevent this expenditure, swinging in behind the Minister of Home Affairs. The honorable member for Richmond voted away £100,000 for expenditure on the Yass-Canberra site. Now he wishes to know exactly how that money is to be spent.

Mr. GREENE.—No; we know how that £100,000 is to be spent.

Mr. FENTON.—With all the honorable member's shrewdness, he is following the old plan of locking the stable door after the horse has been stolen. The only lands that I saw at the Capital site which would be likely to carry a sheep and a half to the acre, were the alluvial flats on Molonglo Creek. Of the three estates which have been referred to, I should say that that on the road to the Murrumbidgee is the best. It is rather late in the day now for the honorable member for Richmond to complain about these particular items. There is another matter to which I should like to direct the attention of the Opposition. They are accustomed to hold up their hands in horror whenever anything in the shape of a Socialistic proposal is submitted for consideration. But they have assisted to carry votes for expenditure on the Capital site; and, no doubt, will assist to pass further votes for the same purpose, although the money will be spent on the most Socialistic schemes that have ever been carried out in Australia. The Federal Territory, being our own, we can do as we like with it, unrestricted by the limitations of the Constitution, and without let or hindrance from the High Court or the State

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Government. No doubt when the Government bring forward their advanced ideas in connexion with the Federal Capital, honorable members opposite, including the honorable members for Darling Downs, Richmond, and Parramatta, will be found assisting to carry them out.

Mr. GROOM.—Is the honorable member not in favour of carrying out the Federal Capital proposals?

Mr. FENTON.—No, I am not.

Mr. GROOM.—What is the honorable member's idea on the subject?

Mr. FENTON.—My idea is that we have the wrong site, to start with. If we had a fertile territory that would carry a sheep and a half or more to the acre, with a plentiful water supply, and building material at hand, there would be the elements of success present from the jump.

Mr. GROOM—Is the honorable member in favour of establishing the Federal Capital in such a locality as he describes in New South Wales?

Mr. FENTON.—Yes, I am prepared honorably to abide by the compact in the Constitution. The bargain was made by New South Wales, and even New South Welshmen now admit that it was a bad bargain; but, as it was definitely accepted in the Constitution, I am prepared to abide by it. Without desiring to be unduly severe upon the previous Parliament or the present Parliament, I must say that I think we have made a terribly bad bargain in selecting the Yass-Canberra site. I am sure that we cannot carry out there all the ideas which the Minister of Home Affairs has in his mind. If the honorable gentleman had to deal with a suitable site, I could quite understand some of the glowing language in which he has indulged. Notwithstanding the eulogy of the honorable member for Richmond, I question very much whether we shall ever be able, even with 1,000 square miles of territory, to make the Federal Capital pay for itself at Yass-Canberra. With good soil, good surroundings, and a good water supply, the financing of the proposal would be possible beyond dispute. In the circumstances, however, I think we shall find that, as the Yass-Canberra Capital site is a failure from a national stand-point, it will also be a failure from a financial stand-point.

Mr. GROOM (Darling Downs) [8.36].—I think the Minister of Home Affairs should give some answer to the question put by the honorable member for Richmond, as to whether he proposes, before commencing the construction of the transcontinental railway, to lay the plans and specifications before Parliament. If the vote of £22,500 is to cover purely preliminary work, and is not to be held as binding the Committee to particular plans or details, we need not discuss it further. Does the Minister propose to follow the usual procedure adopted elsewhere, and submit plans and specifications, or does he contemplate that we should appropriate, in all, £4,000,000 without any idea as to the plans and specifications upon which the railway is to be constructed? It should be remembered that this will not be the only line which the Commonwealth will construct. The Minister must not think that we have any desire to embarrass him in this matter.

Mr. PAGE.—The honorable gentleman knows that the Minister cannot state the policy of the Government. The Prime Minister is the man for that.

Mr. GROOM.—I do not know who can state the Government policy in this connexion if the Minister of Home Affairs cannot. It is a matter affecting the conduct of his Department, and it arises in the submission of his Estimates to the Committee. The honorable member for Maranoa will remember that the Prime Minister withdrew the appropriation clauses from the Kalgoorlie to Port Augusta Railway Construction Bill. The question now is, whether the Minister of Home Affairs intends to submit plans and specifications to Parliament before proceeding with the construction of the line?

Mr. KING O'MALLEY.—The honorable gentleman means before we start to throw dirt.

Mr. GROOM.—Before the start is made with earthworks for laying the rails and the building of bridges.

Mr. KING O'MALLEY.—Certainly. We shall do all that is legitimate, so long as we are not prevented from getting our material and having everything ready to go on with the line.

Mr. GROOM.—Then I understand from the Minister that all he is asking us to do now is to make an appropriation for the purpose of preliminary expenditure preparatory to the construction of the line.

Mr. KING O'MALLEY.—I want it to be thoroughly understood that we intend getting the material and having everything ready, assuming that the Bill for the construction of the line is passed.

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Mr. GROOM.—Are we to understand that the Minister proposes to follow the procedure adopted in the State Parliaments of submitting plans and specifications?

Mr. KING O'MALLEY.—They will be laid on the table here.

Mr. GROOM.—Will they be submitted for approval?

Mr. KING O'MALLEY.—This appropriation is to enable us to make contracts and get the material and everything ready for the construction of the line.

Mr. GROOM.—The honorable member for Richmond pointed out that it is usual in State Parliaments, before the construction of a railway is commenced, to have plans, specifications, and books of reference approved, and the honorable member quoted the Queensland practice of referring plans, sections, and books of reference to a Select Committee.

Mr. ARCHIBALD.—We could not do much construction work with £20,000.

Mr. GROOM.—Very little indeed, I admit. What is the procedure to be adopted?

Mr. KING O'MALLEY.—Everything must be done by Parliament.

Mr. GROOM.—What we need is a declaration of policy.

Mr. KING O'MALLEY.—It is intended to go into the market, to find out what we can do, and generally to get ready to start this road. Parliament is composed of the responsible trustees of the nation, and everything necessary will be placed before it.

Mr. GROOM.—For adoption?

Mr. KING O'MALLEY.—For adoption.

Mr. GROOM.—I understand that all necessary information will be submitted to Parliament, and that the Minister will submit a motion approving of the plans and specifications.

Mr. FRAZER.—No.

Mr. GROOM.—Then how can there be an adoption by Parliament?

Mr. FRAZER.—Parliament can veto any proposal, but a motion asking for the approval of Parliament for the plans and specifications will not be submitted.

Mr. GROOM.—The Minister of Home Affairs has been a member of a State Parliament, and knows what the procedure is there. Will he not tell us what procedure is to be adopted here?

Mr. KING O'MALLEY.—We intend, immediately Parliament has passed this vote, to commence negotiations all over the world, to secure material, and to get ready for business. We shall come down here with sections, maps, and everything, and put them on the table.

Mr. FOWLER.—Does the Minister think that £20,000 will cover all that is to be done this year?

Mr. KING O'MALLEY.—That sum will enable us to start to negotiate; to get ready for business. You do not start to build a great railway like this without getting your basis ready. This sum is only a preliminary amount for the starting of things. I am amazed that the honorable member for Darling Downs takes objections to so small an amount.

Mr. GROOM.—I do not take exception to the amount. I think the Minister should have had the matter more advanced. We should all be the better pleased if the plans and sections were now ready. We are eager that this work should be proceeded with at once, and deeply regret the long delay that has taken place already. No progress has been made during the past eighteen months, and, apparently, for the next eight months only preliminaries will be entered upon.

Mr. KING O'MALLEY.—The honorable member would not have had me commence before parliamentary sanction was given to the work?

Mr. GROOM.—I can quite believe that when the honorable gentleman entered office the first thing he said to his officers was: "I want to get on with the Western Australian railway. Frepare plans and sections, so that as soon as the work is authorized it can be commenced, and the line completed within three years." No doubt difficulties have since come in his way. It is important, however, that when making a commencement of this kind, we should have a statement of policy, and an indication of the procedure to be adopted. I hope that next year we shall be asked to consider proposals for railway development in the Northern Territory, and am sorry that there cannot now be laid before us a programme of railway construction for defence and development generally. I do not know that, having had the Minister's assurance, we need devote more attention to the item, but I should like some information regarding the item—

Naval Barracks, Submarine Depôt, Naval Gunnery and Torpedo School, Naval Training School, Naval Boys' Training School, and Naval Midshipmen's College—Sites and Buildings—Towards cost, £53,000.

Mr. KING O'MALLEY.—That is for the Naval College at Sydney.

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Mr. GROOM.—Will the Minister tell us what will be the ultimate cost of this work, and to what Parliament is really committing itself?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [8.50].—The item is to provide for the erection of a naval academy or college, similar to that at Annapolis, in the United States of America.

Mr. AUSTIN CHAPMAN.—Why is it not to be erected in Federal Territory?

Mr. KING O'MALLEY.—Because a site in the Federal Territory was not chosen. The people of New South Wales subscribed £40,000, and that amount is to be contributed towards the construction of the College.

Mr. PAGE.—I shall vote against the item. That money was subscribed for the *Dreadnought* fund.

Mr. KING O'MALLEY.—I do not think the people of Australia will complain when we get such a beautiful site as that we are endeavouring to secure at a reasonable price.

Mr. PAGE.—Where is the site?

Mr. KING O'MALLEY.—It is a lovely site within a few miles of Sydney.

Mr. PAGE.—It ought to be a long way from a town.

Mr. KING O'MALLEY.—It is some little distance from Sydney. We ought to meet the people of New South Wales in this matter.

Mr. PAGE.—That is what the Minister has been doing.

Mr. KING O'MALLEY.—I fail to see why any animosity should be displayed towards New South Wales, and I am sorry to find that this is not yet really a National Parliament.

Mr. GROOM.—There is no animosity against New South Wales, and I am sure that the honorable member for Maranoa has none.

Mr. KING O'MALLEY.—I know that. Later on if it is considered necessary we can erect another college in Federal Territory.

Mr. AUSTIN CHAPMAN.—That will be cheering news for the men who have put up the £40,000.

Mr. KING O'MALLEY.—All that I say is that, later on, if the Parliament thinks that a second college is necessary, we can build one in the Federal Territory.

Mr. FOWLER (Perth) [8.52].—The honorable member for Darling Downs forestalled me to a large extent in the remarks he made with regard to the transcontinental railway, but as he has put the position much better than I could have done I am not sorry that he has saved me the trouble. I am somewhat surprised, however, at one excuse that the Minister urged more than once with regard to the smallness of the proposed vote, when he asked whether it was to be expected that the Government would go on with work relating to the railway before the Bill had been passed. I did not expect the actual work of construction to be proceeded with beforehand, but the preparatory work might well have been pushed on to a much larger extent than it appears to have been. The Minister knew perfectly well that the Bill, providing for the construction of this railway, being a Government measure, was just as certain of being passed with the majority behind him, as it is certain that he himself will draw his salary next month. I am very much afraid that the smallness of the proposed vote is an indication that there is going to be a good deal of the "ca' canny" business about the construction of this railway. It is well understood that these Estimates are something in the nature of a forecast of the expenditure that will be required during the forthcoming year, and, that being so, I want to know what the Minister is going to do, or, rather, what he is going to refrain from doing, in connexion with this large and important work, since he is not asking for more than £19,000, by way of a new vote for the current financial year. I have not yet heard a satisfactory explanation, in view of the fact that the Government are pledged up to the hilt to construct the railway, and I hope that the Minister will avail himself of an early opportunity to take the Committee into his confidence and let us have proof that the Government are pushing on energetically with the work. I have now a small personal matter to bring before the Committee. I am not given to dealing with the "parish pump" aspect of Federal politics, but I am much surprised to find that the electorate of Perth, which has, in many of its subdivisions, been clamoring for increased postal facilities, has not, with the exception of a revote of £56, been allotted a single farthing for the building of official post-offices. Post-offices are being built all over Western Australia, and it is very singular that the electorate of Perth, which includes all the suburbs of the capital city, should have been left out in the cold.

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Mr. FENTON.—Has there not been a big land purchase in Perth?

Mr. FOWLER.—We have promises of a great deal that will be done by this Government in connexion with the General Post Office in Perth, whilst a telephone exchange is also in process of erection there. But those works, necessary though they are, do not give the suburbs the postal facilities for which they are crying out. The suburban portions of Perth are as much entitled to have postal facilities as are the remoter parts of the State. There are, in particular, two suburbs in my electorate—West Leederville and North Perth—which are urgently in need of these postal facilities. I am sorry that the Postmaster-General is not present; if he were he would bear out my assertion that those two suburbs have been asking for post-offices for several years, and have not yet succeeded in convincing the Government that there is any necessity for their construction. I shall expect the Minister to give some explanation, and, in the meantime, I ask him to make a note of my remarks, because I think we are entitled to know why the suburbs I have named have been allowed to remain so long without the postal facilities to which they are entitled.

Mr. GROOM.—Will the Minister tell us what will be the ultimate expense in connexion with the item of £53,000 for naval buildings?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [8.58].—The item to which the honorable member for Darling Downs refers is to provide for the acquisition of sites and construction of buildings, &c., for naval schools and colleges for the training of boys, for the permanent Naval Forces, for the manning of His Majesty's ships; for the training of young officers for future positions in the permanent Naval Forces, and for the higher training of men for the permanent Naval Forces. Provision is also made for the purchase from the State Government of New South Wales of the nautical school ship *Sobraon*.

Mr. GROOM.—But what will be the complete cost?

Mr. KING O'MALLEY.—I think that it will be about £70,000 or £80,000 altogether.

Mr. SINCLAIR (Moreton) [9.0].—The Committee are entitled to more information regarding the items under consideration. We are getting information from the Minister little by little regarding some very large items. He gave us an idea just now of what he proposed to do by interjecting with regard to the Federal Territory that "She is a bonzer when she is irrigated." I take it from that remark that part of the proposal is to "irrigate her." We spent about £38,000 on the Territory last year, and I suppose that amount has been increased by this time to about £50,000. It is too early yet to judge of the results, as a good deal of the money may have been sunk in preliminary works that do not show themselves; but I must confess that there is very little result showing there at present. The Military College is certainly a credit to those who are responsible for the work done there. The item of £53,000 for Naval Barracks, &c., is described as "towards cost." Will the Minister give the Committee some information as to what the total cost will be? We are committing ourselves to a work which may run us into many hundreds of thousands of pounds, and are going to work in a very expensive way. The Minister is making a serious mistake in purchasing land, which will cost the Department more than it would cost to put up the whole Naval College on Federal Territory at or near Jervis Bay. I notice, also, that there is some doubt in the mind of the Department as to where the railway to link up the Federal Capital with Yass is to be run. Perhaps the Minister can give us some idea on that point. When I was there the other day, I was told that it was to be run in a way which, to my mind, would so split up the site as to completely spoil it. It is unwise to run a railway through the heart of the magnificent city which, we are assured by the Minister, is going to be established there. There is another matter which needs the Minister's immediate attention. I understand that the honorable member for Eden-Monaro has made urgent representations to the Minister and the Postmaster-General that arrangements should be made to enable the men working there to bank their money. There is a large number of men employed, and as there is no Savings Bank on the spot they are obliged to lose half a day to go to Queanbeyan to put their money into safety. Where a number of men are living in tents, it is not safe for them to have money lying about, or to carry it about with them. I am given to understand by those who are not directly interested in the matter that many of the men go into the town to put their money away safely, while some hang about the town and spend money

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which otherwise they would not spend. This difficulty could be easily overcome if the Department would allow their man to go out there once a fortnight, collect the men's savings, and take them into Queanbeyan. A postal official from Queanbeyan visits the Territory once a fortnight now, and the men can purchase postal notes, but they cannot bank their money. It is altogether unfair that the men should be asked to pay 5s., and lose half a day, to go into Queanbeyan, or else run the risk of losing their savings. One of the workmen told me he was carrying £20 on him, and did not know what to do with it, as he was living in a tent.

Dr. CARTY SALMON.—That is remarkable, when we have such a strong financial expert as the Minister.

Mr. SINCLAIR.—Seeing that the Minister has given out to the world that he could run the earth if he were given a chance, I was rather disappointed that he was not running this little bit of the earth more on business lines than he is doing at present. I hope that by next pay-day the men will have some facilities for safely depositing their money. Many of the works done, or partly done, in the Territory are certainly creditable to the Minister or to the Department. The roads that have been laid down are well done. I think that where credit is due it should be given, and although very much does not appear to have been done with the £40,000 or £50,000 that has been spent, wherever permanent works have been put down they have been well done, and I congratulate the Minister on that, at any rate. I hope the Minister will shortly give us an estimate of what the total cost of the Naval and Military Colleges will be. If we vote £53,000 now, how much shall we have to vote in order to complete the Naval Barracks and other items specified?

Mr. GROOM.—The Minister says it will cost £74,000.

Mr. KING O'MALLEY.—I said from £70,000 to £80,000; but I do not think it will stop at anything of the kind myself.

Mr. SINCLAIR.—£70,000 or £80,000 would put up a magnificent place at Jervis Bay.

Mr. PAGE (Maranoa) [9.9].—We have often heard the Minister of Home Affairs say what a beautiful place the Federal Territory was to live in; but in Queensland, as far back as the South Australian border, there are places where working men can deposit their savings, which does not appear to be the case in the Federal Territory now, according to the honorable member for Moreton. The Minister is an authority on banking, and has had a varied experience, that I should have thought one of the first things he would do would be to establish a bank, on business lines, in the Federal Territory.

Mr. KING O'MALLEY.—It is not my fault.

Mr. PAGE.—We have to fasten the blame on to some individual, and the Minister must admit that, in order to encourage thrift, working men should be given the opportunity to bank their savings, instead of having to carry the money with them or bury it in the ground for some one to take.

Mr. KING O'MALLEY.—As soon as the Commonwealth Bank Bill is put through we shall have a branch there.

Mr. GROOM.—The Minister can do what is necessary by an Ordinance.

Mr. PAGE.—The affair is quite simple. The Government have power, as the honorable member for Darling Downs says, to establish a Savings Bank in the Territory by an Ordinance. They have a post-office there, and the honorable member for Moreton says that the men can purchase postal notes.

Mr. AUSTIN CHAPMAN.—The Department tell me that they cannot get anyone who will take the trouble to look after the Savings Bank business.

Mr. PAGE.—There are hundreds of men in the service who would take the job if it were offered to them. If the Minister of Home Affairs cannot find anyone I will guarantee to get one from Queanbeyan who will willingly go down to Yass-Canberra and do the work required. We want to have a promise from the Minister that the matter will be attended to.

Mr. AUSTIN CHAPMAN.—There are 1,000 men working at Yass-Canberra, and many of them want to settle their families there.

Mr. PAGE.—The honorable member for Moreton tells us of men who are carrying large sums of money about with them because they are unable to put it in a bank. It would cost a man 5s. to go over to Queanbeyan to bank his money, and that would represent interest on a comparatively large sum. That is not a business proposition. Is it a fair proposition to put to a man who is earning only a few shillings a day to have to pay 5s. a week to bank his money to the bank?

Mr. KING O'MALLEY.—No.

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Mr. PAGE.—Then why does not the Minister do something?

Mr. AUSTIN CHAPMAN.—Will the Minister promise to establish a Savings Bank?

Mr. KING O'MALLEY.—We have to put up the building first.

Mr. PAGE.—We are led to believe that the Federal Capital is going to be the smartest, the most up-to-date, and the best city on earth. Here we have between 300 and 400 men at work, with no place where they can bank their savings.

Mr. GROOM.—Surely an officer could take the deposits into Queanbeyan for the men.

Mr. PAGE.—I will give the Minister a business tip free of charge. When railway construction works were in progress in Queensland, the Government arranged that when the men came up to the pay-table for their wages, a Government Savings Bank official stood alongside the pay clerk, and any man who wished to hand over a portion of his earnings to be banked could do so there and then. Why cannot we do the same at Yass-Canberra?

Mr. OZANNE.—It is the simplest matter in the world.

Mr. PAGE.—Of course, it is. "Where there's a will, there's a way." If the Queensland Government could make such arrangements on its construction works, surely the Federal Government could do something of the same sort in connexion with its Federal Capital works. If the Government do not want to establish a Federal Savings Bank, why not ask the New South Wales Government to send a Savings Bank official there every pay-day?

Mr. CANN.—The State Government would do so if asked.

Mr. PAGE.—I am sure they would be only too eager to assist the men.

Mr. AUSTIN CHAPMAN.—Our own officer frequently does banking business in Queanbeyan, and could surely take in the savings of the men.

Mr. PAGE.—I hope that the Minister will do something in this matter at once. It is of no use for him to tell us that it does not concern his Department, or that he has no authority to establish a Savings Bank yet. We do not want to wait until the Banking Bill is passed. We might as well be told to wait for the day of judgment, which we all hope will not occur for a long time.

Mr. MCWILLIAMS.—Why cannot the Government open a Post-office Savings Bank at Yass-Canberra?

Mr. PAGE.—They could easily do that, or the Government could appoint an official to collect savings from the men and bank them at Queanbeyan. Why should a working man have to carry sovereigns in a belt around his body while he is at work? If the Minister will not give us a promise, I shall assist to hang up this vote until the matter is attended to. He is the Minister responsible for works, and should attend to it.

Mr. GROOM.—The matter does not concern the Treasury.

Mr. PAGE.—No, it has nothing to do with the Treasury. It concerns the Works Branch of the Home Affairs Department. With regard to the Naval Barracks vote, surely the Government are not going to accept the New South Wales *Dreadnought* money after the way in which our party opposed the *Dreadnought* proposal? As far as I am concerned, I am not going to be a party to the acceptance of one shilling of that money. We have Federal territory of our own at Jervis Bay, where we could easily establish a Naval College. Why not establish it there? I have seen it stated that when the Naval School was established at Dartmouth, in England, that place was selected because it was far removed from any large centre of population. For the same reason, I think that the Naval College should be established at Jervis Bay.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [9.17].—It is hardly fair for my honorable friends to abuse me because I have not put up a Savings Bank at Yass-Canberra, in view of the fact that our officers who are working there have been living and sleeping in tents. We have not yet a building erected at which a Savings Bank could be located. If those who visited Yass-Canberra lately had gone down to the Acton Estate, they would have seen what we are doing there. We are doing all we can to remove our officers from Queanbeyan.

Mr. AUSTIN CHAPMAN.—The Government send a Federal officer to issue postal-notes; why cannot they let him collect Savings Bank money from the workmen?

Mr. KING O'MALLEY.—I have already sent to another Department asking them to prepare to deal with this matter.

Mr. AUSTIN CHAPMAN.—Prepare what? Why does not the Minister establish a Savings Bank forthwith?

Mr. KING O'MALLEY.—We have no power to establish a Savings Bank yet. I am sorry that I am not running a bank at

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Yass-Canberra. I wish I were. If I got authority to start a bank, I would have it going within twenty-four hours from now.

Mr. AUSTIN CHAPMAN.—We do not want that. We merely want to afford the men an opportunity of banking their savings.

Mr. KING O'MALLEY.—I have been going into this subject for a long time. I have taken particular care of the requirements of the men who are doing our work at Yass-Canberra. I have had recreation tents put up. I venture to say that there are no men in the world better looked after than are these men.

Mr. GROOM.—To what Department has the Minister made recommendations? The Post and Telegraph Department?

Mr. KING O'MALLEY.—Certainly.

Mr. GREENE.—The Postmaster-General's Department is blamed for everything.

Mr. KING O'MALLEY.—No; I am not blaming that Department. They have not been able to get a man who will take on this duty.

Mr. GROOM.—Have they given no instruction?

Mr. KING O'MALLEY.—Is it good enough to start a permanent office there yet?

Mr. AUSTIN CHAPMAN.—Our own officers are doing nineteen-twentieths of the work of the savings banks.

Mr. KING O'MALLEY.—When we shift our office from Queanbeyan to Canberra we can make arrangements with our shire clerk—I do not see any use in making a statement when honorable members will not listen.

Mr. SCULLIN (Corangamite) [9.21].—I see an item of £2,500 towards the cost of constructing and altering lighthouses. I am very pleased that the Commonwealth is taking over the control of lighthouses, and I trust that, as a result of the transfer, parts of our coast which have been sadly neglected will be attended to. I notice that Commander Brewis has been sent to report on the Victorian coast to the east of Port Phillip, and I hope that the Minister will be prepared to allow that officer, when he returns from Tasmania, to report on the Victorian coast to the west of Port Phillip. The coast lying between Cape Otway and Warrnambool, and embraced in my electorate, is without a lighthouse. A steamer travelling between those two points loses sight of the lighthouse on the Warrnambool side a considerable time before it catches sight of the lighthouse at Cape Otway. It has been suggested that the Minister should have a report prepared with a view to seeing whether a lighthouse could not be established in the vicinity of Port Campbell. According to information I have received, eight wrecks have occurred on this coast within a distance of about 25 miles. I believe that every one of the wrecks, which resulted in considerable loss of life, could have been prevented had there been a lighthouse in the vicinity of Port Campbell. I refer to the wrecks of the *Fiji*, *Marie Gabriel*, *Loch Ard*, *Napier*, *Newfield*, *Young Australia*, *Schomberg*, and *Falls of Halladale*. I believe that a report, if prepared, will be favorable to the establishment of a lighthouse at Port Campbell. I trust that if a favorable report is received a lighthouse will be established as soon as possible in the interests of fishing men and mariners, because this is considered to be a most dangerous part of the coastline of Australia. I feel sure that the Minister will give early attention to my suggestion.

Mr. McWILLIAMS (Franklin) [9.24].—I think that the Committee is disappointed with the statement made by the Minister of Home Affairs.

Mr. KING O'MALLEY.—I made no statement. As everybody was talking, it was of no use to try to make a statement.

Mr. McWILLIAMS.—The statement which I understood the Minister to make was that he had made a suggestion some time ago, and that it had not been carried out.

Mr. KING O'MALLEY.—I could not get a man to do this work.

Mr. McWILLIAMS.—The Committee is not prepared to accept a statement that these workmen have not proper facilities at Canberra, simply because the Department has not been able to find a man to take charge of the office.

Mr. KING O'MALLEY.—It is only for a few days in the month.

Mr. McWILLIAMS.—There are half-a-dozen ways in which a contractor who was constructing a railway in the interior could carry out an arrangement such as this, and could do it in half-an-hour. What is there to prevent the officer at Queanbeyan from going out on pay-day and acting as a temporary clerk, and taking the money back with him?

Mr. AUSTIN CHAPMAN.—A Federal officer does go there now, and issues postal notes.

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Mr. McWILLIAMS.—Yes. At Canberra the workers can buy postal notes, but have no facilities for banking their money.

Mr. PAGE.—We had once to get a man from Tasmania to show us how to use the condenser system for telephones. Cannot the State send a man over to show the Minister how to run a savings bank?

Mr. McWILLIAMS.—I believe that any Minister, if allowed a free hand, could arrange this matter in the course of a few minutes. Another serious point to be considered is that when a large body of men are engaged on a public work, they are subjected to certain temptations when they go into a town, and a certain percentage will spend much more money there than they would do if they could bank their money for the use of their wives and children living in other parts of the State. Seeing that the welfare of 400 or 500 men and their families is affected, I hope that, before the item is passed, the Minister will give us a distinct assurance that, without further delay, some step will be taken by which men will be relieved from that which I think is a scandal. At the present time a man has to carry about with him £15 or £20, the same as was done on the diggings half a century ago, or he has to lose half a day's work, and pay a coach fare of 5s., in order to deposit a few pounds which he has been able to save. The savings of the men are not great, and in many cases wives and children are waiting for money. It is not proper that the present state of things should be allowed to continue. There is creeping into our Estimates a system which, I think, cannot be too strongly condemned. We are asked to vote £40,000 towards the cost of establishing a Military College, £100,000 towards the cost of establishing the Federal Capital, £22,500 towards the cost of constructing a transcontinental railway, and £1,000 towards the cost of erecting Commonwealth offices in London. From the manner in which the Estimates are framed, we cannot tell what any one of those public works is likely to cost. A far better plan would be to state in one column the total cost of a public work, and in an adjoining column the proportion of the cost to be expended in the current financial year. Except in the case of two small items, we are asked to authorize public works without any information as to their total cost. All that we are told in each case is that the amount which is now asked is towards the "cost of construction." To the item of £2,000 towards the cost of constructing and altering lighthouses there is a footnote telling us that the total cost is estimated at £25,000, while to the item of £2,000 towards the cost of additional magazine for the storage of ammunition for field artillery there is a footnote telling us that the total cost is estimated at £10,000. In one case we are asked to vote now one-twelfth of the total estimated cost, and in the other one-fifth. Why could not a footnote be attached to each item, so that we could learn at a glance the total estimated cost of the public works? Take, for instance, the item of £22,500 towards the cost of constructing a railway from Kalgoorlie to Port Augusta. We have not been told whether the Minister intends to carry out the work under the contract system or by day labour. If the work is to be carried out under the day-labour system, then the amount set down amounts to an absolute farce, for £22,000 would not provide a quarter of the plant required. It will be twelve months before we have another opportunity to deal with the Estimates, and the question is whether the Government intend to "hang up" this work for that time. The only conclusion we can come to is that there is no earnestness behind the proposal—that the Government do not intend going on with the work during the ensuing twelve months. If it is intended to carry out the work under the day-labour system, there will be required during the current year an expenditure of at least £250,000; and even that sum would not, I think, prove sufficient. In this the Government are treating neither honorable members nor the Committee fairly. There ought not to be, and I do not believe there is, any intention at concealment in the mind of the Minister, who has been quite frank; but the complaint is that we are asked to pass these items without the slightest information. I hope this is the last time honorable members will accept items of this kind, with a small amount set down, and an intimation that it is a contribution towards an ultimate expenditure.

Mr. AUSTIN CHAPMAN.—Let us make a protest by voting against the amendment if we cannot get any satisfaction!

Mr. McWILLIAMS.—All right! If we are to have a vote, let it be so.

Mr. AUSTIN CHAPMAN.—As a protest against the non-provision of banking facilities at the Federal Capital site.

Mr. FRAZER.—Perhaps honorable members will hear me first?

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Mr. AUSTIN CHAPMAN.—All we ask is an explanation.

Mr. FRAZER (Kalgoorlie—Postmaster-General) [9.34].—I regret very much I did not hear honorable members discuss the question of the provision of savings bank facilities for the workmen and others in the Federal Territory. I am labouring under the disadvantage of having to make a reply without knowing what my honorable colleague has said in regard to the matter.

Mr. PAGE.—There is no disadvantage—the Minister of Home Affairs has not said anything!

Mr. FRAZER.—The Minister of Home Affairs is not in a position to make any definite statement, seeing that this is a matter associated with the Post and Telegraph Department.

Mr. PAGE.—The Government are not a happy family if Ministers cannot take one another's word!

Mr. FRAZER.—We can take one another's word; but the Minister of Home Affairs does not desire to carry the responsibility of the Post Office as well as the responsibility of the Department of Home Affairs.

Mr. PAGE.—No one asked him to do that.

Mr. FRAZER.—The only condition under which the Minister of Home Affairs would have been entitled or persuaded, if I may say so, to make a statement, would be at the instance of the Post and Telegraph Department, to the effect that facilities would be provided for the general public. In my capacity as Postmaster-General I may say that, where there is any desire on the part of the public to realize the responsibilities of dark days, and to put a few shillings in the Savings Bank, that desire will be met and encouraged by the Government. If there is any indication of any possibility of business in the Federal Capital Territory to justify the establishment of a branch of the Savings Bank, a branch will be established.

Mr. GREENE.—All we desire is that an officer of the Department shall be allowed to visit the Territory, and act as agent for the Savings Bank. We do not desire the establishment of a bank there.

Mr. FRAZER.—Every facility will be given to the workmen and others in the Federal Territory to dispose of their savings by means of a bank under the control of the Department.

Mr. AUSTIN CHAPMAN.—There is allowed the issue of postal notes; but the officials are not allowed to take Savings Bank deposits.

Mr. FRAZER.—This is new business sprung on me, and I cannot be expected to be acquainted with the particulars in regard to the Federal Capital. I shall, however, make inquiries; and I repeat that all possible facilities will be given to the workmen to deposit their savings. As to the Naval College, I may, in the absence of the honorable member for Adelaide, and as the Minister who represented the Minister of Defence for a number of months, inform honorable members as to the position. There was a most extraordinary agitation in Australia some little time ago, caused, I believe, by a belief on the part of some people that the British Empire was in peril, and a *Dreadnought* fund was established. A number of us did not believe that the Empire was in such desperate straits as depicted; but a number of patriotic citizens subscribed, I believe, about £43,000 to form the nucleus of what was ultimately intended to be a fund of £1,750,000 wherewith to present a *Dreadnought* to the Mother Country.

Mr. GROOM.—Why raise that issue now?

Mr. FRAZER.—I am not raising the issue, but merely supplying some information which, I understood, the honorable member for Bourke desires.

Dr. CARTY SALMON.—This will have to be replied to; and I shall say a word.

Mr. FRAZER.—The honorable member is at perfect liberty to say as many words as he chooses. He cannot, however, dispute the facts as I have stated them.

Dr. CARTY SALMON.—The facts are not brought into question now, except by the Minister himself.

Mr. FRAZER.—Does the honorable member dispute my statement?

Dr. CARTY SALMON.—No; but I say that it is unnecessary.

Mr. FRAZER.—It is not unnecessary.

Mr. MCWILLIAMS.—The Minister need not talk satirically, and cast ridicule on those who subscribed the money.

Mr. FRAZER.—I am not casting ridicule or talking satirically, but stating facts.

Mr. GROOM—Did the collection of the £43,000 influence the selection of the site of the College?

Mr. FRAZER.—If the honorable member desires to take the floor, I shall be glad to give way to him. I speak of a position that was reached as the result, if honor-

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able members please, of a political agitation. £43,000 was realized, and the question arose as to whether that money was to be returned to the subscribers or devoted in some other way to the defence of the country. When that proposition was submitted the establishment of a naval college for Australia was admitted to be a necessity, and those responsible for the fund which had been collected handed over the money subscribed for that purpose. It was accepted by the Minister of Defence, and the site for the College was selected in the vicinity of Sydney.

Mr. AUSTIN CHAPMAN.—Was the money handed over without any condition?

Mr. FRAZER.—I understand that it was.

Mr. AUSTIN CHAPMAN.—Then why was not Jervis Bay selected as the site for the College? Did not the Government expert report in favour of Jervis Bay, and did not the Government fix upon a place near Sydney in order to secure the fund?

Mr. FRAZER.—No, that was not the case.

Mr. AUSTIN CHAPMAN.—Did the trustees of the fund refuse to give the money if the College were established at Jervis Bay?

Mr. FRAZER.—No, not so far as I know.

Mr. AUSTIN CHAPMAN.—Then the published statements on the matter are wrong if the honorable gentleman is right.

Mr. FRAZER.—As I understand the matter, this money was available for the establishment of a naval college.

Mr. AUSTIN CHAPMAN.—If the trustees of the fund approved of the site.

Mr. FRAZER.—No, that was not a condition precedent to the handing over of the fund.

Mr. PAGE.—Were any stipulations made?

Mr. FRAZER.—I do not think there were any.

Mr. AUSTIN CHAPMAN.—There were, and they were published in the press.

Mr. FRAZER.—The honorable gentleman should have sufficient experience to know that he cannot accept all that he sees in the press.

Mr. AUSTIN CHAPMAN.—Will the Minister say, for certain, that no stipulations were made?

Mr. FRAZER.—No, I will not.

Mr. GROOM.—The Minister might lay the papers on the table.

Mr. FRAZER.—I shall see whether that can be done.

Mr. AUSTIN CHAPMAN.—What would be the use of that after we had voted the money? Let us postpone the item that we may know where we are.

Mr. FRAZER.—If the honorable member desires to postpone the item and accept the responsibility of carrying on the Government while sitting on the Opposition side, I can understand the attitude he has taken up.

Mr. AUSTIN CHAPMAN.—The Government should give us the information for which we have asked. I ask whether there were any stipulations made in connexion with the handing over of the fund.

Mr. FRAZER.—And I say that, to the best of my knowledge, there were no stipulations.

Mr. AUSTIN CHAPMAN.—If the Government can give us an assurance that there were none we shall accept that; but of what use is it for the honorable gentleman to say that, to the best of his knowledge, there were none?

Mr. FRAZER.—The honorable member for Eden-Monaro occupied a seat on the Treasury bench for a sufficiently long time to know that if an honorable member had submitted a question of that kind to him, he would have asked for notice of it.

Mr. GROOM.—But this is the time to ask this question, when we are dealing with the vote for the Naval College.

Mr. AUSTIN CHAPMAN.—The responsible Minister should be able to give us the information for which we ask.

Mr. FRAZER.—I think the honorable member has been allowed sufficient latitude in the interruption of my speech, and, though I am not Minister of Defence, I say that this particular site was selected on the recommendation of a Committee, the members of which visited all the localities under the consideration of the Naval authorities at that time.

Mr. AUSTIN CHAPMAN.—And they recommended, first of all, that the College should be established in Commonwealth Territory at Jervis Bay.

Mr. FRAZER.—The honorable member displays a strange enthusiasm for Jervis Bay, in view of what we have heard from him about other bays on the coast of New South Wales.

Mr. AUSTIN CHAPMAN.—Yes, other bays which the Minister supported, and then went back upon.

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Mr. FRAZER.—That is hardly generous to one who stuck to the honorable member to the end.

Mr. AUSTIN CHAPMAN.—Not to the end, only nearly to the end.

Mr. FRAZER.—Right to the end. But we should get away from this dialogue. It is admitted, on the advice of our Naval experts, that we must have a naval college. The question arises: Are we going to take advantage of the offer of £43,000 to be made available in the establishment of a college for the training of persons who will subsequently be drafted into our Navy for the defence of the country? Whether the College is established at Middle Head, in Sydney Harbor, or at some other site, the necessity for it is immediate. Its establishment is not dependent upon a view which might subsequently be held as to the suitability of Jervis Bay or any other place for the purpose. It must be undertaken at this particular time. The Government, under the advice of, I may be pardoned for saying, the most distinguished Minister of Defence who has occupied that position in the Commonwealth, propose to establish the College at the site which has been chosen.

Mr. GROOM.—Why make comparisons?

Mr. FRAZER.—Honorable members opposite are very touchy to-night.

Mr. GROOM.—No; the honorable gentleman is asked to make an explanation of policy, and he begins to make comparisons.

Mr. FRAZER.—I began to make an explanation of policy, and honorable members opposite disagreed with it, and when I pay a deserved tribute to one of my colleagues they disagree with that.

Mr. GROOM.—No one objects to the Minister paying a tribute to his colleague so long as he does not use it as a means of hitting at somebody else.

Mr. FRAZER.—I might use the reply of the honorable member for Bourke, and say that no one can anticipate the objections of the Opposition. This is an urgent matter recommended by the distinguished Naval officer who was brought from the Old Country to advise the Commonwealth Government in the matter of naval defence, and are we to refuse the generous offer of the subscribers to the *Dreadnought* fund because the proposed Naval College is not to be established in Federal Territory? What did we do in connexion with the Cordite Factory? The honorable member for Maribyrnong would very strongly object if a proposal were made to remove the Cordite Factory from his electorate.

Mr. FENTON.—Some factories must be established in the State capitals for the convenience of the Commonwealth.

Mr. ATKINSON.—Is the Cordite Factory one?

Mr. FENTON.—Yes, decidedly.

Mr. FRAZER.—I think it is, also; but I hope that the whole of the Federal factories will ultimately be established in Commonwealth Territory. We have been obliged by necessity to establish the Cordite Factory at Maribyrnong, the Small Arms Factory at Lithgow, and our Woollen and Saddlery Factory in other localities. We have not yet been able to initiate a concrete scheme for the establishment of all our factories in Commonwealth Territory. The view advanced by honorable members opposite apparently is that we should not establish a naval college outside of Federal Territory.

Mr. GROOM.—No attack has been made. All that was asked was an explanation of the Government policy in the matter.

Mr. FRAZER.—I have already said that I was under a disadvantage in not having heard the previous discussion.

Mr. AUSTIN CHAPMAN.—The Minister's colleague told us that probably a second college would be established at Jervis Bay.

Mr. FRAZER.—I do not think that there will be a second college, but, no doubt, there will ultimately be a transference. I ask honorable members to let the Estimates pass as quickly as possible, because we have been able to do practically nothing in the carrying out of public works since 30th June last, and I know that there are telephone lines, post-offices, and other works which are urgent and necessary.

Mr. GROOM.—We are asked to vote some millions, and have not had the items under discussion for more than two days.

Mr. MCWILLIAMS.—Yet the Minister blames us for asking for information.

Mr. FRAZER.—I am not blaming any one, and am willing to supply all information asked for; but until we have parliamentary authority, we cannot proceed with works which are urgently needed.

Mr. SINCLAIR (Moreton) [9.45].—I do not think the Committee has been afforded the information which it should have regarding the item under discussion. We have been told that the Naval Barracks,

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Submarine Depôt, Naval Gunnery and Torpedo School, Naval Training School, Naval Boys' Training School, and Naval Midshipmen's College, are all to be established in Sydney, because Sydney citizens subscribed £40,000 towards the purchase of a *Dreadnought*, and the money was handed over to the Government.

Mr. TUDOR.—One of these establishments is to be placed at Westernport.

Mr. SINCLAIR.—To spend £53,000 on schools and colleges of the kind proposed elsewhere than in the Federal Territory would be a waste of money. It is time that we began to concentrate our expenditure, especially on buildings of this kind, in the Federal Territory. These buildings would have to be protected, and that can be done by the fortification of Jervis Bay. To test the feeling of the Committee I move—

That the item "Naval Barracks, Submarine Depôt . . . . Towards cost, £53,000" be reduced by £53,000.

The CHAIRMAN.—The question is that subdivision 7 of division 1 be reduced by £53,000.

Mr. ANSTEY (Bourke) [9.56].—I stand aghast at the admissions and disclosures made by Ministers this evening. They were asked that certain facilities should be afforded to the men working in the Federal Territory, and I expected to be told that the matter would be immediately rectified, but instead of that statement we got a general account of the difficulties which the Department of Home Affairs has to face, the question of banking generally was dealt with, and the main issue was ignored. This Labour Government, which I have supported through thick and thin from the beginning, wobbles along behind its predecessors. At the camps where men are employed under the State Government, facilities are given for the payment of wages into savings banks. On the railway works, in the Buffalo, the paymaster makes provision for that. What was there to prevent the Minister of Home Affairs from telling us that the same thing would be done in the Federal Territory?

Mr. FRAZER.—I have said that it will be done. The Minister of Home Affairs could not make a statement on behalf of my Department.

Mr. GROOM.—The same thing will be necessary in connexion with the making of the transcontinental railway.

Mr. FENTON.—And wherever bodies of workmen are employed.

Mr. ANSTEY.—I take it that what we ask for will be done wherever bodies of workmen are employed. I have no wish to inconvenience the Government, which I support, but I have always understood that the Military College and the Naval College would be established in Federal Territory. I thought that the Naval College was to be at Jervis Bay, and in communication with the Military College; although there is no statement to that effect on the Estimates, I assumed that that was intended. The Postmaster-General has told us that certain persons subscribed £40,000 towards the construction of a *Dreadnought*, and the honorable member for Eden-Monaro asked if they made it a condition to handing the money over to the Government that it was to be spent on a naval college to be established at Port Hacking. The Minister did not say that there was such a condition. If there was not such a condition, there was no reason for referring to the fund at all. If there was such a condition, it is outrageous that, to become the recipient of a miserable £40,000, the Government should set aside the policy recommended by its naval and military advisers.

Mr. TUDOR.—I understand that the experts recommend this place.

Mr. AUSTIN CHAPMAN.—The experts recommended Jervis Bay. Will the third Minister, who has intervened, assure us that there was no stipulation?

Mr. TUDOR.—I know of none.

Mr. AUSTIN CHAPMAN.—Then why were the subscribers to the *Dreadnought* fund referred to?

Mr. ANSTEY.—I should like to know what they have to do with the matter?

Mr. FRAZER.—I can explain that matter at once.

Mr. ANSTEY.—Very well.

Mr. FRAZER (Kalgoorlie — Postmaster-General) [10.0]. — I will explain the matter to the honorable member. A body of Sydney citizens controlling a fund subscribed to provide for the purchase of a *Dreadnought*, found themselves unable to carry out the original object of the fund, and then intimated that they were prepared to present to the Minister of Defence the sum of, I think,

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£43,000 to assist in the defence of this country, and so to assist in the defence of the Empire. The Minister, to the best of my knowledge and belief, appointed a Committee to select the most suitable site on which to establish a naval college to train the youth of Australia, who are ultimately to be drafted into the Australian Navy. The Committee selected a site, the sum of £43,000 was made available, and we now submit an item to give effect to the proposal in order that we may have the officers and men necessary for our Navy.

Mr. ANSTEY (Bourke) [10.2].—The Minister, having dealt with my first objection, I desire now to state that I distinctly object to being misled, and to a policy of fraud upon myself and other honorable members. I do not know whether other honorable members object, but I certainly do. I support the Government on its general policy, but I object to giving a vote on false pretences, or, in other words, to voting for the establishment of a naval college, believing that it is to be erected in some place other than that at which I now learn it is to be established. But for certain statements made on one side of the Committee, and the explanation made in reply by the Minister, honorable members would have voted for this item, believing that the College was to be established on Jervis Bay. There is nothing in the Estimates to show that it is not to be established there. We should not be called upon to vote for an item of £53,000 in respect of an undertaking of this character, without being taken into the confidence of those who are asking us to vote for it. It is evident from what has been said that the donors of this sum of £43,000 clearly laid down the conditions upon which it was to be handed over to the Federal Government, and that the Government, in order to secure that amount, have accepted a site of which they did not originally approve. If the Federal Territory is to be of any value, it ought to be developed. If there was any justification for the establishment of a military college at Yass-Canberra, then all the arguments advanced by the Ministry in favour of its location there must apply equally to the establishment of the Naval College within Federal Territory. I propose to support the amendment, first of all, because I object to the explanation given; secondly, because I consider that very important facts have been hidden from the Committee; and, thirdly, because I do not believe that the supporters of the Government have been honestly dealt with in this matter.

Mr. McWILLIAMS.—Before the Minister replies, will he tell us how much the site itself will cost?

Mr. FRAZER (Kalgoorlie—Postmaster-General) [10.5].—I am sure that honorable members generally appreciate the disadvantages under which I labour in replying to statements such as have been made to-night.

Mr. GREENE.—Still, the information ought to be available.

Mr. FRAZER.—If I were Minister of Defence, I should accept the full responsibility of giving a direct reply to every statement that has been made, but as I am not, and as I have not been in the Defence Department for some months, I am unable to do so.

Mr. ANSTEY.—The Minister clearly understands that I admit that he is at a disadvantage.

Mr. FRAZER.—Very well.

Mr. GROOM.—But surely the Minister of Home Affairs knows all about the matter?

Mr. KING O'MALLEY.—I have only to buy the land.

Mr. FRAZER.—My honorable colleague's position is that if a recommendation is approved, and a request is presented, he has to carry out the deal.

Mr. KING O'MALLEY.—That is all.

Mr. AUSTIN CHAPMAN.—But the information should be in his Department.

Mr. FRAZER.—What information do my honorable friends want?

Mr. AUSTIN CHAPMAN.—The information asked for by the honorable member.

Mr. FRAZER.—The information available apparently is that as this is Cup night a convenient opportunity for trouble is afforded.

Mr. GROOM.—That is unfair. We have kept a House for the Government.

Dr. CARTY SALMON.—The honorable gentleman would not have hesitated to avail himself of such an opportunity.

Mr. FRAZER—I cannot find my honorable friends opposite not guilty to-night.

Dr. CARTY SALMON.—Not guilty of what?

Mr. FRAZER.—Of recognising a certain position.

Mr. GROOM.—The Minister's statement is most ungenerous.

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Mr. FRAZER.—I do not think it is.

Mr. GROOM.—I say that it is. Not one unnecessary question has been asked to-night.

Mr. FRAZER.—I have frequently had the opportunity of addressing remarks to the Government of the day from the Opposition side of the House, but I have never yet complained of any replies given. This question having been sprung upon me, in the absence of the Honorary Minister representing the Minister of Defence, in this House, I am unable to deal with it, since I am not fully acquainted with all the facts.

Mr. GROOM.—The honorable gentleman thinks that when a question is addressed to him, an attack is being made upon him. He is quite wrong.

Mr. FRAZER.—I make no complaint.

Mr. SINCLAIR.—The honorable gentleman made a serious charge against me. I think that he ought to withdraw it.

Mr. FRAZER.—I am glad to be reminded of it; I certainly withdraw it. I submit to the honorable member for Bourke that it is only fair that he should accept my statement. Possessing the knowledge that I do of the conditions of the Defence Department, I think he ought to accept my statement that this is a genuine attempt on the part of the Minister of Defence, acting on the advice of his most responsible expert advisers, to establish a college in a direction that will be best calculated to secure the effective defence of Australia.

Mr. PAGE.—Surely it is a fair thing to ask what the ground is going to cost?

Mr. FRAZER.—It cannot cost more than the amount included in the principal item.

Mr. GREENE.—But the £43,000 subscribed by the citizens will be over and above the £53,000 to be expended by the Government.

Mr. FRAZER.—My honorable friends apparently assume that the total sum of £53,000 is going to be expended on the Naval College, but they will see, on looking at the item that it is towards the cost of Naval Barracks——

Mr. GROOM.—Has the Minister the details of each subdivision of the item?

Mr. FRAZER.—I have not.

Mr. PAGE.—Surely the Minister of Home Affairs has the details?

Mr. FRAZER.—No; he has not, and it would be most injudicious to say definitely what was going to be done in regard to these propositions if he had them. There are a Naval Barracks, Submarine Depôt, Naval Gunnery and Torpedo School, Naval Training School, Naval Boys' Training School, and Naval Midshipmen's College. The whole of those necessities are heaped under the vote of £53,000. I am very sorry, but I have tried to get hold of the Minister of Defence in order to obtain the particulars of each of those items. I think honorable members might reasonably assume that this is a vote which is intended to carry out the defence scheme of naval instruction for boys to fit them to go into the Australian Navy. I think honorable members might also assume that the Government have taken all reasonable precautions to see that the site most suitable and most advantageous has been picked in order to secure the best results. I would ask the honorable member, on the strength of the statement that has been made to him, to allow this item to pass without forcing it to a vote.

Mr. GROOM (Darling Downs) [10.11].—I think the Minister has quite misconceived the tone of the discussion. He was out of the chamber when the questions were asked.

Mr. FRAZER.—I explained that.

Mr. GROOM.—While the Minister explained it, he made several attacks by insinuations. In the first place, he attacked us for having a "*Dreadnought* policy," but we have the satisfaction of knowing that, not only was the *Dreadnought* accepted, but the whole of the Naval Unit, including a *Dreadnought*, was accepted. I do not want to say anything more.

Mr. PAGE.—You have said quite enough. You know that is not right.

Mr. GROOM.—My statement is correct, but I do not wish to raise that issue now. The Minister raised all these issues, which we do not want to discuss. All we said was that this item was a large one, and that a whole series of matters was grouped together in it. We simply asked the Minister two questions—What was the extent of the commitment, and what were the items upon which we were voting? We made no charge of incompetence against any Minister or other person. In fact, anything we said would not be in the way of an attack upon the Minister of Defence. We simply wanted information to which we were entitled. The question asked by the honorable member for Eden-Monaro and the honorable member for Bourke, as

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to whether the sum of £43,000 influenced the Government in any way in fixing upon the site——

Mr. FRAZER.—I say "No" emphatically.

Mr. GROOM.—I accept the Minister's assurance without the slightest hesitation. At the same time, the question was very natural, because the honorable member for Eden-Monaro, who is a very close student of the parliamentary papers, probably remembered that, on the 18th November, 1909, the House ordered a letter to be printed. I presume the question was based upon that letter, which was written by Mr. Allen Taylor, Lord Mayor of Sydney, to the Government, offering a sum of between £35,000 and £40,000—

to be used by your Government or this Committee——

Mr. TUDOR.—That was the previous Government.

Mr. GROOM.—I am quite aware of that—

for the erection of a Naval College for the education and training of the officers for the proposed Australian Naval Squadron. . . . On receipt of your acceptance of this offer, the money is available, the only conditions attached to the gift being—

Mr. AUSTIN CHAPMAN.—Then there are conditions, notwithstanding the Minister's assurance?

Mr. TUDOR.—That was the Fusion Government.

Mr. GROOM.—There is no necessity for warmth in this matter. Is it wise to raise party issues upon Works Estimates in which we are all interested? The Minister said no conditions were accepted, and I accept his assurance.

Mr. TUDOR.—That was not for the Naval College, was it?

Mr. GROOM.—Yes. The conditions mentioned in the letter were—

1. That the college be established in or within the precincts of the city of Sydney.
2. That the erection be commenced within a reasonable time, to be indicated by you in your acceptance.

Mr. AUSTIN CHAPMAN.—Yet when I raised the question, the Minister insulted me!

Mr. GROOM.—I do not care where the site is so long as the expert recommends it as being the best. I would say, "Put the Naval College on a site in the electorate of the honorable member for Melbourne Ports, if that is the best site." The policy of this House in this matter put aside all external considera guided solely by the question the best site for the efficiency Unfortunately, the papers reg commendations as to the site laid upon the table of the H may be confidential documents, are, and the Minister says tha have recommended the site, raise another word against it.

Mr. FRAZER.—In all pro papers were put on the table o six months ago. If they wer the honorable member my a they can be so placed.

Mr. GROOM.—I accept t assurance that this site has mended.

Mr. TUDOR.—By Captain

Mr. GROOM.—By the ex suited for the purpose.

Mr. ANSTEY.—In order to those conditions.

Mr. GROOM.—The Minis Honorable members must not Subsequent negotiations removi ditions may have taken place. zens are patriotic enough to vernment large sums of mone purposes, the Government oug the offer readily and willing conditions which would be co advice of the experts ought to The honorable member for B the subject in a very quiet, and well-reasoned speech. He request, and I am sure he did question with any desire to e Minister, nor should the Minis we desire to embarrass him.

Mr. FRAZER.—I do not t moment that my honorable fri to embarrass us.

Mr. GROOM.—I am sure will accept our assurance that trying to do so, but in the hea moment, so to speak, he mad which certainly were not fair of the House. We have been in every way this evening, and nothing but reasonable questi think that, on the whole, M attempted to supply us with tion they possess.

Mr. McWILLIAMS (Frank —I still think we ought to kno the Commonwealth is going to site before we pass the item. I asked was fair, and it is no

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a Minister to say that, because an Acting Minister is absent, he is not able to give the information. When these items are brought down, the necessary information should be in the hands of the Minister in charge. Is this vote in addition to the £43,000 which is to be handed over to the Commonwealth?

Mr. FRAZER.—Yes, to carry out all the works that are enumerated in item 5 of subdivision 7—Naval Barracks, Submarine Depôt, Naval Gunnery, and Torpedo School, Naval Training School, Naval Boys' Training School, and Naval Midshipmen's College.

Mr. McWILLIAMS.—The Minister has left out the only words which have any importance in this discussion—"towards cost." Every shilling that we vote can be expended on purchasing land, where it is exceedingly dear. It is not fair to this Committee to propose to establish this College and these buildings on land which has to be bought on certain conditions, when we are not told how much money is to be spent on the land alone.

Mr. FRAZER.—My honorable friend is absolutely wrong—this is the total cost.

Mr. McWILLIAMS.—That statement is in accord with other assertions of the Minister, who says things about these votes of which he knows nothing.

Mr. FRAZER.—I see now that the money to be voted is "towards cost."

Mr. McWILLIAMS.—The Minister should read his own Estimates. Here we have a Minister who is taking charge of Estimates which he has not even read. The honorable gentleman ventured to say that I was entirely wrong in stating that this vote is "towards cost," when, if he had read the Estimates, he would have seen that those very words appear.

Mr. TUDOR.—The Minister said so immediately afterwards.

Mr. McWILLIAMS.—The Minister should at least read the Estimates of which he is in charge.

Mr. FRAZER.—That is the only point which the honorable member has been able to make, and he is quite welcome to it.

Mr. TUDOR.—These are not the Postmaster-General's Estimates.

Mr. McWILLIAMS.—I know that they are not his Estimates; but he is in charge of them. No information is given to us, however, and the Minister whose Department they concern is absent. We ought to know definitely why the site of the College is not to be within Federal Territory, and whether the *Dreadnought* money is being handed over to the Commonwealth Government, under the condition that the College should be in the vicinity of Sydney.

Mr. TUDOR.—There is no condition. That is the information that I have.

Mr. McWILLIAMS.—The Minister said a little while ago, "to the best of my belief." I agree with the honorable member for Bourke that these buildings, which will be of a permanent character, should be within Federal Territory. We have taken over an enormous area of land for Federal purposes. Is it reasonable that we should spend money on establishing a Federal institution elsewhere? We can have the land at Jervis Bay for nothing. Why spend money on purchasing land elsewhere? It is one of the most unbusiness-like proposals ever put before an Australian Parliament. Those who know Jervis Bay are aware that it is one of the best harbors in Australia. Moreover, in the interests of the cadets themselves, it would be better that they should not be trained in the immediate vicinity of a large city. Every argument used in favour of establishing the Military College at Duntroon can be used with still more force in regard to the Naval College.

Mr. TUDOR.—Why?

Mr. McWILLIAMS.—Because if it be in the best interests of the military cadets and of the country that they should be trained at a college distant from one of the large cities, it will be equally advantageous that the naval cadets should be trained at a college that is not in the vicinity of Sydney. I believe that the first expert opinion furnished to the Government was favorable to the establishment of the Naval College at Jervis Bay. But for some reason or other that proposal was turned down. If we pass this vote, we shall commit the Commonwealth for all time to the establishment of the Naval College in the vicinity of Sydney. We shall make a mistake by so doing. Ministers would be wise to reconsider their decision, and to determine to establish the College in Federal Territory, and in a situation where the students may be removed from such temptations as exist in the vicinity of Sydney.

Mr. MATHEWS (Melbourne Ports) [10.28].—The Committee require a great deal of information on the point under discussion, and I think it would be well for progress to be reported now.

Progress reported.

House adjourned at 10.29 p.m.

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Senate.

Wednesday, 8 November, 1911.

The PRESIDENT took the chair at 3 p.m., and read prayers.

WHARF LABOURERS; SYDNEY.

Senator RAE asked the Minister representing the Attorney-General, *upon notice*—

1. Whether it is a fact, as alleged in the press, that there is a strike among the wharf labourers of Sydney?
2. Is the Minister aware that the steam-ship owners are divided into three sections—deep-sea, Inter-State, and coastal—each section having different agreements (embodying varying rates) with the Wharf Labourers Union?
3. Is he aware that the wharf labourers are all members of the one union, and as such entitled to work at any class of work for any section of the ship-owners, and at any time to transfer their services from one class of ships to any other?
4. Is he aware that under the agreements referred to the same men may be paid different rates for handling the same kind of cargo on the same ships?
5. If this be so, can the resolve of the men concerned to only handle the goods for which they receive the higher rates of pay be considered a strike within the meaning of the Act?

Senator PEARCE.—The answers to the questions are—

1. Work has now been resumed.
2. I am informed that in effect there are really two sections—(1) Deep-sea and (2) Inter-State and Coastal. There are two rates of pay, not three—one for Deep-sea and another for Inter-State and Coastal.
3. Yes.
4. No. I am informed that the same kind of cargo is paid for at the same rates.
5. See 4.

SUGAR: EXCISE REVENUE.

Senator VARDON (for Senator CHATAWAY) asked the Minister representing the Treasurer, *upon notice*—

1. On what basis is the tonnage of sugar, on page 61 of the Budget Papers, calculated?
2. On what basis is the tonnage of sugar paying Excise, as shown on page 64, calculated?
3. What is the explanation of the apparent loss of over a third of a million sterling in Excise revenue, as shown by the difference of production of sugar and the excisable sugar, indicated by the Budget figures for the period 1902 to 1911, the last year being estimated?

Senator PEARCE.—The answers to the questions are—

1. On the actual raw sugar made at the mills.
2. On the actual quantity cleared for home consumption.
3. The apparent loss is principally following causes :—
   (*a*) Stocks of excisable sugar in
   (*b*) Loss in process of refining.
   (*c*) Free delivery of sugar used Australian manufacturing
   (*d*) Exports of sugar.

PAPERS.

MINISTERS laid upon the following papers—

Papua—Ordinances of 1911—
(1) Native Children's; (2) Auct Defamation; (4) No. 9. Birds (5) Public Hospitals; (6) No Officers' Fees; (7) Claims by the Government.

Defence Act 1903-1910—
Financial and Allowance Regul visional) for the Military Fo Commonwealth—
New Regulation 292A.—Stat 1911, No. 172.
Amendment of Regulations —Statutory Rules 1911, N

Regulations (Provisional) for Training—
Amendment of Regulation 74 Rules 1911, No. 173.

Post and Telegraph Act 1901-191
Amendment of General Postal and Telephone Regulations Rules 1911, No. 134.
Amendment (Provisional) of and Telephone Regulations Rules 1911, No. 135.
Amendment of Money Orders —Statutory Rules 1911, No.
Amendment of Postal and Ge Regulations.—Statutory Rules 169.
Amendment (Provisional) of Te gulations.—Statutory Rules 19
Amendment of General Postal phone Regulations.—Statutory No. 171.

Sugar Industry—Copy of Letters pointing a Royal Commission to to and report upon the Sugar Australia.

Papua—Ordinances of 1911—
(1) Coroners; (2) Bankers' Book

The CLERK laid upon the tab lowing return—

Further return to order of the Se October, 1911—Press Cable Subsid paid to date, &c.

ELECTORAL BILL.

In Committee (Considerati from 4th November, *vide* page 2

Clause 8, as amended—

After section sixty-one B of the P the following sections are inserted :

. . . . . .

61E. In any prosecution in any C mary jurisdiction in respect of any of any of the regulations relating to

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enrolment, instituted by any officer or by any person acting under the direction of an officer, the averments of the prosecutor contained in the information or complaint shall be deemed to be proved in the absence of evidence to the contrary.

Upon which Senator Keating had moved—

That the following proposed new section be added :—

"61F. Every summons to a defendant in any such prosecution as last mentioned shall have conspicuously printed upon the face of it a notice in the following terms :—'At the hearing of this information (or complaint) you must tender or produce evidence otherwise the statements above set forth will be taken as proved without the evidence of any witness or witnesses in support of the same. The penalty prescribed for the offence with which you are charged is (here set forth penalty).'"

Senator FINDLEY (Victoria—Honorary Minister) [3.8].—I wish to ask any honorable senator who is acting on behalf of Senator Keating in his absence, if he will be good enough to withdraw the amendment in order that I may move one which, I think, will give satisfaction to those who opposed the original provision on Friday, and which is much more comprehensive than the one before the Committee.

Senator ST. LEDGER (Queensland) [3.9].—I may mention that Senator Keating spoke to me quite informally about this matter, and asked me to attend to his amendment. Beyond that, I cannot say that I have any authority from him. I know how the amendment arose. It seems to me that, by his amendment, which has been circulated, the Minister has met very largely the position, and provided some, if not all, the safeguards which Senator Keating desired to have inserted. Personally, I think that the Minister has fairly met the intention of Senator Keating.

Amendment, by leave, withdrawn.

Senator FINDLEY (Victoria—Honorary Minister) [3.10].—I move—

That the following new sub-clauses be added :—

"(2.) The defendant in any such prosecution may, at any time before the hearing, lodge with or send by post to the Court or the prosecuting officer a statutory declaration setting forth any matter he desires to set forth in answer to the charge.

"(3.) Where a statutory declaration is received by the prosecuting officer in pursuance of this section he shall as far as it is practicable for him to do so inquire into the truth of the statements therein set out and shall, unless he withdraws the prosecution, bring the declaration to the notice of the Court.

"(4.) The Court shall at the hearing of the case consider the statutory declaration (whether the defendant is present or not) as if the matter set out therein had been given in evidence before it.

"(5.) The Court may in its discretion on the application of the prosecuting officer adjourn the hearing for any period it thinks fit to enable him to answer the declaration.

"(6.) In any such prosecution there shall be served on the defendant a notice to the effect that the averment of the prosecutor as set forth in the summons will on the hearing of the case be deemed to be proved in the absence of evidence to the contrary, and setting out the amount of the penalty which may be imposed, and that the defendant may attend the Court and answer the charge in person or may lodge with or send by post to the Court or the prosecuting officer a statutory declaration setting out any matter he desires to set out in answer to the charge, and that such declaration will be considered by the Court as if it were evidence subject to any evidence in reply adduced by the prosecutor. The notice may be printed or written on the summons or may be by separate document served therewith."

I think that those honorable senators who on Friday last objected to proposed new section 61E will find some satisfaction in the amendment now submitted. Many, if not all, of the objections which were urged have been met.

Senator VARDON.—The amendment gives the accused a chance, which he had not before.

Senator FINDLEY.—It was never intended that any man or woman entitled to be enrolled should not be given the fairest and fullest chance of making a defence against any charge of failure to enroll. The applicant was to be given an acknowledgment of his application for enrolment, which in itself would be a good defence.

Senator VARDON.—The accused is still adjudged a criminal until he proves himself innocent.

Senator FINDLEY.—We disposed on Friday last of the matter mentioned by Senator Vardon, who will admit that the proposed new sub-clauses go a long way to meet the objections raised by him and others.

Senator ST. LEDGER (Queensland) [3.17].—The Opposition regard the proposed new sub-clauses as a palliation of what we thought to be a too rigid and improper method of procedure embodied in proposed new section 61E. The principle of that provision is, in our opinion, wholly to be condemned. Under no circumstances would the Opposition have agreed to accept proposed new section 61E even with this amendment if it could have been avoided. But if the Government will insist on this drastic procedure for enforcing compulsory enrolment, the next best thing for us to do is to accept the amendment proposed by the Minister. I may add,

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on my own behalf, that I regard the method of procedure followed by the Bill as a kind of third-degree business. Senator Keating has succeeded in lifting it into the second degree. As the amendment is a palliative, we accept it as a welcome modification of the original third-degree proceedings.

Senator LYNCH (Western Australia) [3.19].—Proposed new sub-clause 6 sets out that the person supposed to be an offender shall be served with a summons or notice. Is it intended to serve the notice personally, or by post? If the notices are not served personally, but by post, there is every possibility that many people, through no fault of their own, may not receive them. I suggest to the Minister the desirableness of inserting the word "personally" after the word "served." That would insure that the defendant would be notified of any action taken by the Department.

Senator GUTHRIE.—It might be served personally or by registered letter.

Senator LYNCH.—Even a registered letter might not reach the defendant in time. In a matter of this kind, the least the Department can do is to find out the person against whom it proposes to proceed, and serve him personally with a summons. I hope that, in order to remove all doubt on the question, and to give a chance to the elector for whom so much sympathy has been expressed, the Minister will accept my suggestion.

Senator FINDLEY (Victoria—Honorary Minister) [3.21].—I cannot act on the honorable senator's suggestion. He need not have the slightest fear that every care will not be taken to serve summonses upon those who are charged with any contravention of the law under this Bill. As a matter of fact, all summonses are personally served unless otherwise prescribed.

Senator VARDON.—Then there will be personal service?

Senator FINDLEY.—Unless otherwise prescribed.

Senator VARDON.—Are the Government going to prescribe otherwise?

Senator FINDLEY.—It might happen from time to time in remote parts of the Commonwealth that it would be absolutely impossible to serve summonses personally.

Senator RAE.—In such cases it would be impossible for the electors to record their votes.

Senator FINDLEY.—The Committee would not be doing well to act upon Senator Lynch's suggestion. If the G proposal is accepted, no harm wi to any elector, though it might ha a regulation would be necessar scribe for the serving of summon wise than personally in special ca

Senator ST. LEDGER (Q [3.24].—I hope that Senator Ly gestion will be accepted. So being left to regulation under the it is quite possible that summonse method of their service will be subject of regulation. Senator sires that it shall be placed bey that, under this provision, summ be personally served. As a matt every summons, except when othe scribed, must be served personall

Senator VARDON.—Then it wo harm to accept the proposed am

Senator ST. LEDGER.—Th and we are informed that it w effect to the desire of the Minist the Department. If the proposed a were agreed to there would be a to the Court hearing the case tha mons had been personally served where personal service is require cer charged with the duty ma claration that he has served the that is lodged with the Court. like to draw attention to anot arising in an earlier part of the s proposed by the Minister. The new sub-clause 2 reads—

> The defendant in any such prosec at any time before the hearing, lod send by post to the Court or the officer a statutory declaration setting matters he desires to set forth in an charge—

I believe that, under our Feder statutory declaration must be sig a justice of the peace. It mig always convenient, or even possi person charged with an offence proposed new section to find a the peace before whom he coul statutory declaration, and I, there gest that the sub-clause should be by inserting after the word "dec the words "or a declaration signed by the defendant."

Senator GUTHRIE.—That woul declaration It would be merel ment.

Senator ST. LEDGER.—I defendant to be given an oppo make a statement of any m desires to set forth in answe charge if he be unable co

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to get a justice of the peace to witness a statutory declaration. It might be inconvenient or very expensive for a defendant to attend the Court, and he should, I think, be given an opportunity to make a statement in writing signed by himself.

Senator GUTHRIE.—A statement might be true, but a statutory declaration must be true under certain penalties.

Senator ST. LEDGER.—No; I think that a statement in writing, signed by a defendant, in a judicial proceeding, even though it may not be witnessed by a justice of the peace, would, if it were false, render the defendant liable to a prosecution for perjury. Where the law gives effect to a statement as evidence, I think the person signing it is liable to a prosecution for perjury if it is shown to be false. I move—

That after the word "declaration" in proposed new sub-clause 3 the following words be inserted:—"or a declaration in writing signed by the defendant."

Senator SAYERS (Queensland) [3.29].—It would do no harm to accept Senator St. Ledger's amendment. In the western districts of Queensland, people have often to travel 40 or 50 miles to reach the residence of the nearest justice of the peace. If, under this proposed new section, an elector is to be required to send in a statutory declaration, he may travel 40 or 50 miles to the residence of the nearest justice, only to find that he is not at home. In such circumstances, why not make the scope of the measure as wide as possible, instead of confining it to a statutory declaration? In Queensland, two or three hundred miles inland, there are hundreds of men and women who are not within a reasonable distance of a justice of the peace. A similar remark is applicable to the out-back residents of Western Australia and South Australia.

Senator WALKER.—And of the Northern Territory.

Senator SAYERS.—This Bill is not applicable to the Northern Territory, because, so far, it has no Parliamentary representation. No harm can result from adopting the proposal of Senator St. Ledger.

Senator GUTHRIE.—Why not apply it to Melbourne and Sydney, where justices of the peace are as thick as mulberries?

Senator SAYERS.—I do not desire to apply it to large centres, where justices of the peace are as thick as mulberries. I merely ask the Honorary Minister to consent to widen the scope of the clause, so as to permit a defendant to make a statutory declaration if he wishes to do so. I desire to meet the cases of those persons who find it impossible to secure the services of a justice of the peace.

Senator GUTHRIE.—Then why not confine it to them?

Senator SAYERS.—I cannot do so. No harm can result from allowing a man to supply a written statement of the reasons why his name does not appear on the electoral roll. There are many parts of the country in which he might have to walk several miles in order to get a pen and ink, much less to secure his enrolment. I do not think that we need apprehend that any man or woman will furnish false statements. But where the services of a justice of the peace cannot be requisitioned, persons who are not enrolled should be afforded an opportunity of protecting themselves in some way or another. I do not know whether Senator Guthrie has read the Bill, but, if so, he will find that it is a very drastic measure indeed. In the absence of the amendment suggested by Senator St. Ledger, a defendant whose name does not appear upon the rolls will be immediately punishable. I wish to give such an individual a chance to prove his innocence. We wish to compel enrolment on the part of those who are able to enroll, but we fail to see why others who cannot be reached even by letter should be penalized for their neglect to do so. Even under our Defence Act, which provides for compulsory military training, exemptions have been provided for. There are whole districts which are not brought under the scope of that Statute, merely because of the impossibility of reaching the residents of such areas. But, under this Bill, there are to be no exemptions. I wish to give a man who has not enrolled a chance of defending himself, even if it be merely by letter.

Senator FINDLEY (Victoria—Honorary Minister) [3.36].—I cannot accept the amendment under any circumstances. If we once consent to water down the clause in the way that has been suggested by Senator St. Ledger, we may as well wipe out the new sub-clauses which I have submitted in their entirety. Senator Sayers has declared that some persons may have to walk several miles in order to obtain even pen and ink. In making that statement, I think that he exaggerated somewhat. We wish any person who makes a statutory declaration to be held responsible for it. Senator St. Ledger has not outlined any

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penalty for the making of a false statement. But, altogether apart from justices of the peace, there are others whose aid may be requisitioned in regard to statutory declarations. For instance, under the Act relating to statutory declarations, such a declaration may be made before a police, stipendiary, or special magistrate, or before a justice of the peace, or a commissioner for affidavits, or a commissioner for declarations. Should the occasion arise, there is nothing to prevent the Government from appointing a commissioner for declarations. If the predictions of Senator Sayers and others are realized, there will be nothing to prevent the Government from appointing any number of commissioners of declarations. But, personally, I do not anticipate any such trouble. If an injustice is being done to any person, he will undoubtedly find a way of replying to the charge preferred against him, and of establishing his innocence.

Senator ST. LEDGER.—I should be willing to substitute the words "written statement" for the word "declaration," and to add the words "duly witnessed."

Senator VARDON (South Australia) [3.39].—If compulsory enrolment is to be enforced, a great many prosecutions will take place, especially during the first year or two of the operation of this Bill. Naturally there will be numerous violations of its provisions, and therefore we ought to offer to the residents in the outlying portions of Australia facilities to safeguard their interests. I do not think it is fair to call upon any individual to make a statutory declaration, when the adoption of such a course may involve him in the loss of a good deal of time by compelling him to travel a long distance in order to secure the services of a commissioner who may receive his declaration. I hope that the Minister will accept Senator St. Ledger's offer to alter his amendment by striking out the word "declaration," and substituting the words "written statement," and adding the words "duly witnessed." That would allow a man to make a statement, and his signature, as in the case of many other documents, could be witnessed by any person. If the Minister wants to guard against the possibility of false statements being made, let him provide for the imposition of a penalty of £10. That would surely make persons very careful to see that their statements were true.

Senator GUTHRIE.—Would you witness to a signature responsible of the peace are made responsibl

Senator VARDON.—No justi peace is made responsible for th any statement made by a person nature he witnesses. I am awa connexion with the transfer of rea a justice of the peace calls upo ness to certify that the person s document is of sound mind. That difficult question for a justice of t determine. If my suggestion is a shall make all the provision that especially in view of the fact th pulsory enrolment is going to be we shall have a great many of th cutions.

Senator SAYERS (Queenslan —The Minister seemed to doubt ment, but apparently he is not with the difficulties experienced Queensland. I have been m from places where I could get ink. What is really the differen a statutory declaration and a statement? A justice of the p not know whether a man who make a statutory declaration is a the truth or not. He simply re person to swear that, to the best of ledge and belief, the statements in the document are correct, and his signature. It is the duty of every occasion to make a truthful whether it is made before an ord ness or a justice of the peace. is determined to commit perju make no difference to him whethe ment is made before a justice of or an ordinary citizen. I do n any great benefit is to be derive quiring a man to go before a because the latter will witness a to a document as a mere matter and certify to the fact that the has declared on oath the conte document to be true.

Senator GUTHRIE.—A justic peace does more than that.

Senator SAYERS.—No; I nessed the signatures to hundred tory declarations.

Senator GUTHRIE.—He has als that the statement is true.

Senator SAYERS.—I have n nor do I think that any just has ev alled upon of the peac whom isters the

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is responsible for the truth of a statutory declaration. We want to protect, not the men in the towns, because they can protect themselves, but the thousands upon thousands of persons who live in the bush of Queensland and elsewhere. If the Government intend to carry out this measure, which I doubt very much, they will have thousands of prosecutions, especially during the first few years of its operations, until persons have learned what it means. Thousands of persons will not dream of being fined. They will not imagine that the Government intend to press compliance with the law. Of late years a bad practice has sprung up. A large portion of a measure is often left to be supplied by regulations. Under this measure we are to have regulations prescribing this thing, that thing, and the other thing, but they may depart entirely from the intention of Parliament. The Minister knows that in the course of time neither he nor the present officers will be in charge of the Electoral Branch of the Home Affairs Department. The less we have of departmental legislation the better. We are not sent here to be ruled by the Departments, but to make the laws of the country, and certainly we are not doing our duty. No regulations should be allowed to have the same effect as the provisions of an Act. Originally regulations were only intended to cover details which had been overlooked by Parliament. Year after year we are called upon to pass a skeleton Bill, and leave its administration to be provided for by departmental regulations. The same Minister is not always at the head of a Department. Recently we have had a change of Ministers, and before a year has expired we may have other changes.

Senator GUTHRIE.—Parliament can disallow any regulation.

Senator SAYERS.—It seldom does. Unless an honorable senator studies every regulation which is issued, some regulation slips through of which he is not aware. The floor of the chamber is the place for the making of our laws, and the Departments are the places for administering them. But more and more is Parliament losing control of the Departments. The Minister agrees with me, I feel sure, that the Act should specify every offence, and not leave offences to be prescribed by the Department.

Senator GUTHRIE.—Parliament can disapprove.

Senator SAYERS.—Yes; but it is much easier for Parliament to keep a grip of things than, having lost it, to take it back. How many regulations have been issued during the last six months which many honorable senators have not seen by reason of their absence?

Senator GIVENS.—Even if they had been here, they could not have read all the regulations, because there were so many.

Senator SAYERS.—No one will attempt to read a batch of regulations. What we ought to do is to meet the case of the men settled in many parts of northern Queensland, and, I believe, in the central and western parts also, who often experience a difficulty in obtaining even pen and ink. Of course, if a man is in a camp, he can get a pen and ink, and a person to witness his signature; and if either the Government or the Court disbelieve him, further proof can be called for. In connexion with this matter of compulsory enrolment, a man should be afforded a chance to make a statement before proceedings are taken against him. It may not be convenient for him to travel 40 or 50 miles to find a justice of the peace. Surely a man living out on the Percy or the Cloncurry should be allowed a chance, if notified, of furnishing a statement by post. I hope that the Minister will see his way to meet us in this matter. Otherwise, many a man will be punished simply because he will sooner risk the infliction of a fine than lose two or three days to travel to a Court.

Senator ST. LEDGER (Queensland) [3.52].—Under proposed new sub-clause 2, the Minister is framing the Act so that a statutory declaration may be submitted to the Court, and when it is submitted to the Court, then, under proposed new sub-clause 3, it is to be equivalent to evidence, and the matter must be gone into. In other words, a statutory declaration, by these two provisions, is made evidence; but we are now practically asked to say that the evidence of a man who cannot get a witness shall not be evidence. The Minister is discriminating in regard to this privilege. I am quite willing to add to my amendment the words "duly witnessed." If the Minister will not accept that alteration, he will do a great injustice to many persons. He must be aware that, in Australia, it is impossible, in many instances, for men to find a justice of the peace to witness a statement in writing. What is the basis of the

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franchise? That it shall be as free as possible, and surrounded with all facilities which we can reasonably give to the people. Yet, in the matter of dealing with evidence under this measure, we are asked to say that the signature to one class of declaration shall be witnessed, and that the signature to another class shall not be witnessed. I think it will do justice to the whole case to allow the written declaration of the defendant, duly attested, to be accepted.

Senator GUTHRIE.—By whom?

Senator ST. LEDGER.—Is not the signature to a will allowed to be attested by any person, and, if so, why should not the signature to a declaration of this kind be attested by any person? A man may dispose, by will, of thousands of pounds' worth of property, and the law regards the bequest as quite good if the testator's signature is witnessed by two persons, who might be anybody.

Senator GUTHRIE.—In the presence of two witnesses, and in the presence of each other.

Senator ST. LEDGER.—Yes; but under the law, any person may witness a signature to a will. Why not give to an elector who is called upon to answer a charge under the Electoral Act the privilege which is ordinarily given to a person who makes a statutory declaration—namely, that of writing out his case, and having it duly attested?

Senator READY.—Such a statement would not be accepted by a court of law.

Senator ST. LEDGER.—It would be if we provided for it in this measure.

Senator READY.—The honorable senator does not convince me of that.

Senator ST. LEDGER.—If we provide in an Act of Parliament that a written statement, signed by the defendant, and duly attested, shall be considered by the Court, the magistrate will say, "I must accept this statement as evidence."

Senator GUTHRIE.—Would such a statement be accepted as evidence in a will case?

Senator ST. LEDGER.—Of course it would be, unless it were disproved. The moment a will, signed by a testator, and duly witnessed, is lodged in a Probate Court, it stands good unless it can be shown that the signatures are forgeries. In other words, the signature of the testator, duly witnessed, must be taken to be what it purports to be, unless there is evidence to the contrary.

Senator GUTHRIE.—Or unless th is challenged.

Senator ST. LEDGER.—Quite s are content to allow property wort dreds of thousands of pounds to disposed of. Why not allow a de accused of not enrolling himself as tor to make a similar declaration?

Senator FINDLEY (Victoria- orary Minister) [4.1].—I cannot un circumstances accept the amendme suggested. The Government wish t sub-clauses to be carried as they a mitted. Senator St. Ledger is, of extremely anxious to weaken the w the compulsory enrolment provisio do him no injustice by making tha ment, because on Friday last he pu strong fight for that purpose. In all Acts of Parliament in which st declarations are provided for, it is that they shall be made before d credited witnesses. I thought that meeting the wishes of the Opposit bringing down these new sub-clause apparently, honorable senators oppo not satisfied even now. The pr have simply given them additional to fight against a principle which dorsed on Friday by fourteen v twelve. I trust the Committee w entertain the amendment moved by tor St. Ledger, or any others to th effect.

Senator McCOLL (Victoria) [4.4 Minister is hardly justified in taki strong exception to the efforts bein by the Opposition. I admit that tried to meet the desires of honorab tors fairly, and that the amendme fore the Committee go a long way to the defects of proposed new secti But the honorable senator should that, as Senator Vardon has point the principle of that proposed new is almost a new thing in law. Bei it will require to be safeguarded t it operate fairly. In the back-bl this country it is often impossible t the services of a justice of the p witness declarations. In order th hardship may be mitigated, it is that the defendant, in a case un compulsory enrolment provisions be permitted to put in a signed st duly attested as his defence or expl I admit that there are difficulties way, but, nevertheless, I would Minister to give the matter furth sideration. Perhaps, later on, he

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able to devise means by which the desires of honorable senators might be met.

Senator W. RUSSELL (South Australia) [4.5].—I indorse the attitude taken up by the Honorary Minister, and appreciate his statement in reference to remarks made by members of the Opposition. I have lived in the back-blocks for years, and have mingled freely with people who live great distances apart; but I have never gone to a place where pen, ink, and paper could not be obtained. Even people in the back-blocks get newspapers, and the few who have not a pen and ink have pencils. They take an interest in what is going on in the world, and rarely have any difficulty in getting a justice of the peace to witness a statutory declaration.

Senator SAYERS.—That may be the case in South Australia.

Senator W. RUSSELL.—I did not think that Queensland was so far behind South Australia in reference to matters of this kind. There appears to be an attempt on the part of the Opposition, I will not say to "stone-wall" the Bill, but to water down these provisions. In my opinion, very little hardship will be inflicted upon the class of people to whom I originally belonged. The Government are acting fairly, and the amendments proposed this afternoon by Senator Findley are liberal in the extreme.

Senator VARDON (South Australia) [4.8].—I do not desire to deprive the Honorary Minister of any credit that is due to him for the amendments which he has proposed. I appreciate the effort he has made to make things easier for those persons who may incur penalties under the Bill. But we ought not to be blamed for endeavouring to make it even more convenient for those who may have to defend themselves for alleged breaches of the electoral law. I see no reason whatever why a signed and witnessed statement should not be accepted as a good defence. I am one of those who do not believe in oaths. A man's "Yes" or "No," with his signature appended to it, and properly witnessed, ought to be sufficient.

Senator W. RUSSELL.—A man might forge the names of witnesses.

Senator VARDON.—Such a man would be equally likely to forge the signature of a justice of the peace. But he would have no object in forging the signature of a witness. There would be no inducement. There might be an inducement for a person living a long way from the residence of a justice of the peace to forge such a signature, but the signature of an ordinary witness could easily be obtained. While giving the Minister every credit for endeavouring to meet the wishes of the Opposition, I see no reason why he should not accept an amendment permitting the signed and attested statement of an accused to be accepted and considered by the Court.

Senator SAYERS (Queensland) [4.10].—The Minister has by his amendment met our views to a certain extent, and I give him credit for doing so, but he should remember that there are many people in the back districts of Queensland, at any rate, who will be unable to get a justice of the peace or a commissioner for affidavits to witness declarations.

Senator FINDLEY.—We can create commissioners for declarations if there is such a lack of justices of the peace.

Senator SAYERS.—That is absurd. No Government has so far provided justices of the peace and commissioners for affidavits for all the remote districts, and the present Government are not likely to do so. The Minister's proposal will afford facilities to people in centres of population who really do not require them, and we are not asking too much from a Government who profess great sympathy with the people of the remote districts when we urge that those facilities should be extended to them. Senator W. Russell has said that he was never in a house in which he could not find pen and ink, but the honorable senator speaks of conditions that are as different as day from night from the conditions prevailing in the districts to which I have referred. He is speaking of people who are housed, and who will be provided for by the Minister's amendment. I speak of districts where for hundreds of miles there is no house to be found at all. The people in those districts have trouble enough to get paper, pen, and ink with which to prepare a statement, without having to travel perhaps 40 miles to get a justice of the peace to witness the signature to it. I feel sure that the Minister does not wish to punish people who will be quite unable to comply with this sub-clause, and I hope he will accept the amendment proposed from this side.

Senator WALKER (New South Wales) [4.15].—I think we should be much obliged to the Government for proposing to modify the provisions of the proposed new section 61E. I have not travelled great distances in the bush, but a few years ago, as a bank

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inspector, and accompanied by a man, I travelled from Thornborough to Georgetown on the Etheridge gold-field. It took us over six days to travel about 200 miles, and from the time we left Thornborough until we reached Georgetown we came across only two men—one a mailman, and the other a horse thief. We passed through two or three stations, but the station hands were out on the runs. The Minister must recognise the awkward position in which many electors of the Commonwealth will be situated. I shall not take up time arguing the matter unnecessarily, but I think there is a great deal of force in the contention of the minority. When we are in a minority we are generally right.

Senator ST. LEDGER (Queensland) [4.17].—I join with Senator Walker in asking the Government, now that they have made some concession, to give it effect by accepting the amendment which has been moved from this side, or by submitting some other alteration of these subclauses, should they consider that what we propose is open to fraud. Under the postal voting provisions of the existing Act, persons wishing to take advantage of the postal vote are required to make applications for postal ballot-papers, and these applications have to be attested. Parliament went to a great deal of trouble to extend the facilities provided for the attestation of such applications, and provided that the following persons should be considered authorized witnesses within the meaning of the Act—

All Commonwealth Electoral Officers for States; all Commonwealth Returning Officers; all Commonwealth Electoral Registrars; all postmasters or postmistresses or persons in charge of post-offices; all police or stipendiary or special magistrates or of the Commonwealth or of the States; all justices of the peace; all head teachers in the employment of a State Education Department; all officers of the Department of Trade and Customs; all members of the police force of the Commonwealth or of a State; all mining wardens and mining wardens' clerks in the Public Service of a State; all legally qualified medical practitioners; all officers in charge of quarantine stations; all officers in charge of lighthouses; all pilots in the service of the Commonwealth or of a State or of any local governing body; all telegraph line repairers permanently employed in the Public Service of the Commonwealth who are in charge of working parties; all railway stationmasters and night officers in charge who are permanently employed in the Railway Department in any of the States; all superintendents of mercantile marine and their deputies while permanently employed in the Public Service of the Commonwealth or of a State—

and various other persons. A ma to justice is as important to hir right to the exercise of the franch when it is considered wise to aff facilities for the attestation o ballot-papers, why cannot the Go afford similar facilities to those believe that they have an answer t brought against them by the Office? I do not say this by way because I recognise the concessic has been made, but if the Govern unable to further consider our pro may have to ask them to re-commit later on.

Question—That the words pro be inserted in the amendment be i put. The Committee divided.

Ayes	...	...	...
Noes	...	...	...
Majority	...	...	...

AYES.

Lynch, P. J.	Walker, J. T
Sayers, R. J.	
St. Ledger, A. J.	*Teller:*
Vardon, J.	McColl, J. E

NOES.

Barker, S.	McDougall,
Blakey, A. E. H.	Needham, E.
Buzacott, R.	O'Keefe, D.
de Largie, H.	Ready, R. K
Findley, E.	Russell, W.
Guthrie, R. S.	*Teller:*
Henderson, G.	Story, W. H

PAIRS.

Millen, E. D.	McGregor, G
Keating, J. H.	Pearce, G. F
Chataway, T. D.	Long, J. J.

Question so resolved in the nega

Amendment of the amendment n

Senator LYNCH (Western [4.27].—I have already indic amendment which I now propose t Its object is to insure that person with a breach of the law shall personally by summons, instead notified through the post. It is unreasonable to expect the nomadi in our community to keep itself in touch with the alterations w being made in the law. The lea do is to provide that persons, who sons over which they have no co far afield, shall be possessed of ledge of the law. I hold that th monses should be served on the d personally, and that the Departme not depend upon them reachi destinations merely by transmitt through the post. I recognise

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only this Ministry, but every other Ministry, has a particular leaning towards its own offspring. But Ministers should recognise that when the Bill emerges from Committee, it will represent, not their work, but that of the Senate. Consequently, ample consideration should be given to every reasonable proposition that is submitted, with a view to the improvement of the measure. Certainly we ought to pay some regard to the most valuable of our citizens, who go far afield to develop our resources, and who, for a time, at any rate, remain unacquainted with any alterations which may be made in the existing law. I ask the Honorary Minister to throw aside the foolish notion that this measure should be accepted in its entirety. We should insist upon the Department following up any man charged with a breach of the provisions of the Bill, even if it be necessary to go as far as Central Mount Stewart, in South Australia, in order to personally serve him with the notice of its intention to prosecute him. I hope that the Honorary Minister will not adhere too rigidly to the proposed amendment which will vitally affect the interests of those whom it should be our foremost care to safeguard. I move—

That after the word "defendant," line 26, the word "personally" be inserted.

Senator FINDLEY (Victoria—Honorary Minister) [4.33].—I hope that the Committee will not accept the amendment. Senator Lynch has made an earnest appeal on behalf of the men out-back, who may be separated by a considerable distance from any post or telegraph office. No matter how far removed a man or woman may be from any post or telegraph office, he wishes that man or woman, if either is charged with an infraction of the law, to be personally served with a summons. As I have already informed the Committee, all summonses are served personally unless otherwise prescribed. Under this Bill, unless a considerable expenditure will have to be incurred by serving summonses personally, the probability is that they will be served in no other way.

Senator SAYERS.—They will not be served at all.

Senator FINDLEY. — Then Senator Sayers will be found voting in opposition to the amendment moved by Senator Lynch.

Senator SAYERS.—No, I intend to support it.

Senator FINDLEY.—It is only fair that any serious contingency which may arise should be dealt with by regulation. There are contingencies which it is impossible to provide for in any Act of Parliament. I can assure honorable senators that there is no desire to serve, other than personally, a summons on any individual charged with a contravention of this Bill. But, if circumstances should arise which prevent the adoption of that course, we should have power to provide by regulation that summonses may be served in the easiest and the least inconvenient way. Honorable senators must have a very poor opinion of the Acts which have been passed by the Parliament from time to time if they believe that our Post and Telegraph Department is in such a condition that we cannot almost absolutely rely upon telegrams and registered letters safely reaching their intended destinations.

Senator WALKER.—A person may be in Europe at the time.

Senator FINDLEY.—If that were so, how ridiculous would be the amendment which has been moved by Senator Lynch? Does that honorable senator desire that we should follow a man to Europe? I do not think that the Committee need seriously entertain such a consideration. I am not wedded to every "i," or "t," or "full point" in this Bill, but naturally I adhere steadfastly to those provisions of it in which I believe. I believe in the new subclauses which I have submitted this afternoon, and I am not prepared to accept any amendment upon them. The Government have gone a long way to meet the wishes of objectors to the proposed new section 61E in its original form.

Senator W. RUSSELL.—The Ministry are giving members of the Opposition more consideration than they are extending to their own supporters.

Senator FINDLEY.—We extend consideration wherever we think that it is merited. I hope that the Committee will not accept the amendment submitted by Senator Lynch. Persons who contravene the Act will suffer no hardship or inconvenience if the Committee carry the proposed new sub-clauses as submitted.

Senator VARDON (South Australia) [4.40].—I am glad that the Minister has endeavoured to meet the case; but he takes up the position that he has submitted a perfect clause, and that it is impossible to suggest the least alteration which would improve it. I do not think any Minister

ought to take up that attitude. Surely, if a reasonable amendment is proposed, it is worth consideration. The Minister draws a distinction between men who can be served with summonses personally and easily in large centres of population and men who live in remote places and cannot be so readily reached. But I would remind him that the personal honour of a man who lives in a back-block place is just as dear to him as is the personal honour of a man who resides in a large city. He is equally anxious to preserve his integrity.

Senator FINDLEY.—Hear, hear! And he will have the opportunity.

Senator VARDON.—No. The honorable senator has said, "Wherever it is easy to do so, we will serve the summonses personally; but, at the same time, we may frame regulations to make personal service unnecessary in certain cases." I agree with Senator Lynch that no exception should be made, because I hold that a man should be personally served if he is to be brought before a Court. If a man is so far distant that he cannot be got at, he might well be left alone until he does come within reach of a polling place and can be personally served. Senator Lynch's amendment, if adopted, would be a safeguard for every man in the community that his personal honour would not be challenged except under personal service. If the Minister states absolutely "We do not believe that any one can improve this proposed new sub-clause, and, therefore, we intend to stand by it," this discussion may just as well cease. Whether we on this side are few or many, it is our duty to do all that we can to make the provisions of the measure as perfect as possible.

Senator WALKER (New South Wales) [4.43].—I was rather amused at the Minister telling the Committee that no attention could be paid to my objection. I think that if a man is out of the State, that is a very good reason why he should not be punished for his name not being on a roll. In days gone by, my name was on a certain roll, but, on one occasion, when I happened to be in another part of the Colony, it was struck off without my knowledge. Is a person in that position to be considered a kind of criminal, who must show cause why his name is not on a roll? If he is defrauding any person, he is defrauding himself. I agree with Senator Lynch that if a man cannot be served personally, he should be left alone until he comes within a reasonable distance of a polling booth. Surely it is absurd, in a large cou Australia, with thousands of squa of land unoccupied, to do what t ister advocates. I do not intend t the matter longer; but I protest innocent persons being considered

Senator SAYERS (Queensland) —As I listened to the Minister, I how applicable his arguments wer question we were discussing a sho ago. He had then no consideration cost and the trouble to the poor unf man in the bush; but when Senato moved his amendment, he began the cost and the trouble it would to the Department and its officers.

Senator FINDLEY.—Will you where the application comes in?

Senator SAYERS.—We on this considering those who keep the going, but the Minister is only co the Department. I am sorry to when some members of a party Ministers, a certain number of m to follow them, whether right or I should like to see the Ministry by the whole Parliament, and if not do what was right supporte criticise them without being met cry, "Oh, you are not suppor Ministry which you created."

Senator NEEDHAM.—Will you n members of a party who support vernment, right or wrong?

Senator SAYERS.—If I wanted any one in that regard, I should n honorable senator.

Senator NEEDHAM.—I will say, that is an absolute lie.

Senator SAYERS.—Do you, si that remark to pass?

The TEMPORARY CHA (Senator HENDERSON).—Does the able senator appeal against the us remark?

Senator SAYERS.—No, sir, it worth while. I shall treat it wi contempt.

Senator McCOLL.—The use of expression should not be allowed

Senator ST. LEDGER.—I rise t Senator Needham has characterized ment made by Senator Sayers as lute lie. Is such a remark in ord

The TEMPORARY CHAIR Certainly not. As the honorable requires the remark to be withd call upon Senator Needham to it.

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Senator NEEDHAM.—Senator Sayers remarked that certain members would follow a Ministry, right or wrong; I asked him to name the members, and when he named me as one who would follow a Ministry, right or wrong, I gave to his statement an absolute denial, and said that it was a lie. I want the protection of the Chair as well as he does.

The TEMPORARY CHAIRMAN.—I asked the honorable senator to withdraw the statement. Does he do so?

Senator NEEDHAM.—If you desire the remark to be withdrawn, I withdraw it.

Senator SAYERS.—I am sorry that this incident has taken place, because I do not take any notice of Senator Needham. He interjected, and when he pressed me to name a member, I told him I did not wish to mention any name.

The TEMPORARY CHAIRMAN.—Will the honorable senator discuss the amendment?

Senator SAYERS.—I maintain that the amendment, if adopted, will convenience the people in western Queensland. Why should not the Minister consider the people in the country, as well as the Department? He says that if the amendment is carried it will impose a great hardship on the Department, and entail much expense. But we are here to consider the convenience of the people, and not the convenience of the Department, or the Minister either. If an honorable senator thinks it is right that certain facilities should be extended to the people, he should move in that direction. Otherwise he will vote with honorable senators on the other side, and say that the Department and the Minister are to be considered, but not the people at all. I shall leave it to those who have watched the progress of this Bill to decide whether my view is right or wrong. I do not desire to discuss with any honorable senator his view or his vote on any question. My desire is to do the best I can for those I represent, and if I fail to succeed, that is not my fault. I believe that the amendment would improve the proposed new sub-clause. It is of no use for the Minister to tell us that the Government have agreed to certain provisions, and do not intend to depart from them. What is the use of having a Parliament, if it is to be run by a few gentlemen who comprise the Ministry? Surely a Minister who brings down a measure expects it to be criticised, and does not think that all the wisdom in the world is centred in the Government? If we can show that a provision will press upon a class in the community, an alteration should be made. What is the use of our coming here if we are to be told from time to time by the Government that they have considered the provisions of a measure, and decline to accept any amendments? If that course of procedure is to be pursued, we might as well elect a few members from each House as Ministers, and dissolve the Parliament. I shall support any amendment, if I think that it is in the best interests of the community, no matter from which side it may emanate. I have never been, and do not intend to be, a bond-slave of any Ministry. I shall support a Ministry as long as I think they are doing good, and proposing legislation which is suitable and acceptable to the country; but never will I agree to take a measure from any Ministry without the privilege of criticising its provisions. I shall vote at all times for that which I regard as right. I was very pleased that after the pressure which was brought to bear from each side of the Chamber the Minister saw his way to draft an amendment, but surely he has no right to tell us that he will not depart from it, even although we show that some addition should be made. I am pleased that the Minister has made some concession, but surely he does not expect us to take his amendment without criticism. If he will not meet the objections of the Opposition, we shall have to come to a division, and leave the community to decide whether honorable senators opposite follow the lead of the Government from right motives.

Senator ST. LEDGER (Queensland) [4.56].—Proposed new sub-clause 6 reads—

> In any such prosecution there shall be served upon the defendant a notice to the effect—

and so on. If no qualifying words are to be inserted, the notices must be served personally. Every person is sufficiently familiar with the ordinary process of summoning. A summons has to be indorsed by the person serving it with some such words as "Served by me on such-and-such a date, at such-and-such a place, on the individual named herein." But in this matter of enrolment, the Government are not prepared to allow an accused person to have the same privilege as he would have if he were being sued for a debt of half-a-crown. What spirit is coming over the Government and the Department in this matter? Either they want to do this

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business by regulation, or they want to provide a substitute for the personal service of summonses. A summons served in the ordinary way must be delivered personally to the person summoned. Surely the Committee is entitled to know whether the Government intend to prosecute persons under departmental regulations, and if so, to what extent they intend to depart from the ordinary legal procedure. Not the slightest intimation has been given to us as to the nature of the regulations. Apparently the Electoral Office is to be allowed to wander by and large over the whole of Australia, showering summonses as, to use the language of the pavement, it "jolly well chooses." What kind of legislation is this? I draw attention to the fact that the Department has very wide power in the matter of regulations. Section 210 of the original Act provides that—

> The Governor-General may make regulations for carrying out this Act. All such regulations shall be notified in the *Gazette*, and shall thereupon have the force of law.

Under that power the Government may be contemplating an entirely novel departure from the ordinary method of procedure. But what is there that is sacrosanct about this Electoral Office, that it cannot carry out its administration in the ordinary way? Why should it have privileges which are not conferred even upon a court of law? I am aware that under certain municipal statutes there is power to serve summonses for rates by post. But that power is always confined by specific Act of Parliament. Here it is proposed to allow a Government Department to abrogate the principle of personal service, merely under cover of a regulation.

Senator McCOLL (Victoria) [5.5].—When the Minister took such strong exception to Senator Lynch's amendment, he ought at least to have stated in what way service is to be effected. But he has given us no light or leading as to how summonses are to be served. It appears to me that the first thing a Court will require when a prosecution is instituted will be proof of service. Unless Senator Lynch's amendment be adopted, very few convictions, if any, will be obtained. Any justice of the peace having respect for himself and his Court will ask the prosecution, "What proof have you that this summons has been served on the accused?" I believe this provision will be a dead letter, and that no Court will fine a man for a breach of the law.

Senator FINDLEY (Victori
Minister) [5.6].—One might
the persistency with which Se
amendment is advocated by
tion, that some advantage wou
by its insertion. But what p
vantage would be conferred o
woman who happened to be i
prosecution under this measu
ing a summons personally in
post?

Senator VARDON.—In the
accused would be sure of
summons, and in the other he

Senator FINDLEY. — Th
communications pass through t
day, and the complaints ma
non-delivery of letters are very

Senator VARDON.—How ma
cations are returned to the sen
the persons to whom they a
cannot be found?

Senator FINDLEY.—No
communications are returned
addressees cannot be found; b
they cannot be found becaus
gone to another sphere altoget

Senator VARDON.—Are the
be served by registered letter

Senator FINDLEY.—We
serve them personally wherever
where we find difficulties ab
service we shall provide, by reg
service shall be effected. Se
expressed a doubt as to whethe
not served personally would
any court of law, because of
of proof of service.

Senator ST. LEDGER.—Prob

Senator FINDLEY.—The
senator is quite wrong, becaus
of the Acts Interpretation Ac
as follows:—

> Where an Act authorizes or requ
> ment to be served by post, wheth
> sion "serve" or the expression
> "send" or any other expression
> unless the contrary intention app
> vice shall be deemed to be effecte
> addressing prepaying and posting
> as a letter, and unless the contr
> to have been effected at the time
> letter would be delivered in the o
> of post.

Senator ST. LEDGER.—I did
was so correct.

Senator FINDLEY.—The
senator was quite incorrect.
opposite view.

Senator ST. LEDGER.—I sa
where otherwise stated in an
liament."

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Senator FINDLEY.—The honorable senator was evidently unaware of this section of the Acts Interpretation Act, which gives us power to serve summonses by post. I again ask the Committee this question, "What advantage will it be to any person whether he or she be summoned personally instead of by post, as long as the summons be received?"

Senator SAYERS.—None whatever, as long as the summons is served.

Senator FINDLEY.—Exactly; and the Committee may rest assured that the summonses will be properly served.

Senator WALKER.—What about the Dead Letter Branch of the Post Office, which returns large numbers of communications to the senders?

Senator FINDLEY.—We need not take into consideration the number of letters which, in connexion with a matter of this kind, will come back to the Post Office. It will be only in extreme cases that resort will be had to the Post Office, or any other method than personal service, for the serving of summonses under this Bill. When honorable senators speak of the number of letters that are returned to the Dead Letter Branch of the Post Office, in the the ordinary way, and seek to compare it with the number of summonses that will be returned under this Bill, they are not instituting a fair analogy.

Senator ST. LEDGER (Queensland) [5.11].—The Minister has referred the Committee to section 29 of the Acts Interpretation Act to show what is to be understood by service by post; but I would remind the honorable senator that the section he has quoted refers only to the use of the terms mentioned in an Act of Parliament. Once a notice is posted, it is under the Acts Interpretation Act deemed to be served, but only if there is a provision for service by post under the Act under which it is issued. I am not disposed to assist the Committee any further in connexion with this matter. I consider the Government tyrannical and obstinate in their refusal to accept Senator Lynch's amendment. They should, at any rate, give some indication in the Bill itself of the nature of the substituted service to be adopted where summonses are not personally served. That is the practice followed in all other Acts, and it should be followed here. I venture to say that the Ministerial proposal will defeat itself. Unless Senator Lynch's amendment be accepted, no Court will convict, unless personal service of the summons is proved, or the Courts will insist on evidence of the service of summonses.

Senator McCOLL (Victoria) [5.13].—The Minister expressed the opinion that very few letters go astray.

Senator FINDLEY.—I said in comparison with the number that are delivered.

Senator McCOLL.—I find, from an official return, that the number of letters and other articles returned to the Dead Letter Branch of the Post Office in 1910 was, after making some deductions, for New South Wales, 1,316,148; Victoria, 508,484; Queensland, 310,064; South Australia, 169,343; Western Australia, 177,944; and Tasmania, 91,368; or a total of 2,573,351.

Senator FINDLEY.—How many letters were delivered through the post in the year?

Senator McCOLL.—A very great many, no doubt; but about one in every 17,000 goes astray. When the Minister said that very few letters go astray, he forgot these official figures dealing with the matter. It is in order to prevent injustice through a summons failing to reach a defendant that we desire that personal service of summonses should be provided for.

Question—That the word proposed to be inserted in the amendment be inserted—put. The Committee divided.

Ayes	...	...	8
Noes	...	...	12
Majority	...	...	4

AYES.

Givens, T.	St. Ledger, A. J.
Lynch, P. J.	Walker, J. T.
McColl, J. H.	
Millen, E. D.	*Teller:*
Sayers, R. J.	Vardon, J.

NOES.

Barker, S.	Pearce, G. F.
Blakey, A. E. H.	Ready, R. K.
Buzacott, R.	Russell, W.
de Largie, H.	Story, W. H.
Findley, E.	
McDougall, A.	*Teller:*
O'Keefe, D. J.	Henderson, G.

PAIRS.

Keating, J. H.	McGregor, G.
Chataway, T. D.	Long, J. J.

Question so resolved in the negative.

Amendment of the amendment negatived.

Senator VARDON (South Australia) [5.20].—Before the amendment is finally agreed to, I would ask whether the Minister is prepared to insert a sub-clause defining in what way other than by personal service a summons under the proposed new section is to be served upon an elector in

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default. I wish to know whether the Minister is prepared to follow the practice adopted in connexion with other Acts, by indicating the nature of the substituted service, so that there may be no mistake about the matter?

Senator MILLEN (New South Wales) [5.21].—From the fact that the Minister remains silent, I take it that he sees no difficulty at all in the amendment now under review. What we desire is to insure that an elector who has been proceeded against shall have notice of the action taken against him. The Minister must surely see that his amendment does not go far enough. It is not sufficient to drop a notice into a post-office box. It ought to be followed up, and if the Minister refuses to provide definitely for the personal service of a summons, he should provide for a service by registered post. By that means, it would be possible to obtain the receipt of the elector when the registered notice reached him.

Senator FINDLEY. — That will receive favorable consideration.

Senator MILLEN.—Might I ask the honorable senator to remember that this is a House of Parliament, and not a Tivoli theatre. Such a suggestion as he has made is ludicrous. Let us put the "favorable consideration" into the clause. The object of my suggestion is to obtain a receipt for the summons from the person on whom it is served. That would put the prosecuting officer and the Court in a better position. The Court and the prosecuting officer might be diffident about proceeding with a charge unless they were satisfied that the notice of the summons had reached the defaulting citizen. In the interests of all, it would be well to make provision for the service of summonses by registered letter.

Senator FINDLEY (Victoria—Honorary Minister) [5.24].—Senator Millen was not present during the afternoon, and did not hear the long discussion which has already taken place on my amendment. Senator Lynch, in moving his amendment, gave his reasons for it, and in my reply I endeavoured to show that there was no necessity for it. When I said that Senator Millen's suggestion would receive favorable consideration, I did not intend my statement to be taken as a theatrical joke. —I meant what I said. I am not prepared, on the spur of the moment, to accept an amendment on the lines suggested by Senator Millen. But that something will be done in regard to the matt tioned by him, I am absolutely cer

Senator VARDON.—Why does Minister insert an amendment in t

Senator FINDLEY.—I am n pared to embody any amendment Bill just now. The Government v sider the matter at a later stage, a vision will no doubt be made, eithe Bill or by regulation, for receipt furnished by persons upon whom have been served through the pos

Senator MILLEN (New South [5.27].—If what the Minister has s correct, there can be no objection t ing the suggestion which I have thrown out. He has declared tha will be taken to obtain a written from any citizen to whom a notice dressed. Now, there are only tw in which such a receipt can be s The first is by serving the notice pe on the individual and waiting till h the receipt, and the second is by m the registered post. That being so, upon the Honorary Minister the de ness of inserting in the Bill an ame on the lines I have suggested bef measure emerges from Committee. wishes to make the measure a workal he will not, the moment suggestio thrown out from this side of the Ch so readily assume that it is incumbe him to reject them.

Proposed new sub-clauses agreed

Clause, as amended, agreed to.

Clause 9—

Section sixty-two of the Principal amended by adding thereto the followi section :—

"(3) A roll may be altered by th monwealth Electoral Officer State by striking out the name person, if he has proof that son has ceased to be qualif enrolment on that roll and cured enrolment on another r

Senator McCOLL (Victoria) [5. This is a proposal which requires a deal of consideration. Under it, t vernment propose to vest a Common officer—a State servant—with pow strike the name of any person off t if he has proof that such person has to be qualified for enrolment. No tion is given of the nature of the that is required. Now, the striking elector's name off the roll is a very matter. Under the Victorian law, has to be sent to any person to whose an objection has been taken. The El

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Officer for the district has then to insert in the newspapers a notice that he intends to omit this name from the roll, and to set out his reasons for so doing. Finally, a notice has to be sent to the Court, and in all cases, it is the police magistrate who decides whether or not an elector's name shall be expunged from the roll. Under the proposed new sub-clause, it is proposed to place this great power in the hands of a State official. In my judgment, the provision should be enlarged, and we should understand what is meant by it before we are asked to agree to it. At a later stage, I intend to submit an amendment providing that notice must be forwarded to any person to whose name objection has been taken, before his name can be removed from the rolls.

Senator FINDLEY (Victoria—Honorary Minister) [5.31].—Senator McColl has informed us that he desires a full explanation of this proposed new sub-clause before the Committee are asked to agree to it. He drew attention to the practice which obtained in Victoria for a considerable time.

Senator McCOLL.—It obtains now.

Senator FINDLEY.—I do not think so. That practice was one of which I never approved, and which served little or no useful purpose. Under it, large sums of money were paid to newspapers for inserting long advertisements which set out the names and addresses of persons to whom objection had been raised, on the ground that they had left the district, or for some other reason. These advertisements were set out in the smallest type, and appeared in obscure portions of the newspapers; sometimes they were posted at police stations. That practice frequently resulted in thousands of names being removed from the rolls which ought not to have been so removed, and in thousands of others, which should not have been on the rolls, appearing there.

Senator McCOLL.—That is merely a statement.

Senator FINDLEY.—It is a statement which I am prepared to prove. Under the Victorian system. thousands of names were left off the rolls which should have figured there, although I do not say they were omitted intentionally. My own name was objected to on the ground that I had removed from the district, notwithtanding that I had lived in the same place for thirty years.

Senator CHATAWAY.—The honorable senator had a chance to defend himself.

Senator FINDLEY.—I had notice to appear at a Revision Court at 10 o'clock in the morning. I was obliged to sacrifice a portion of my working time to attend the Court in order to prove that I had not left my place of residence. All that this clause means is that when a name appears twice upon the roll, the Electoral Officer shall have power to remove one of the names.

Senator McCOLL.—There is no reference in the clause to names appearing twice upon the roll.

Senator FINDLEY.—That is all the provision means.

Senator VARDON.—What is the proof that he requires?

Senator FINDLEY.—He will have a card index, and he will know the names of the different persons in the various States. If the same name appears twice upon a roll, he will have power to remove one of the names.

Senator VARDON.—If the card index system be complete, such a thing cannot happen.

Senator FINDLEY.—To remove any shadow of doubt, we think that this provision ought to be included in the Bill.

Senator SAYERS (Queensland) [5.36].—This is a very drastic provision. I am thoroughly in accord with any clause which aims at purifying our electoral rolls. At the present time, I believe the Commonwealth roll is stuffed from top to bottom. I do not say that it has been stuffed intentionally, but there has been no means of revising it. I have heard a good deal about the revision of State rolls, but of my own knowledge, there has been no revision of the Commonwealth roll since the inception of Federation. Does the Honorary Minister say that the system which it is proposed to inaugurate will tend to purify our rolls by removing names which ought not to be there? I confess that I do not like giving Commonwealth officers the power which the clause will confer upon them. Under the old Electoral Act of Queensland, a person objecting to an elector's name appearing upon the roll was compelled to deposit 5s., which was forfeited if his objection proved to be frivolous. But under this clause, the whole matter is to be left to the Department. Australia is a very big country, and through the negligence of an officer of the Department, the names of electors who may be removed

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long distances from the centres of civilization, may be struck off the electoral roll. Consequently, I say that the Department should publish a list of all those persons whose names it is proposed to remove from the roll. I know of a case in which the same surname appears on an electoral roll twenty times, although it belongs to different persons. For instance, there may be twenty John Joneses on an electoral roll. I have seen the name of Sullivan and Smith appear upon an electoral roll twenty or thirty times, and, in perhaps a dozen instances, the same Christian name appeared. But they were all *bonâ fide* electors. In such cases how is an officer to determine which name should be removed? That is not judicious. The Department should be required to publish in a newspaper circulating in the district the names of those persons which it is proposed to leave off the roll, together with the reasons for taking that course. If, after the publication of the intimation, any man concerned did not go and see that his name was not struck off, the fault would be his. He might be allowed to personally notify the Registrar of his residence in the district, or to acquaint the Court that he was still there. I have known that course to be taken in hundreds of cases by persons who had not left a district. With all due deference to the electoral officers, I know of hundreds of mistakes which they have made. I do not suppose that we are likely to have a new class of officers, and inasmuch as the present officers have made mistakes in the past, I anticipate that they will err in the future. The Minister has stated that any name that is duplicated will be struck off a roll, but I would remind him that, to my knowledge, the same name has appeared on a roll ten times, and even more often. He might well consider the suggestion I have made, because in Queensland the publication of an advertisement was found to be beneficial. Before the Court of Revision sat, hundreds of men used to come, and prove to the Registrar that they were still in the land of the living, and located in the district, and, of course, their names were not struck off. I prefer this power to be vested in the Court rather than in an electoral officer, because the Court is generally composed of men who are looking after the interests of all parties, and do not allow names to be struck off if the electors are living in the district. I have never heard or read of a reflection being cast on the honour of the members of vision Court. Unless an am is made, there will be no saf and the Electoral Officer will h right to say to a man, "You h here," or "You are not the right and although he may not have re communication, his name will be st On one occasion, when Senator St. was a candidate, he came to me as turning Officer, and asked me to man named Sullivan to vote. Th ten or twelve Sullivans on the r I believe that the Sullivan on whos he spoke to me was the right man But in compliance with an order from the Electoral Office in Brisban erased the name from the roll. W man went on to the Croydon roll, to send a notice to Charters Tow the notice had to be forwarded to B and then sent to his last known address. The man had left the address, or the wrong Sullivan had notice. and I had no way of allow to vote. I think it will be foun harder to deal with the rolls of th monwealth than with the roll of o torate in a State. I hope that some tion will be taken so that persons s be debarred from having a vote.

Senator VARDON (South A [5.45].—If the roll is to be worked card system, and that system is wor accurately, this amendment is quite sary. It is provided in new secti that every person who is entitled t shall enroll.

Senator MILLEN.—That provic system, but this provides for wh system breaks down.

Senator VARDON.—The card if properly worked, cannot break Under new sub-section 61c a man's together with his address and his place, will be entered on a card; th secure the appearance of his name roll. It also provides that every who has ceased to live in the sub for which he is enrolled shall fill sign, in accordance with the Act an lations, a form of claim for tran change. Directly a man makes claim the original card will have taken, and the change inscribed t so that there will be only one card with his name.

Senator FINDLEY.—But in these stances it may happen that his na appear twice on the roll.

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Senator VARDON.—That cannot happen if the card system is carried out accurately, notwithstanding Senator Millen's interjection that it will break down. When a change is made it will be inscribed on the original card, and nowhere else. Is not that right?

Senator FINDLEY.—Yes.

Senator VARDON.—What more does the Minister want?

Senator FINDLEY. — Notwithstanding that, the man's name may appear twice on the roll.

Senator VARDON.—How is it possible that a man can get two cards? Unless he does get two cards his name cannot be duplicated. I am not complaining of the card index system, which I think is a very good one, provided that it is not ridden to death.

Senator SAYERS.—Suppose that a man loses his card.

Senator VARDON.—The card will not be in the possession of the man, but under the control of the Electoral Officer.

Senator WALKER.—Suppose that a fire should take place.

Senator VARDON.—Then the whole thing will be destroyed, and the Department will have to begin afresh. But I do not wish to go into extreme cases. If the card system is carried out accurately, the Department will have a register of the persons who are entitled to vote, together with the polling places at which they are entitled to vote. The officer cannot have any proof except the card itself. What other proof can he get? Under the card system he will have all the evidence which is required. He will only have to turn up the name of a man to find out where he was originally enrolled, and the division to which he was transferred. I think that the proposed addition to section 62 is altogether useless.

Senator MILLEN (New South Wales) [5.50].—If I had that absolute faith in the card system which Senator Vardon has, I might share his view with regard to this proposal. It seems to me that it is made as a warning to the Committee that the electoral officers are not certain that the card system will work. It is made to enable them to correct a lapse when it occurs. Senator Vardon has pointed out that if the card system is worked properly, there is no need to make this amendment. But evidently it has occurred to the departmental mind that a man who is enrolled may move from one electorate to another. Of course, his business should be to apply for a transfer, but he may not do that. On the contrary he may make another original application, and the officers, seeing that they will have to handle about 2,000,000 cards, are brought face to face with the almost certainty of mistakes occurring and duplicate registrations taking place. Evidently they anticipate the possibility that a man in one electorate may fail to apply for a transfer, but may apply for a fresh enrolment, and get it. Then as time goes on the duplication will be discovered. This addition to section 62 is desired to enable the Department to deal with a lapse or break down of the card system.

Senator SAYERS.—How are they going to discover a duplication?

Senator MILLEN.—By continually searching the registers.

Senator VARDON.—There may be a dozen men bearing the one name.

Senator MILLEN.—I am not saying a word against the necessity of giving notice to a man whose name on a roll is objected to. It seems to me that with 2,000,000 names and cards to handle, when applications for new registrations are numerous, there is bound to be a percentage of mistakes.

Senator SAYERS.—Especially when a person moves from one State to another.

Senator MILLEN.—That will add very much to the difficulty. I would like the Minister to explain the reason for making this addition to section 62. If it is proposed to allow the provision to stand then, in accordance with the suggestion made by Senator McColl, notice should be given to any elector whose name it is proposed to strike off the roll before action is taken. Take, for instance, a case of similarity of names. It may be that one man is threatened with the removal of his name from the roll, but he is really not the person who is involved. Notice should be given to him to enable him to set the true facts before the Court or the Electoral Officer. Seeing that it is presumably the intention of the Bill to make the enrolment as perfect as possible, we ought at least to be equally careful to see that no looseness shall crop up in regard to the exercise of this power. I should like to hear from the Minister what objection there can be to a notice being sent out to a person whose name is objected to. Surely the power which it is proposed to vest in departmental officials

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should be intrusted to the Court, as was done in a previous revision.

Senator FINDLEY (Victoria—Honorary Minister) [5.53].—I think that too much importance has been laid on this provision by Senator Millen and other members of the Opposition, because it will not work out as they anticipate. The provision is designed for one purpose. We have instituted compulsory enrolment. A man or a woman entitled to vote has to fill in a card and send it to the Electoral Office. That is the first step. Suppose that a name appears on the roll for the electorate of Melbourne. That roll will be printed. The elector may afterwards remove to a country constituency. But, instead of sending to the Electoral Office an application for transfer, the elector may apply for a fresh enrolment for the country constituency. Thus his name will appear on two rolls. We want the Chief Electoral Officer to have power to remove a name when it appears twice, so as not to burden our rolls unnecessarily.

Senator MILLEN (New South Wales) [5.57].—The Minister has admitted that my interpretation of this clause is correct, that it is inserted to cover up a weakness of the card system as the Electoral Office proposes to administer it. When, after compulsory enrolment has been instituted, a second application for enrolment is sent in, it is necessary to check it with the names already on the roll to insure perfect accuracy. If such a check were resorted to it is quite clear that no man could get on the roll twice. But clearly underlying this clause is the fear that, as there will be, perhaps, 2,000,000 cards to handle, it will be too great an undertaking for the Department to carry out an efficient check. If a man on the eve of an election applies for enrolment, his application is to be treated as an original application, because to tie up his application until an inquiry could be made at head-quarters, and an enormous number of cards could be examined, might mean such delay as to prevent that elector from having his enrolment effected in time. The Electoral Office realizes that difficulty, and it therefore says, "In spite of the card system, although an elector may be enrolled in fifty electorates, if he puts in another application for enrolment we are going to accept it and enroll him," notwithstanding that by making the fresh application the elector may be disregarding the provision of the law that under such circumstances he shall apply for transfer, and not f

rolment. That shows that the card will not be such an easy and simp to work as those who support it im

Senator CHATAWAY.—I think w to have a quorum present.

Senator PEARCE.—Why do h senators opposite send their support side?

Senator MILLEN.—We are no to keep a House.

Senator PEARCE.—Is that why th sent out? [*Quorum formed.*]

Senator PEARCE (Western A —Minister of Defence) [6.0].—W Leader of the Opposition allow me what has been the experience of Australia under the card system? been in operation there for severa What happens is this: When an cation for enrolment comes in, ins going through the cumbersome me summoning the elector to make g claim, and hearing objections to it, partment treats the claim as if it original one. Then, under a provis as this, power is taken to strike th name off the old roll if he is alre rolled. His name is then retained roll for which he has last claimed elector has simply made a mistake l ing in a fresh claim for enrolment of asking for a transfer. The sys been in working order for a nu years in Western Australia, and it our rolls to be kept up to date. N is done to anybody, and it is a sc convenience to electors and to the ment.

Senator MILLEN (New South [6.3].—While I freely accept Pearce's statement as to how this has worked in Western Australia, out that there is a great difference handling a small parcel of votes vastly greater number such as will case under the Commonwealth. I take an enormous amount of time application for enrolment had to to head-quarters to ascertain the applicant had been enrolled a in Australia before. I doubt whe provision under consideration wi the duplication of names on First of all, electors are going to lowed to apply for original en when they ought to apply for trans

Senator FINDLEY.—We do not " them; we simply record applicatio they are made.

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Senator MILLEN.—Then what is the use of the clause which provides that if the elector does not apply for transfer he may be fined?

Senator PEARCE.—Suppose he makes a mistake through ignorance, applying for enrolment when he ought to apply for transfer, what harm is done?

Senator MILLEN.—I am not saying that any harm is done; but it is at once absurd and dangerous to pass a law providing that a man shall do a certain thing and shall incur punishment if he does not, and at the same time to insert a clause to say that you will not punish him when he breaks the law.

Senator PEARCE.—We do not do that.

Senator MILLEN.—That is done by the provision enabling the officers to transfer a man who makes a fresh application when he ought to have applied for transfer. If compulsory enrolment has any value whatever, it lies in the fact that when a man changes his abode he applies for a transfer, and his original enrolment is altered. But if he is to be allowed to re-apply for original enrolment, his name will be on two rolls at once. The system, if carried out properly, would prevent the inflation of rolls, but that will not be done under this provision. The rolls will be glutted through persons being re-enrolled whenever they change their place of abode. We have adopted a clause which directs the Electoral Office as to what is to be done with a person who applies for original enrolment when he ought to apply for transfer. But now we are passing a provision which will enable such a person to escape punishment. As I said at the outset, because the Minister and the Electoral Office find that difficulties are going to occur, and are not prepared to face the responsibility of giving effect to the penal provisions—they have devised this method of entitling every person to apply for original enrolment instead of for transfer.

Senator SAYERS (Queensland) [6.9].—Take the case of an elector who leaves Victoria to go to Queensland, and puts in a claim to vote in that State. A good many electors will believe that that is the right course to follow. How is the Electoral Office going to deal with such a case? Is the responsible officer in Queensland to send down to Melbourne a notification that John Jones has applied to be placed on the Queensland roll, or is the name to be entered without any notification being given to the head office? There will be hundreds of people who will be on the rolls for more than one State. Under this system I can see no way to check such occurrences. It is a common thing in a State for an elector who leaves one part to go to another to apply to be placed on the roll afresh. That is the way in which our rolls have become inadvertently stuffed. A man's name may be on as many as four different electoral rolls in a State. The confusion will be much greater in the case of electors moving about from one part of the Commonwealth to another. Suppose that a man who is now an elector for Melbourne goes to Sydney, and, after spending two or three months there, removes to Queensland. His name may be on three different rolls. If at the time of the election he happened to be in Victoria, he could record his vote in this State, and other persons could personate him in the other States. It is useless for the officials to tell me that the supervision is going to be such that they will be able to check such occurrences. The claim is absurd. No one who knows what can happen with a roll containing forty or fifty thousand electors can have any doubt as to what will occur with rolls containing up to two million electors. If the Department have some means of checking the inclusion of the same names on more than one roll which have not yet been disclosed to the Committee, I should be glad to hear what they are. Even under the card system, a man may have his name on a roll in three or four different States; and, so far as I can see, there will be no means of checking that. It is absurd to say that it will be sufficient to send down to the Chief Electoral Officer in Victoria and ask him to compare the names on all the rolls in the other States.

Senator HENDERSON.—A man could vote only in one State, even if his name were on a roll in every State.

Senator SAYERS.—But some one else might vote for him in the other States. We have heard of people coming out of hollow logs and graves at election time, and I desire that some means shall be adopted to prevent that kind of thing. I do not desire that people should have their names on rolls on which they are not entitled to be enrolled, but I desire that all who are entitled to vote should be enrolled.

Senator VARDON (South Australia) [6.12].—The Minister might simplify the proposal with regard to the claim. If, on

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the claim form, the applicant for enrolment were required to state that he was not on any electoral roll, that would be a reminder to him, if he were already enrolled, that what he should apply for was transfer and not enrolment. The clause provides that an officer may strike out a name if he has proof that the owner has removed to another division, or is enrolled for another division. The Minister has not told us what the proof is to consist of, or how the officer is to obtain it.

Senator FINDLEY.—The honorable senator himself admitted that the card system would afford the proof.

Senator VARDON.—If the Minister contends that the card system will afford the proof, that is an admission that this clause is unnecessary.

Senator FINDLEY.—It would not be the fault of the card system, but of the way in which an individual elector used it.

Senator VARDON.—The card system might be used to check these applications for enrolment. If an elector makes an application for enrolment in his own handwriting, the departmental officer, on turning up his card, may be able to see that he had made a previous application, and that what he desired to do was to have his name transferred from one roll to another. The card would afford the proof in such a case, and the system would be complete. If this clause is necessary, the Minister and the Department admit that the card system will not be complete. Notwithstanding what Senator Millen has said, I still say that I believe in the card system; but it should be made perfect.

Senator FINDLEY.—Does the honorable senator know of any system that is absolutely perfect?

Senator VARDON.—This Bill must be perfect, since the Minister will not permit us to dot an "i" or cross a "t" in it. How is the Electoral Officer to decide whether he should strike a name off a roll?

Senator PEARCE.—He will have the two cards.

Senator VARDON.—Then I say he does not require this clause. He can make the alteration automatically.

Senator PEARCE.—The possession of the card would not authorize the Electoral Officer to strike a name off the roll. He would have to go through the cumberous formalities of notifying the elector and giving him an opportunity to object.

Senator VARDON.—If a man who is already enrolled sends in a card for enrolment when he should apply for a t the Electoral Officer, on comparing t with the original claim for enrolme see at once that the second ap should be for transfer. He can t the elector notice that what he wa transfer, and not a new enrolment card system will work perfectly, o not.

Senator CHATAWAY.—The card s only an index system.

Senator VARDON. — If worked, it should be much more. I provide a record of each origina ment, and all the transfers or al in connexion with it; and, if worked, this clause should be unn

Senator FINDLEY (Victoria—H Minister) [6.17].—Senator Vardon rect, in a measure, in the stateme under the card system, an electora should be aware of whether a ma titled to be enrolled or not; but t orable senator should remember th are many constituencies, and many and subdivisions of constituencies, State. The cards will go to the R for divisions and subdivisions, a ultimately find their way to the Office in Melbourne. Then, and t then, the Department will be in a to say whether certain names shoul particular rolls.

Senator VARDON.—Will not th be posted immediately to the Office?

Senator FINDLEY.—Does the able senator mean that each card, received by a registrar, will be p to the Central Office?

Senator VARDON.—Why not?

Senator FINDLEY.—I do no that that would be done. There w bably be a weekly delivery of card Registrars will require certain tim their work and compile their rolls is only when the cards have all fou way to the Central Office that the ment will be able to ascertain names appear twice on the rolls. understand why honorable senator site object to this clause. It ca harm to any elector.

Senator VARDON.—If we are to card system, why not make it comp

Senator FINDLEY.—It will be plete as any system can be made. that it is only when the cards ha returned to the Central Office in M that the Department will be in a

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to say definitely whether a name appears twice on the rolls or not. If it appears twice on the rolls, we require that the Electoral Officer shall have power to remove the name from the roll in which it wrongly appears.

Progress reported.

Motion by Senator FINDLEY proposed—

That the Committee have leave to sit again to-morrow.

Senator SAYERS (Queensland) [6.20].—What is the reason for this motion. This is the first I have heard of any suggestion that the Senate should adjourn after meeting for two hours.

The PRESIDENT.—Order! The honorable senator is in order in asking a question, but he cannot debate this motion.

Question resolved in the affirmative.

ADJOURNMENT.

Senator PEARCE (Western Australia—Minister of Defence) [6.23].—I move—

That the Senate do now adjourn.

I understand that there is a general desire on both sides that the Senate should adjourn over this evening. It is in pursuance of a request made to the Government that I submit the motion.

Senator SAYERS (Queensland) [6.24].—I have heard the statement just made by the Minister of Defence. I do not know whether it is usual that one or two honorable senators should be consulted about an adjournment of the Senate. I heard nothing about it this afternoon, and was not aware that it was proposed that the Senate should adjourn at half-past 6 o'clock. I should like to know why the adjournment is proposed.

Senator STORY.—The honorable senator should blame his leader.

Senator SAYERS.—I do not blame any one. My leader did not consult me, nor did I consult him in the matter. I might remind honorable senators opposite that on previous occasions, when an adjournment of the kind has been asked for, they have very strongly opposed it.

Senator VARDON.—We all want to "trip the light fantastic toe."

Senator SAYERS.—Are we to adjourn for a ball? Is it for such a reason that the Government propose to suspend the business of the country? If the matter has already been arranged it is of course useless for me to say anything, and I content myself with entering my protest against the adjournment.

Senator CHATAWAY (Queensland) [6.25].—I should like to say that I agree with Senator Sayers. I did not know that any arrangement was made for an adjournment this evening. I know that some of us desired to get away this afternoon to visit the Admiral of the Fleet during his stay in Melbourne waters. Nothing was said on that subject, except that we made reasonable arrangements about pairs. I should like to know whether any good reason can be given for the proposed adjournment this evening. I fail to see that there is any valid reason why we should adjourn at this stage, and thus delay the business of the Senate.

Senator PEARCE (Western Australia—Minister of Defence) [6.26].—In reply to the remarks of Senator Chataway, I may say that I was first approached in this matter by Senator St. Ledger, who told me that he spoke for several honorable senators upon the opposite side of the chamber. Later on I was informed that a number of Ministerial supporters desired to get away this evening—not for the purpose of attending the ball at Government House, but for another purpose.

Senator MILLEN.—I may say that I think Senator St. Ledger had ample warrant for his statement.

Question resolved in the affirmative.

Senate adjourned at 6.27 p.m.

House of Representatives

Wednesday, 8 November, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

"GOLD-FIELDS" ALLOWANCE.

Sir JOHN FORREST asked the Postmaster-General, *upon notice*—

1. Whether the additional 5 per cent. paid on salaries of postal officials and others on the goldfields of Western Australia, on account of the increased cost of living, is still paid?

2. Whether the same concession is not now enjoyed by the whole service, and consequently there is no additional payment on the goldfields?

3. What is the reason for this reversal of action?

Mr. FRAZER.—The Public Service Commissioner has furnished the following

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information in reply to the honorable member's questions :—

1. Gold-fields officers receive district allowance under the prescribed scale, ranging from 15 to 50 per cent. on the first £100 of salary, 7½ to 25 per cent. on the second £100, and 5 per cent. on the excess of salary beyond £200. The 5 per cent. allowance is payable at Perth and elsewhere to officers who do not draw the higher scale allowance.

2. No. Gold-fields officers receive the higher allowances mentioned in 1.

3. There has been no reversal of action.

IMPORTATION OF HORSES.

Mr. PAGE asked the Minister of Trade and Customs, *upon notice*—

1. Will the Minister direct the Quarantine Branch of his Department to take action immediately to see that no horse or other animal is brought to Australia from India either directly or through any other country?

2. Is there any prohibition against saddlery, harness, or other articles in connexion with the furnishings of horses coming into Australia from India or any other country; and, if so, what is the nature of such prohibition?

3. Could the Quarantine Branch insist upon having a certificate signed by a certified veterinary surgeon at the time and place of exportation that horses or other animals are free from glanders or other infectious diseases before being admitted into Australia from India or any other country?

Mr. TUDOR.—The answers to the honorable member's questions are as follow :—

1. The importation of horses from India into the Commonwealth is prohibited. The only countries from which horses may be brought to Australia are the United Kingdom, the United States of America, Canada, and New Zealand. Certain restrictions, including veterinary examination, are imposed by these countries on the importation of horses from India.

The Australian Quarantine Regulations provide that any horse imported into Australia from the United Kingdom must be accompanied by—

(1) A declaration from the owner certifying—
  (*a*) that the animal has been free from disease during the six months next preceding shipment;
  (*b*) that it has not been in contact with any animal suffering from disease during the six months next preceding shipment;
  (*c*) that it has not, otherwise than as required under (2) been tested with mallein during the thirty days next preceding shipment.

(2) A mallein test certificate by a qualified veterinary surgeon.

(3) A certificate of general health from an approved veterinary surgeon at the port of shipment, who shall, unless he himself has applied the mallein test, also indorse the mallein test certificate to the effect that after due inquiry, he has no reason to doubt its correctness.

A further condition is imposed in horses imported from the United S Canada, a certificate being requi a Government veterinary surgeon th dourine nor epizotic lymphangitis known to exist in any State in animal has been located for a period months prior to shipment.

2. A proclamation was issued in M prohibiting used or secondhand har dlery, or horse effects from any cou which horses are prohibited, and from country unless certain prescribed cond complied with.

3. A certificate to this effect is nov by the quarantine regulations, the m for glanders being applied prior to ship a certificate of general health being gi approved veterinary surgeon. The m is also applied while the animal is in in Australia.

WHITE POPULATION OF

Mr. McWILLIAMS asked the of External Affairs, *upon notice*—

1. The number of white persons, officials, residing in British Papua?

2. The number of officials?

Mr. THOMAS.—The answers honorable member's questions are

1. About 900.

2. About 103.

PAPERS.

MINISTERS laid upon the following papers :—

Papua—Ordinances of 1911—
  No. 9.—Birds Protection.
  No. 18.—Public Officers' Fees.
  Native children.
  Auctioneers.
  Defamation.
  Public Hospitals.
  Claims by and against the Gover

Post and Telegraph Act — R amended—
  Telegraphic, Telephone (Provision tory Rules 1911, No. 135.
  Telephone—No. 49A—(Provisiona tory Rules 1911, No. 170.
  General Postal, Telephone—
    Statutory Rules 1911, No. 134.
    Statutory Rules 1911, No. 171.
  Money Orders—No. 3—Statuto 1911, No. 142.
  Postal, General Postal—Statuto 1911, No. 169.

Defence Act—Regulations Amende sional)—
  Universal Training—No. 74 (*a*)- Rules 1911, No. 173.
  Financial and Allowance—
    No. 292A.—Statutory Rules 1911
    Nos. 183 (*b*), (*c*), 184 (*g*)- Rules 1911, No. 174

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ESTIMATES.

ADDITIONS, NEW WORKS, AND BUILDINGS.

In Committee of Supply (Consideration resumed from 7th November, *vide* page 2299).

Divisions 1 to 5 (*Home Affairs*), £824,915.

Amendment (by Mr. SINCLAIR) again proposed—

That the item "Naval Barracks, Submarine Depôt . . . Towards cost, £53,000," be reduced by £53,000.

Mr. MCWILLIAMS.—Will the Minister tell us what amount is proposed to be spent on the Naval College site.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [2.36].—Negotiations for acquiring the land are in progress, so that no exact information can be given respecting its cost.

Mr. GROOM.—Is the Government acquiring it compulsorily?

Mr. KING O'MALLEY.—We are making surveys of the land, to be in a position to compulsorily acquire it.

Mr. MCWILLIAMS.—What is its area?

Mr. KING O'MALLEY.—From 190 to 200 acres, and it will probably cost some amount between £25,000 and £40,000, but I cannot give a definite estimate. We know, of course, what land tax was paid on it, and have other similar particulars.

Mr. BAMFORD (Herbert) [2.38].—I wish to know if honorable members are being asked to commit themselves to the acquiring of the site for the Naval Training College to which reference has been made? If so, I am opposed to that course, because I understand that the Defence Department selected an admirable site at Jervis Bay which it regarded as in every way suitable for the purpose. It is said that that site is to be abandoned in favour of one nearer Sydney, in consideration of the Government receiving £43,000 which was collected from the subscribers to the *Dreadnought* fund. I am altogether opposed to that. The Commonwealth can find the money needed for its defence without such assistance.

Mr. PAGE (Maranoa) [2.40].—Perhaps the Prime Minister could settle this question "in one act." Last night we could get no information at all as to whether the £43,000 was for a special site in any particular locality in or near Sydney, or as to where the selected site really was. The proper place for the College is at Jervis Bay in Federal Territory. The Government were very anxious to have the Royal Military College—I am pleased to see that it has that title—established in Federal Territory for many reasons, but why they are taking the Naval College outside of Federal Territory is beyond my comprehension. I wish to say emphatically that if the Government are going to accept the sum of £43,000 as a sop for putting the Naval College at any particular site, I am going to vote against it, even if by that action I vote myself out of Parliament. No one can gainsay that the Labour party both in this House before the last general election, and on the hustings at the election, fought against the proposal to provide a *Dreadnought* for the Old Country—as some people thought, in a time of danger—and for us as a party to now accept that money from the *Dreadnought* fund as a sop is more than my flesh and blood can stand. I want to know from the Minister of Home Affairs—for the Prime Minister now says he can give us the information — whether that is going to be done.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [2.42].—The honorable member for Franklin desires to know what ultimate cost will be involved in building and equipping the Naval College at a particular site near Sydney, the honorable member for Herbert asks whether the site has been selected because of some condition attached to the offer of a sum of £40,000 odd to the Government, and the honorable member for Maranoa takes the view that the College ought to be established at Jervis Bay in Federal Territory. My advice is that if the naval authorities were to haye absolutely the best site in Australia for the purpose it would not be on the mainland at all, but that there are other circumstances which compel them to have the Naval College at some convenient spot—the spot most convenient in many senses, and the most economical. They say that the site which has been selected is the best, taking the whole merits of the question into account. The £40,000 odd that will be a contribution towards the building or equipping of the College was not a matter that weighed with the Government in the selection of the site.

Mr. PAGE.—Was there any stipulation as to any site in the presentation of that £43,000?

Mr. FISHER.—Not so far as regards ourselves. I think it was so as regards the contributors.

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Mr. BAMFORD.—If some other site were selected, would that £43,000 be still available?

Mr. FISHER.—If a site was selected in another State, I think not.

Mr. BAMFORD.—Or in any other part of New South Wales?

Mr. FISHER.—I am not in a position to say, but there is no obligation on the Commonwealth Government or Parliament to accept that money unless they so desire. The site as a site would, however, still have been recommended by the naval authorities.

Mr. PAGE.—Apart from the gift of £43,000?

Mr. FISHER.—Yes. I should like to add that the Government feel under obligation to put these Estimates through at this sitting. I hope that they will be passed at a convenient hour.

Mr. KELLY (Wentworth) [2.45].—I assure the Prime Minister that it is with no desire to delay the Estimates that I address myself to this question, because, in my opinion, the site that has been selected is the best that it would be possible to choose for the purpose in Australia.

Mr. PAGE.—We have never heard where it really is.

Mr. KING O'MALLEY.—At the National Park, 13 miles from Sydney.

Mr. KELLY.—It is near Port Hacking, and is an excellent site for the purpose.

Mr. PAGE.—While the honorable member is on his feet, would he mind asking the Minister how much it is to cost?

Mr. KELLY.—There are some difficulties in the way of giving that information.

Mr. FISHER.—It will be compulsorily resumed.

Mr. KELLY.—The honorable member for Maranoa will see that, if we were to say at this stage what land we proposed taking over, we should throw additional obstacles in the way of an amicable arrangement of the price. I understand that the information is withheld at this juncture in order that the matter may be arranged amicably if possible.

Mr. BAMFORD.—It is very kind of the honorable member to supply the information.

Mr. KELLY.—I gauged it from the Minister's reply a few moments ago. There is one point which might be cleared up. Whilst I believe the site selected is worthy of standing upon its own merits, whether or not we get any gift made by patriotic persons in the State of New Sout or elsewhere——

Dr. MALONEY.—How many mi from Sydney?

Mr. KELLY.—I should say by road. The 13-mile post is at River, and the site is another 4 m there.

Mr. ROBERTS.—The distance tically 15 miles, according to the map.

Mr. KELLY.—It is more than road, but I do not know how fa the crow flies. I have, however ask what considerations weighed Government in not placing the C some other site than Port Hacki Prime Minister said that if the visers of the Government had ha hand, so to speak, they would lected some place not upon the I presume the honorable member to some site in Tasmania. He w say that certain considerations expedient that the present site, w their second choice, should be Were those other considerations strategical, or were they consider some other character?

Mr. FISHER.—Considerations o utility and economy.

Mr. KELLY.—Economy of ment and general utility?

Mr. FISHER.—Yes.

Mr. KELLY.—I could underst siderations of general utility seri terfering with a proposition to l Naval College at Jervis Bay, bec obvious that we ought to start th tion at the earliest possible momen

Mr. FISHER.—Or with a propo establish it at Fremantle, for insta

Mr. KELLY.—Yes. There be no delay in establishing the Col we sought to erect it at Jervis should undoubtedly be putting i ing off for a year or two, which is cannot afford to waste.

Dr. CARTY SALMON.—Might porary buildings be used in the m Why establish the College at Po ing?

Mr. KELLY. — Does the member mean temporary build Jervis Bay?

Dr. CARTY SALMON.—At any like.

Mr. MCWILLIAMS.—I think th ought to be on Federal territory.

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Mr. KELLY.—That is all very well, but there must be a vast organization in connexion with a college of this character. If it is conducted on the lines of the West Point College, we shall have to house two or three times the number of cadets who eventually will graduate, and there will be required large professorial and managerial staffs.

Dr. CARTY SALMON.—These will grow.

Mr. KELLY.—But we ought to deal with the matter from now out. This naval scheme is so big that, for many years, we shall have to borrow men and officers from the Imperial Navy; and if we are to obtain sufficient Australians, we shall have to start the College at the earliest possible moment.

Dr. CARTY SALMON.—For the "purpose of general utility," to use the Prime Minister's expression, would it not be better to have a temporary building near a centre of population?

Mr. KELLY.—What is confusing us, I think, is a desire, under the pretence that we are considering the Commonwealth, to kindle the old-standing, and, to my mind, utterly ridiculous, jealousy that undoubtedly exists between two big cities.

Mr. MCWILLIAMS.—I raised the question, and I have no such feeling.

Mr. KELLY.—I think that the honorable member for Franklin would have had a better right to ask why the College is not situated in Tasmania.

Mr. BAMFORD.—The feeling of jealousy does not animate Queensland representatives.

Mr. KELLY.—The feeling was worked up in a singular way last night.

Mr PARKER MOLONEY.—The only place actuated by such a feeling is Sydney.

Mr. KELLY.—I always see a look of bland *camaraderie* come over the honorable member's face when the question of a vote of any small sum for Sydney is under consideration. He looks as if he had taken his orders from a newspaper down the street to be as aggressive and as "national" as possible in his opposition to the expenditure of a single penny on the Federal Capital. After all, however, this is the Parliament of the Australian Commonwealth, and those jealousies, if they unfortunately do exist, ought not to be allowed to delay our business. There may be jealousies between Sydney and Melbourne as to the progress they each make, but we ought not to concern ourselves with that, but see that we select the best site.

Mr. KING O'MALLEY.—It is purely commercial rivalry, and it is good for the country.

Mr. KELLY.—It is good for the country that there should be commercial rivalry, but it is deplorable that two cities, each of which has its merits and advantages, should be constantly trying to detract from each other.

Mr. GREENE.—How does Melbourne come into this matter?

Mr. KELLY.—It came into it last night when no one could have failed to observe the unanimity of our Victorian friends in using the opportunity to embarrass the Government.

Mr. PARKER MOLONEY. — Honorable members on this side desire the College to be at Jervis Bay, and not in Melbourne.

Mr. KELLY.—The honorable member displays much anxiety about the Federal Territory, since it offers the only opportunity to prevent the College being established at Sydney.

Dr. CARTY SALMON.—We shall have hours of discussion if the honorable member for Wentworth goes on in this way.

Mr. KELLY.—I am trying to throw "oil on the troubled waters." Putting aside these small provincial jealousies of our Victorian friends, we are entitled to know what the considerations were, other than strategical and naval, that weighed with the Prime Minister in fixing the site at Port Hacking, instead of, as he hinted at, in Tasmania.

Mr. W. ELLIOT JOHNSON.—Wait until we have to deal with the establishment of a laboratory and Customs House at Williamstown.

Mr. KELLY.—I hope the honorable member for Lang will extend to Victorian votes that broad sympathy always displayed by the representatives of the Mother State.

Mr. KING O'MALLEY.—Captain Chambers says that this is one of the best sites he ever saw.

Mr. KELLY.—It is certainly the best site I ever saw, though I think there is a very good one in the neighbourhood of Hobart. It is obvious that the Naval College ought not to be in a place which might be isolated in time of trouble; and, perhaps, immediate convenience requires its establishment, not in, but within reach of, a populous centre. The College ought to be instituted on a firm foundation at the outset, and not as a mere temporary expedient. We must grapple the question

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with a view of the future, and the best way would be to pass the item. We should have the satisfaction of knowing that, so far as we can arrange it, the Australian naval unit is being given a good launch by the establishment of a place where the officers may be efficiently trained.

Mr. MAHON (Coolgardie) [2.57].—It must be admitted that Commonwealth industries and institutions of this kind ought to be located within Federal Territory; and I am unable to understand why the Government, without submitting reports to the House, should have selected a site near Sydney. As honorable members know, I have no bias against Sydney, Melbourne, or any other State capital. The fact that Sydney is obtaining some advantage ought not to cause any concern. The only question to be considered is whether it is the most suitable place. If we look to the United States for a precedent, we see that the West Point College, though in the State of New York, is situated very far from the capital of the State. Honorable members ought to have had the benefit of the reports of the experts who recommended this site to the Government. The appearance of the Estimates is the first intimation we have had of the project; and it is doubtful whether the House is in a position to give a vote on the matter at this stage. It may be well to remind honorable members that this is not the first occasion on which governments have departed from the healthy principle of establishing all such institutions on Federal territory. When the Small Arms Factory was established at Lithgow there was scarcely a word of protest, although that was an instance in which we ought to have insisted on its location being on Commonwealth territory. Then, close to Melbourne, a cordite factory has been established at Maribyrnong. As I have said, this Government are taking no new departure; but, seeing that the Capital site has now been definitely selected, which was not the case when these other works were established, we ought to be given reasons for for the choice of a site for this College. It stands to reason that all such buildings placed on the Federal Territory add to the value of the land there. We get the increment of value; whereas, by establishing the College close to Sydney, we are assisting to enlarge a city that is already too big—an observation which applies to Melbourne and all the other Australian capitals. I trust the Go will afford us more information, that end this vote could easily poned, so that the reports of th officers may be laid on the table.

Mr. FAIRBAIRN (Fawkner) It is not often that I find mysel agreement with the honorable me Wentworth, but so far as the it discussion is concerned my views tirely at variance with those exp him. The Minister must be that the feeling of the Committe great national institutions of this ought to be established in natio tory. We should follow the ex other countries. The honorable who has just resumed his seat ha out that the young naval officer United States are trained a long any large centre of population, wh land's great naval training coll Dartmouth, in Devonshire.

Mr. PAGE. — Away from c population.

Mr. FAIRBAIRN.—Entirely. the main arguments in support o tablishment of the Naval Colleg Hacking was, I understand, that establishment could be conducted cheaply in the vicinity of Sydne Jervis Bay. Such a contenti ever, cannot be seriously put for

Mr. KING O'MALLEY.—The States Naval College is at A Maryland—the capital of the Sta

Mr. FAIRBAIRN. — But which has set an example to th has its great Naval College a from the metropolis. I am sati in any event after the lapse o years the Naval College will be e in Federal territory; people will sent to the naval cadets of Austr trained outside the national terri expenditure of a large sum in Naval College at or near Sydney within a few years' time to hav waste of money. The proper pursue is to erect only temporary until the territory in the vicinity Bay is in a more advanced state o ment. The erection of temporary in the meantime would meet the and eventually the College could where it ought to be—in Federal on Jervis Bay.

Dr. MALONEY (Melbourne) can assure the honorable member worth that I cannot recollect ha

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voted or spoken against the interests of Sydney. I have never gone to that city without anticipations of pleasure, nor have I left it without feelings of regret. Last night it was absolutely impossible to obtain information regarding this item, and one Minister so far forgot himself as to suggest, when he was being pressed for further details, that advantage was being taken of Cup night to create trouble.

Mr. PAGE.—He was only joking.

Dr. MALONEY.—I am glad to hear it. Why have a national territory if we are not going to plant there everything pertaining to the central authority? There is not likely to be a large population at Jervis Bay, nor is a continual influx of visitors to that part of the territory probable. I always advise visitors to Sydney to go to Port Hacking, and those who know the place are well aware that there is a constant stream of visitors there, especially on Sundays. Another point to be remembered is that the Government have not told us how much they will have to pay to acquire private land there for this purpose. Is the land to be resumed upon the basis of the valuation for land and income tax assessment purposes?

Mr. FISHER.—It will be compulsorily resumed if an agreement cannot be arrived at as to the price to be paid. It is, therefore, unwise to state at present what is the difference between the valuation on behalf of the proprietor of the land and that of the Government valuer.

Dr. MALONEY.—If we cannot obtain the land at a fair price are we to resort to compulsory arbitration?

Mr. FISHER.—The law provides for that.

Dr. MALONEY.—I am aware of that. But can the Government say that they will take the land at its valuation for land and income tax purposes last year?

Mr. FISHER.—That valuation would be evidence, but not absolute proof, of value.

Dr. MALONEY.—I fear that the Federal Government may become the milch cow.

Mr. FISHER.—We do in cities what I have said practically every day.

Dr. MALONEY.—That may be, but it is not good enough for me when we can obtain what land we require in our own territory.

Mr. FISHER.—We can resume land even in the honorable member's own city.

Dr. MALONEY.—The law of eminent domain allows a nation to take anything it pleases in the case of national necessity, but I do not know how the Government could resume land in Melbourne on the basis of a land and income tax valuation, since there is no such tax in the State.

Mr. FISHER.—We have the Federal land tax.

Dr. MALONEY.—The Minister of Home Affairs, who has great knowledge of the United States, will admit that West Point, although in the State of New York, is some distance from the City of New York, the population of which is not as large in comparison with that of the United States as a whole as is the population of Sydney when compared with that of Australia. The population of Sydney, I believe, is more than one-eighth of the population of the Commonwealth. Another point to be remembered is that the journey by road to West Point is not an easy one, and I do not think that the railway runs right up to the college. I have here a splendid picture of West Point, which was published in that magnificent report presented by my dear friend, the late Major-General Hoad. Having read that report very carefully, and studied West Point as far as the limited means of our library will permit, I have come to the conclusion that the College should be established at Jervis Bay, in Federal territory. Let us establish it there, and adopt the splendid system that is followed at West Point, students at which have to live on their salaries, and are not permitted to receive presents, even from wealthy relatives, if they have any. If we establish the Naval College at Port Hacking it will become another show place, and visitors to Sydney will say, "Let us drive out to the College where the naval cadets are trained." No one can deny that we shall have to pay more for the land there than we should have to pay for land at Jervis Bay, within the territory given to us by New South Wales.

Mr. W. ELLIOT JOHNSON.—We were always too generous.

Dr. MALONEY.—My honorable friend will admit that he has never heard me speak against Sydney—in fact, I should be very pleased to settle there if I could take with me all the friends I have here. Let us hear no more of this petty nonsense in regard to rivalry between Melbourne and Sydney. Australians ought to be proud of both cities. I am doing all I can to wipe out the terms "Melbournite" and "Sydneyite," and to substitute "Australian." There is no big population at this place,

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and no influx of visitors to it as there is to West Point from New York and New Jersey.

Mr. WEST.—Does the honorable member wish to bury the students?

Dr. MALONEY.—No, but I think that the College should be near Jervis Bay, because in the future the study of military tactics will be one of the keenest, and already the military nations of the world are devoting their best talent to the consideration of questions of defence. I should not hesitate to endow with any amount of money an adequate institution, upon the condition that it must be open to every individual, so that there shall not be built up a privileged class, such as is to-day injuring the naval and military fabric of Great Britain. I hope, too, that the Minister of Defence will declare that the uniform which is good enough to fight in shall be good enough for social engagements. Personally I would insist that, whenever a member of our Defence Forces accepts an invitation, he should appear in the uniform in which he may have to fight. Such a regulation would do away with the ridiculous practice of spending £100 on dress and undress uniforms, the wearing of hats which provide no shelter from the sun or rain, and the like.

The CHAIRMAN.—What have these remarks to do with the question before the Chair?

Dr. MALONEY.—I shall connect them by saying that if our naval academy is near a centre of population, pressure is more likely to be brought to bear in regard to the adoption of nobby uniforms, and gilt-spurred roosters are more likely to predominate, than if it is established at Jervis Bay. Near a big city it must become a show place. We know what happens at Queenscliff, especially in the summer time. It is all very well to say that no one will be admitted within the gates, but it is impossible to keep out visitors. Will the Minister of Home Affairs tell us approximately what the site at Port Hacking would cost, and what the Jervis Bay site would cost?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [3.18].—I would point out to the Committee that West Point is purely a military college for the training of fighters on land. The Naval Academy is at Annapolis, in the State of Maryland, on a bay. One is for the training of land fighters, and the other for the training of fighters on the deep sea.

Mr. RILEY.—What is the differe

Mr. KING O'MALLEY.—C fights while walking, and the ot fights while swimming. Treating ject from the financial stand-poi honorable members whether twe hence, when Sydney has a popu 2,000,000, land within 17 miles not be much more valuable than i

Mr. PAGE.—Then why not buy earth?

Mr. KING O'MALLEY.—Th is to cost about £75,000, and the we buy by the foot will be saleab square inch twenty years hence.

Dr. CARTY SALMON (La [3.20].—One is dumbfounded by t ter's earth hunger. He seems d buying up Australia. When it was to resume a certain area in Ne Wales for the Federal Territory, an enormous outcry, but the Mi addition to the territory already is buying large areas in the Sta evidently wishes future generations nise his prescience regarding lan Our object, however, should be, quire land to be sold later at a to make the best use of the territ to us. The areas outside the held by the Commonwealth wi legion if we proceed as at pr should have thought that this Governments would have been of placing all Commonwealth within the Federal Territory whe was possible.

Mr. KELLY.—Would the member put the Maribyrnong Co tory there?

Dr. CARTY SALMON.—I honorable gentleman's military should have informed him that ture and climate are primary tions in the location of a cordit and the climate of New South Wa not be suitable at all times of When it was proposed to co Federal Territory with the sea, members were assured that that able, for one reason, in order t opportunity for the training of c navy. I am sorry that there any question of Melbourne or Sy honorable member has suggested College should be placed at Mel Westernport.

Mr. FENTON.—Westernport wo ideal location.

Dr. CARTY SALMON.—Yes, withstanding its claims, there is

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consideration, namely, the desirability of placing within the Federal Territory every Commonwealth establishment that can with safety and advantage be placed there. The Minister has not told us what he proposes to pay for the land, but he has endeavoured to inflame our cupidity by telling us that it will fetch an enormous sum at some future date. We do not want to re-sell this site.

Mr. RILEY.—It is not proposed to re-sell it.

Dr. CARTY SALMON.—The Minister has told us that what we buy by the acre we shall be able to sell by the inch. I hope that there will be no re-sale. The College should be built at the most suitable place, and remain there. I agree with those who say that it should be established as soon as possible, and that could be done without waiting for the erection of costly buildings, by permitting the students to attend lectures at the Sydney University pending the getting ready of the College at Jervis Bay. To place the College and other Commonwealth buildings in Federal territory will foster the national sentiment. I hope that the Government, for the sake of economy and for what the Prime Minister calls general utility, will adopt my suggestion, and, omitting the item under discussion, will provide a smaller sum out of the ordinary Defence vote. If the present attitude of Ministers is continued, many honorable members will support the motion of the honorable member for Moreton, because they cannot conscientiously agree to placing extra-murally, so to speak, of the Federal Capital area, these institutions, one and all of which should be placed within it, and be maintained there under proper supervision. I am not going to add to what has already been said with regard to the disturbing influences of a large and pleasure-seeking population, except that we do not want to place our young men who are going to do this very important work near distractions such as a large city undoubtedly affords.

Mr. WEST.—Are they to have no pleasures? Would the honorable member put them away in the bush?

Dr. CARTY SALMON.—The honorable member seems to have a peculiar idea of what pleasure is. Some find pleasure in a crowd, others take much more pleasure in solitude. I would suggest to the honorable member that he might try the latter. It would be not only conducive to his own well-being, but would be a relief to a very large number of other honorable members in this Chamber.

Mr. CARR (Macquarie) [3.26].—I wish to support the protest against putting the Naval College near Sydney. I do so mainly upon general principles, because where other things are equal—and I think they are fairly equal in this case—all our big Federal institutions should be placed on Federal territory. I am given to understand that the official reports favour Jervis Bay as much as they favour the site now under consideration. We are therefore safe as regards efficiency, convenience, and suitability in putting the College in our own area. I fully indorse the arguments which have been used against the selection of a site near Sydney. I object to putting the cadets under the pernicious influences of a big city, as would be the case if they were taken to Sydney. The Minister's remark with regard to a profitable deal in land goes by the board, as it is not the Government's function to become land-jobbers. Another consideration which appeals to me strongly is that it would be a very good thing for our defence system, and particularly the educative institutions connected with it, to be in touch with Parliament and politicians, not because I think that that will bring the military under political control—a result which I should deprecate—but because it will lead to a better understanding between politicians and the Defence Forces. This may in future years help us to avoid those disasters which have befallen other nations when political influence in military and naval matters has become too strong. The plan I suggest would lead to politicians gaining a better understanding of the true relations between the army and the State. I have heard that there is a condition attached to the giving of the money from the *Dreadnought* fund to the Government, to the effect that if the money is accepted the institution must be placed near Sydney. If so, I should not allow that consideration to influence me at all. It would be much better to forego the donation entirely, and maintain all our institutions in the place where they ought to be.

Mr. RILEY (South Sydney) [3.28].—Like other honorable members who have spoken on this side, I am opposed to erecting any Federal buildings of this character outside of Federal territory. The Minister has given us no definite statement as to whether the authorities who selected the site now under consideration have also visited the Federal Capital and Jervis Bay. It

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is the duty of the Minister to give honorable members the fullest possible information regarding the report of the authorities on this matter. He should state whether they made a second choice, if any, and whether they visited and took into consideration the places I have named. Up to the present moment, as that information has not been given, I feel inclined to support the motion, in order that we may have the College erected in the Federal City, and, if possible, every building for Federal purposes, should also be built there.

Mr. KELLY (Wentworth) [3.29].—The discussion has wandered somewhat from its original purpose. It concerned originally the best site at which to establish the Naval College, but the proposition now being debated is how best to develop Federal territory. If honorable members wish to use the naval and military defence votes for the purpose of developing Federal Territory, well and good; let them wipe out this site and start at Jervis Bay. That would be perfectly logical and legitimate from the point of view of the development of Federal territory. But I take it that our purpose now is to consider how best we can start the Australian naval unit of the Imperial Fleet. If the Committee take the College to Federal Territory, they will undoubtedly put off its initiation for a few years, which will be a bad thing for the Australian people.

Mr. FENTON.—Why should it cause that delay?

Mr. KELLY.—If the honorable member knew Jervis Bay, he would know that it would be necessary to build a vast number of roads before anything could be done there. According to the Minister's report, the officers of the Home Affairs Department found that all the roads in the Federal Capital area had been "let down," and that it was necessary to spend about £14,500 in putting them into a decent state. If we intended to establish the College at Jervis Bay, it would be necessary to start first of all to build roads there, and then, when the Naval College was established, we should have to begin the construction of a railway line from Nowra. At present the line stops short at Nowra on the northern side of the Shoalhaven River, and we should have to build a 20-mile railway to connect with Jervis Bay.

Mr. RILEY.—It is part of the plan to put a railway there.

Mr. KELLY.—That plan has not been accepted by this Parliament, which must consider it afterwards upon its m liament should not be tricked int it at this stage, by taking an ac on this question now. The whc of whether or not we shall ha communication between Jervis Sydney, and between Jervis Ba Federal Capital, will have to b on its own merits when the p comes. I venture to predict that will be very loth to construct t tween Jervis Bay and the Fede in view of the fact that no adv be conferred on the Federal ar It would be of great advantage of New South Wales if that lin structed with Federal money, a narrow point of view, I shou happy to see it done; but I thir anxiety of this Parliament, af seriously to work to construct Capital itself, will be to limit possible, the total cost of t Capital as a complete proposi way construction will add to th this House, which represents th of Australia as a whole, will, be very sorry to sanction the avoidable expenditure of money roads and railway lines that constructed from a Federal po That position will have to be later on; but why prejudge the by deciding to establish the Co vis Bay, when the cost of road cations, and connexions will greater than the whole proposi fore the Committee in these I

Mr. BAMFORD.—What do w roads? Why not have comm water?

Mr. KELLY.—If we war tion by water with Jervis Ba have to start immediately wharfs and jetties, and also for small boats. Jervis Bay stretch of water as big as Port the harbor sea kicked up in e nary blow there makes a break sary for small craft. All this the capital outlay.

Dr. MALONEY.—Those thing to be built at Jervis Bay in an

Mr. KELLY.—That questio when we decide what to do Bay. The work will have to b decide to have a Federal por we have not yet so decided. simply arranged with New S for the possession of th in case we want the port

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siderations of economy, and consideration of the fact that haulage from Jervis Bay to the Capital will be just as costly as from Sydney to the Capital, and that port facilities, owing to the absence of population there, will not be so good, will, I think, all operate against the construction of a Federal port at Jervis Bay in years to come. However, as a New South Welshman, I shall be very glad to see that port developed.

Mr. BAMFORD.—The fact that we got that port was one of the factors that induced a number of honorable members to vote for Yass-Canberra.

Mr. KELLY.—The question of the port had nothing whatever to do with the decision as between the Yass-Canberra and the Dalgety sites, because there was a port at each place. Undoubtedly Jervis Bay as a port is better than Twofold Bay, and that consideration might have weighed with honorable members. I ask honorable members, however, to consider that matter on its own merits.

The question now before us is a naval one. If it was a question of how best to develop the Federal area, how could the honorable member for Laanecoorie possibly advocate the construction of a cordite factory in Melbourne, while advocating the taking away of a work which has been given to Sydney from Sydney to Federal Territory at Jervis Bay? The thing is too transparent. We see this provincial bitterness, which all of us, I think, regret, springing up in the most unlikely quarters. Even the honorable member for Laanecoorie, who knows and likes Sydney, is influenced by it to the extent of wanting to take this institution from even the neighbourhood of Sydney and to place it in the Federal area, not because he really cares about the development of the Federal area, but because he wants to see as much as possible done to prevent the Northern capital of Australia from getting anything in the way of the spending of public funds. I do not know that this proposition will benefit Sydney. I do not think it matters a brass button to Sydney whether the Naval College is placed at Jervis Bay or not. From the New South Wales point of view, if it is placed at Jervis Bay, the State will be benefited more than if it is placed at Sydney, because it will undoubtedly mean taking the first step towards the construction of a line from Nowra to Jervis Bay, and from Jervis Bay to the Federal Capital. That work will benefit New South Wales.

Mr. BRENNAN.—Does the honorable member really think that we are afraid of benefiting New South Wales?

Mr. KELLY.—I have not had the privilege of knowing the honorable member sufficiently long to learn whether he comes within the category of those "broad nationalists" who have often excited the amusement of honorable members generally in this Chamber. I do not know that he does. I hope that he does not, but undoubtedly we do see signs of a desire to secure the spending of public money in this State, and to prevent it being spent in other States. Such a tendency is most lamentable. The honorable member for Batman should ruminate over the fact that the honorable member for Laanecoorie says it is absolutely essential that the Cordite Factory should be built in or near Melbourne, because, if you please, the climate of Melbourne is the only climate in Australia in which it is safe to manufacture cordite!

Dr. MALONEY.—Nonsense! Does the honorable member believe that?

Mr. KELLY.—It was said by the honorable member.

Mr. ATKINSON.—He said the climate of New South Wales was not suitable.

Mr. KELLY.—Personally, I find Melbourne an excellent place, and do not see this bitterness reflected in the hearts of the Melbourne people. They are always most hospitable and generous in their treatment of those from other States, but we do find the influence I have mentioned in politics—an influence which is really initiated by the selfish interests of a section of the Melbourne press. That is what we are suffering from in this debate. If it is a good thing to have everything centred in the Federal area, what an absurdity it is to talk about the climate of Melbourne requiring the cordite factory to be situated in Melbourne! It might as well be urged that the relaxing climate of New South Wales is a dangerous one in which to bring up young men to serve in the Navy, because it might sap the vigour of their constitution. The idea is absurd, and we have heard enough to realize that this debate is based purely on provincial considerations. The suggestion that we should develop our Federal area by establishing this College there, is only a side wind by which it is hoped to prevent money being spent even in the vicinity of Sydney. This expenditure cannot benefit Sydney one iota; and I believe that people who have private residences at Port Hacking will resent the establishment of the

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College there. However, the cost of construction at Port Hacking will be much less than at Jervis Bay, and the former is a much better situation from a naval point of view—an opinion for which we have the authority of the advisers of the Government. It is not worth our while paying £40,000 for a second-class site; and in view of what we have heard from the Prime Minister, we should sink all our little provincialisms. If people desire to throw money at us let them do so by all means. To establish the College at Jervis Bay would be to commit ourselves to railway construction. This, no doubt, would be excellent for New South Wales; but I question whether the taxpayers of the Commonwealth would care to embark on such an enterprise.

Mr. CHARLTON (Hunter) [3.42].—I am as desirous as most people to see our Federal Territory developed by the establishment of industries and of such institutions as that under discussion. There are, however, exceptions to every rule; and the Prime Minister, supported by the authority of his expert advisers, has, I think, made out a good case for the Port Hacking site on the grounds of utility and economy. These, of course, are the two chief factors that should guide us in determining the matter. There seems to be some objection to the site owing to the proposed gift of money to the Commonwealth. Our first consideration, however, is whether this is the most suitable site; and, in this, we ought to be guided by those who have had experience in defence matters of the kind. Under all the circumstances, I, for one, am prepared to take all the money from people who may care to devote it to this particular purpose, if people, sufficiently patriotic, are to be found willing to do so. This, of course, as I have said, is subject to the fact that the site is the best one that can be secured; and on that point we have the assurance of the Prime Minister. It is necessary that the College should be established as early as possible, so that every accommodation may be provided for those who desire to enter the Australian Navy. We shall have to wait a considerable time if the College is not constructed until it can be established in the Federal Territory. There must be railway communication to the Territory before the College could be of any utility.

Mr. CARR.—The students could go to the university in the meanwhile.

Mr. CHARLTON.—Even
be considerable expenditu
could be done with a Naval
vis Bay until wharfage accon
been provided in order to a
for reaching the place; and w
sent that there are travelling fa
by land nor water, and no
for years to come. Honorabl
imagine that this Parliament
ing on the Federal Territo
five years will be very much
I think, ten years is more
that will be required for the
paration. It is not propose
students to the university
that we have the best exper
contrary.

Mr. FRANK FOSTER.—T
take several years to build.

Mr. CHARLTON.—If
can realize that it would tak
years more before we could
struct a college in the Fed
I should say that quite two
longer would be required
against Port Hacking in
Territory. My opinion is
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the circumstances. We all
in the Federal area as much
order to attract population,
Federal City a status; bu
member that in the past h
bers have not made much
penditure on Commonwealt
outside that Territory in
South Wales, and elsewhere

Mr. MCWILLIAMS.—Did
commend this as the best si

Mr. CHARLTON.—The
ter has assured us that this
mended on its merits.

Mr. FISHER.—It was re
the best site on the mainlan
another site, but not on the

Mr. CHARLTON.—It i
my opinion, that the Naval
be in close proximity to th
to give facilities for trainin
that this vote ought to be

Mr. FISHER (Wide Ba
ister and Treasurer) [3.50
clear that honorable memb
that the Naval College shoul
without delay. The only
to the site; and doubtless th
tic feeling in favour of th
being on Federal territory
Committee to negative the

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the honorable member for Moreton, and pass this £53,000. I promise that the question of the site shall come up again for consideration.

Mr. McWILLIAMS (Franklin [3.51].—The Committee ought, I think, to accept the offer made by the Prime Minister. There is no desire to embarrass the Government in the slightest degree; but we hope that this debate will be taken as an indication that, not only the Naval College, but other Commonwealth buildings of the kind, shall be erected on Federal territory. The Commonwealth buildings are being scattered all over New South Wales and Victoria; and wherever one is established in one State, it seems necessary to give an equivalent in the other. The statement of the honorable member for Hunter that this has been recommended as the best site should not go unchallenged. If the honorable member will read the report, he will find that the site regarded as the best is in the vicinity of Hobart; so that, if the Government rely entirely on the recommendations of their naval advisers, the College will not be established at Port Hacking. The Military College has already been established on our own land, and I repeat the hope that the Government will take this debate as a strong indication that all such Commonwealth work should be carried on there.

Amendment negatived.

Mr. McWILLIAMS (Franklin) [3.55].—I should be glad if the Minister would explain the item "Launch for trawler, £222," and also give the Committee some information as to the benefit which the Commonwealth is deriving from the work of the trawler, upon which we have spent something like £30,000.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [3.56].—I shall deal with the general work of the trawler when we have before us the general Estimates covering the salaries of the Fisheries Department. Last year, a sum of £400 was voted for the purchase of a launch, and of that amount £178 was expended. Honorable members are now asked to revote the balance of £222. It was considered by the Director of Fisheries, and the captain of the trawler, that a launch was essential to enable the shallower waters, more especially around the islands, to be investigated. As honorable members are aware, the launch could be used where the trawler could not possibly go. This proposal was first made some two years ago, and when I resumed office as Minister of Trade and Customs, I called for further reports on the subject. It was then arranged that the launch, if found not to be absolutely necessary to the work of the trawler, should be transferred to one of the other Departments. There is work for such a launch in the Naval Department, and even in connexion with the Department of Trade and Customs. If the trawler can carry on operations effectively without it, we shall devote this launch to other purposes.

Mr. WEST (East Sydney) [3.59].—I should like the Minister of Trade and Customs to explain where the proposed vote of £12,726 towards the cost of new quarantine buildings in New South Wales is to be expended.

Mr. TUDOR (Yarra—Minister of Trade and Customs) [4.0].—The only quarantine buildings in New South Wales of which I know are those at North Head, and the animal quarantine station at Bradley's Head. The amount for which these Estimates provide is not sufficient to enable the whole of our quarantine stations to be placed in a proper state of repair. The States, anticipating that the quarantine services were to be transferred to the Commonwealth, did not keep the buildings thoroughly up-to-date, and, as a matter of fact, the quarantine station at Brisbane was done away with altogether, the buildings being converted into a leper station. On this year's Estimates, it was proposed by the Quarantine Department to provide for an expenditure of about £100,000 under this heading towards cost of construction and repair. The total cost would be about £250,000, but we decided that we should first of all ascertain exactly how we stood in relation to the matter. Believing it possible for us to learn something regarding the position of quarantine in other countries, and having regard also to the increasing size of steamers coming to our shores, which means increasing the accommodation. I took the matter to the Cabinet, and it was agreed that before we incurred so large an expenditure, we should inquire what other countries were doing. The Director of Quarantine, Dr. Norris, was accordingly despatched to the United States and Europe to make inquiries. He will also visit one or two eastern countries, and, upon his return, will submit a comprehensive report on the result of his investigations. The item of £12,726 to which the honorable member has referred is merely to put the buildings in such a state of repair

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as they should be in before people are quarantined in them. This is one of the items that we watch very carefully; but as quarantine is in the nature of health insurance, it is most important that we should keep our quarantine buildings and grounds effective for the purpose. I have not the details at hand, but I believe that the particular item under discussion is to provide for certain alterations which must be made to the buildings at North Head in order to make them habitable.

Mr. GREENE (Richmond) [4.2].—I notice that all the items under the heading of "Quarantine" are "towards cost" of new quarantine buildings. Are we to understand that new quarantine stations are to be established in every case?

Mr. TUDOR.—Not in all cases.

Mr. GREENE.—Will the total cost amount to £250,000?

Mr. TUDOR (Yarra—Minister of Trade and Customs) [4.3].—Quarantine to be of any value must be effective. We are unable to say at present what expenditure will be necessary to make our quarantine stations thoroughly effective, but, as I have already mentioned, inquiries are being made. Pending the receipt of the Director's report, we intend only to carry out works that are immediately necessary.

Mr. W. ELLIOT JOHNSON (Lang) [4.4].—I should like to know whether it is proposed to establish an up-to-date quarantine station in North Queensland in the neighbourhood of Thursday Island?

Mr. TUDOR.—There is a station at Thursday Island.

Mr. W. ELLIOT JOHNSON.—Thursday Island is the first port of call for vessels coming from the east which are most likely to bring to Australia infectious diseases. It is, therefore, very necessary that we should have in the north of Queensland an up-to-date quarantine station, so that vessels arriving at the entrance to Australia from the east with cases of infectious diseases on board will not have the experience of the steam-ship *Eastern*, which was recently sent down to Sydney to be quarantined at tremendous cost to the owners, and also to shippers of cargo and passengers by that steamer. Will the Minister state where the sum of £1,200 towards the cost of new quarantine stations in Queensland is to be expended, and whether a new station will be erected with a view to provide for such a contingency as I have mentioned?

Mr. TUDOR (Yarra—Minist and Customs) [4.5].—I believ Darwin is the first port of cal coming to Australia from the the establishment of a quara further south instead of in the t meet the requirements, I think preferable to the spending of in establishing a quarantine st neighbourhood of Thursday Isl can make effective the quara already in existence there we but if, in addition, a new qua tion is necessary, I think that erected in a more temperate l that of Thursday Island. W receive the report of the Direc ruary or March next, and unle be passed, it will be impossibl acquire a site should a new si sary at Brisbane, or between B Rockhampton. We desire t money available if the report o tor is favorable to the cons another quarantine station.

Mr. McWILLIAMS (Frank In regard to the item of £500 cost of a new quarantine stat mania, I wish to ask the Mi steps are being taken in the m year we had on the Estimates provide for the purchase of Triffitt's Point, but every one nises that the establishment o tine station there would have undesirable. Land in the dist being subdivided into building think that the Department hand——

Mr. TUDOR.—No; inquiries made.

Mr. McWILLIAMS.—It is tial that something should be d ral good sites are available, an lishment of a station should b with without further delay. H first port of call for vessels o Savill Company, and for m steamers; yet there is no qua tion there.

Mr. TUDOR.—There is one Bay.

Mr. McWILLIAMS.—That been taken over by the Common is a most excellent site, and I the advisers of the Government their way clear to recomme should be taken over. I hope t vernment will establish a quar tion in Tasmania without more

Mr. TUDOR (Yarra—Minister of Trade and Customs) [4.9].—Last year we expended £16 under this heading, that representing the cost of inquiries to ascertain the best available site for a quarantine station in Tasmania. I understand that Dr. Purdey, Chief Health Officer for Tasmania, and also, I believe, Quarantine Officer for the Commonwealth, is making inquiries either independently or in conjunction with others, and that the selection has been narrowed down to three sites.

Mr. McWILLIAMS.—Where are they?

Mr. TUDOR.—I cannot say from memory. When the honorable member put a question to me a fortnight ago in regard to the matter I made inquiries from the Acting Chief Officer of Quarantine, and was told that the selection had been narrowed down to three sites. He expects to have a report from Dr. Purdey as to which is the best of these. The honorable member may rest assured that we are fully alive to the necessity for a quarantine station at Hobart. I agree with the honorable member for Lang that it is undesirable to overcarry either passengers or cargo where that can be avoided, but we do not want to expend large sums of money upon the upkeep of quarantine stations when it may be possible at slight inconvenience to avoid anything of the kind.

Mr. CANN (Nepean) [4.10].—At the beginning of the year, I wrote to the Minister of Home Affairs about the Flemington rifle range, on the Sydney side of the Nepean electorate, and was informed that a contract had been let for repairs to it, and later I received a letter saying that the work was being expedited. Since then I have been told that the range has been resumed for railway purposes. I have suggested that further provision for rifle practice could be made in the neighbourhood, as there are about six clubs to be accommodated. I thought that something could be done for the extension of the range at Ryde, but my suggestion was unfavorably received, as was also another suggestion relating to the Parramatta range. The Flemington range having been resumed by the New South Wales Railway Department, the Treasurer will have received money for it, and that money might fairly be expended in purchasing a new site in the district. If further accommodation cannot be given at Parramatta or Ryde, a new site should be purchased. The departmental replies on the subject have been very unsatisfactory, and I should like a definite answer from the Minister this afternoon. It is a hardship to members of the Granville, Clyde, and Technical College rifle clubs to have to pay fares to visit the Randwick range, frequently to find that the targets are in use by members of the regular Forces, they and the Randwick rifle club having the first call on the Randwick range. The members of the rifle clubs in the district to which I refer are beginning to think that the Government discourages rifle shooting.

Mr. CHARLTON (Hunter) [4.15].—In quite a number of items provision is made for the construction of drill-halls, an expense which, no doubt, will grow, as in time every centre of population will demand a drill-hall. In view of the big expenditure which would be needed to meet these demands, I suggest that it would be better to do without drill-halls, and to disband the boys on wet nights, without counting it against them as a drill lost. I rose, however, to direct attention to a more important matter, namely, the need for providing facilities for drilling within reasonable distance of the places where the boys who have to be drilled live. I regret that the Department has been very slow to attend to a complaint which I made regarding the practice of requiring the lads from Morpeth, a fairly large town, with a considerable population surrounding it, to travel to East Maitland to be drilled, a distance of from 3 to 5 miles. I have protested against the arrangement on two occasions, but have not yet received a satisfactory reply. It is not fair to ask parents to pay the expense of railway fares in cases of this kind, and the boys cannot be expected to walk. Drills should be held close to where the boys live. The case to which I have referred should have been dealt with by this time; the Department ought not to need five or six weeks for its consideration.

Mr. ROBERTS (Adelaide—Honorary Minister) [4.18].—The honorable member for Hunter points out that the expenditure on drill-halls will greatly increase in the future, and at the same time suggests an increase to facilitate drilling.

Mr. CHARLTON.—I suggest that the area officers should drill the boys in the localities where they live.

Mr. ROBERTS.—I understand the honorable gentleman to suggest the securing of sites for drill-halls, within a reasonable distance of the places where the boys live.

Mr. CHARLTON.—No.

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Mr. ROBERTS.—The general instruction to area officers is to facilitate drilling in every way possible, meeting the convenience of the lads by paying the fullest regard to local conditions, which, of course, vary greatly. In the providing of drill-halls, local authorities have, in some cases, assisted the Government, but, in other places, there has not been the same patriotism. I cannot undertake to suggest that on wet nights lads should be dismissed without there being a drill; because, during a wet year, the efficiency of a corps might, under such an arrangement, fall below the necessary standard, which those belonging to it would not like. The Minister will, however, do his utmost to remove inconveniences. I shall suggest to him the advisability of getting the area officers to do a little more travelling, so that the lads who are being drilled will have to do less.

Mr. McWILLIAMS.—Some of the area officers work well.

Mr. ROBERTS.—I am glad to hear it. I hope that that can be said of all of them. It requires exceptional tact to bring our new Defence scheme into smooth working; but when it is thoroughly understood, its individual, as well as collective, benefits will be generally recognised. I am unable to give the honorable member for Nepean the details for which he asks; but, whereas last year only £17,000 was expended on rifle ranges, this year nearly £70,000 will be spent. While there may be irritation in some localities, rifle shooting is receiving so much consideration from the Department, that I think generally the efforts will be appreciated. I shall put the remarks of the honorable member before the Minister, and hope to be able to furnish a reply to-morrow.

Mr. McWILLIAMS.—Can the Minister give us information respecting the progress of the Lithgow Small Arms Factory? Personally, I regret that it was not located in Federal Territory. Is it too late to reconsider the question of site?

Mr. ROBERTS.—We regard the whole of Australia as Federal Territory, and think that no one place can command the whole expenditure of the Commonwealth. The Small Arms Factory is nearing completion, but there are circumstances regarding it which may demand the attention of the Attorney-General's Department; and, therefore, I suggest that honorable members should not press for detailed information.

Mr. KELLY.—The request is a very fair one. If the subject were not receiving the attention of the Attorney-General's ment, the Committee would be e demand an explanation regarding lay in the completion of the cont

Mr CANN (Nepean) [4.25].— Minister whether it is intended t accommodation for the men who employed in the Small Arms F Lithgow? It was announced in torate some time ago that land wou sumed, and cottages erected for commodation; but there is no prov that in the Estimates. If the facto within the next six months, it wil ficult to secure accommodation f who will be employed there. H not to be obtained in the district number of workmen that will be there. A scheme was propound time ago for the acquisition of l the building of workmen's dwellin by the Government. I do not kn ther that is the best thing to be d in any case the Government ough able, at this stage, to give the C some satisfaction in the matter. I that at present, on account of th there are about ninety empty h Lithgow, but fully 300 men will ployed at the Small Arms Factory proportion of whom I presume married. The moment the trouble gow is over the houses will all again. Rents around the Small Ar tory have gone up enormously, and many questions are being asked in about this matter. The proposal put forward for the Government houses for workmen really preven vate people in the neighbourhoo speculating in the way of putting dwellings, and in that respect it h a certain amount of injury, and ha aggravated the evil. If the Sma Factory is opened by the new yea all expect, the Government will with a serious difficulty, and I sho to know if any arrangement has be to overcome it. Three hundred w cannot be accommodated there un sent conditions.

Mr. KELLY (Wentworth) [4.28 point raised by the honorable mem Nepean is very important, and dese consideration of the Minister, espec view of the steps which are being t private enterprise in Great Britain perly house the employés in large tries, and cater for their amuse their leisure hours. Garden citi

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springing up in connexion with large enterprises, and the Commonwealth Government should set a good example in Australia in connexion with the treatment of their employés in these large factories. No doubt the Minister has been giving it consideration, and has ordered his Department to look into the question of the proper housing and catering for the welfare of the employés in Commonwealth factories. Better work is got out of a man if he is properly fed, housed, and looked after. This question is a big one, and Australia seems to be very far behind the times in regard to it.

Mr. WEST.—Take what has been done by Cadburys' for their work people.

Mr. KELLY.—I could mention Cadburys' garden city, the Sunlight soap city, and others established in the country in England. When we begin to establish our Australian factories, we should work them on similar lines. I shall be quite satisfied if the Minister will promise to let us know exactly what has been done by his Department in this matter. Perhaps the best thing would be for him to lay the papers on the subject on the table.

Mr. KING O'MALLEY.—The Minister representing the Minister of Defence will make a statement, because the matter is in his Department.

Mr. KELLY.—The whole question of the construction of the factories would be in the Home Affairs Department.

Mr. KING O'MALLEY.—I shall be glad to let the honorable member see the papers.

Mr. KELLY.—Will the honorable member lay them on the table of the Library?

Mr. KING O'MALLEY.—Yes.

Mr. KELLY.—The Minister's promise is entirely satisfactory to me.

Mr. W. ELLIOT JOHNSON (Lang) [4.31].—When a previous item was under consideration, nearly all the members representing Victorian constituencies were unanimous in regarding it from the "broad national stand-point"—as viewed through Victorian spectacles. I hope they will take the same broad national outlook with regard to the proposed votes for the expenditure of large sums of money in connexion with the cordite and other factories at Maribyrnong. The Victorian members recently agreed, with wonderful unanimity, that institutions of that kind should be within Federal Territory. I should like to test the depth of that national spirit, which always comes so much to the fore when any expenditure is proposed in New South Wales. Every Victorian representative objects on "broad national grounds" to all expenditure in New South Wales, especially anywhere in the vicinity of Sydney. I now expect a number of Victorian members to rise and insist on the Cordite Factory and Clothing Factory being placed in Federal Territory, and not at Maribyrnong. No less than £6,500 is set down towards the cost of the Clothing Factory, which, I take it, is to supply uniforms for the Naval and Military Forces. There is also a Harness Factory to be established at Clifton Hill, which is near Melbourne. Are any Victorian members going to move for the excision of these items, and to insist on all these industries being carried on in Federal Territory? There is to be a total expenditure in the neighbourhood of Maribyrnong alone of close on £30,000 for various Federal and national items. I shall resume my seat for the present, with a view of giving some of the Victorian representatives an opportunity of expressing their opinions on the wisdom of having all these works established in the Federal Capital area, and not in and around Melbourne. I shall expect the honorable member for Maribyrnong to be amongst the first to move in that direction.

Mr. FENTON (Maribyrnong) [4.35].—Instead of my being satisfied with the amount of money proposed to be expended in Maribyrnong, the Minister of Home Affairs knows that I am very much dissatisfied that another item does not appear in the Estimates. There is one item here for the repairing of a road which the military authorities have put into a state of disrepair, and, in fact, made almost impassable for the ordinary ratepayer.

Mr. RILEY.—Look at the rates that they bring in.

Mr. FENTON.—The Commonwealth Government have bought land on either side of the road, and so have taken away the only rateable property from which the shire of Braybrook could obtain revenue to keep the road in a proper state of repair. The Government put up the Cordite Factory, and cut up the road by carrying the necessary materials there. In my electorate, and in the electorate of the honorable member for Nepean, the Government ought to declare these roads military roads, especially when they take away the rateable property, and the Defence Department should construct them free of cost to the community.

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Mr. PAGE (Maranoa) [4.38].—Something ought to be said about these items from the broad national point of view. It is most peculiar that the honorable member for Maribyrnong should have £55,000 on these Estimates for his electorate, and yet complain, with the audacity of a highwayman, that that is not enough. At the same time, I cannot get £50 spent in my electorate, which represents half of Queensland. The honorable member could have the £50,000, and I should be quite satisfied with the odd £5,000, without complaining about roads. Did the honorable member expect the Commonwealth Government to carry the material for the Cordite Factory by flying machines, so as not to interfere with the roads? If he wants those works constructed in Maribyrnong, he ought not to complain about the roads being used to carry the materials necessary. Does he want that part of his electorate wet-nursed or spoon-fed? Where does the national spirit come in in his case?

Mr. ROBERTS.—Is Beerburrum in your electorate?

Mr. PAGE.—It is in the Prime Minister's electorate. I am reminded by the Minister of Trade and Customs that I get for my constituency the large vote of £410 towards the cost of a new post-office. For cool cheek and audacity, the honorable member for Maribyrnong "takes the bun." The Government have spent £50,000 in a little corner of Melbourne, and yet the honorable member desires that we shall also make the roads, because the cost is heavy on the local council. Of course, I am glad that money is being expended in this particular direction, because it shows that the Minister of Defence means business. I have been pressing on the Government, ever since I entered this Parliament, the necessity for manufacturing our own explosives; and, notwithstanding what I have said, I am gratified to see that a commencement is being made in this connexion.

Mr. KELLY (Wentworth) [4.42].—It is no doubt desirable to establish our military works as early as possible, but that is not the attitude of some honorable members in connexion with an equally important feature of our Defence Forces. When we were discussing our Naval College, we were told, "Oh, the College is all right, but the location is all wrong"! Victorian members protested against the establishment of that College at Sydney, although the advisers of the Government had recommended the site; and the protest led to a definite promise by the Prime Minister question would come up for fu sideration. I make no attack on of Maribyrnong as a site for a co tory; but I think that the Prime should make a similar promise in this and other works of the kind just made in connexion with t College. This is not an ordi like that for the extension post-office or the granting of or telegraphic facilities; it is establishment of a factory or for the service of the whole people. If the development of th Territory is so important that t Minister was willing to withdraw Ministerial position, and assure mittee that he would not proceed establishment of a military col Sydney until we had had furth tunities of discussion, we are e the same treatment in this and ot I am willing to vote the money, a lieve that Maribyrnong is the ri and to further believe that Melbou right place for harness and clot tories—I am not in a position t but if, in the case of the Naval C are to decide offhand, not ag claims of Sydney—for none h made, so far as I know—but a recommendations of the official a the Government, we ought to take course in regard to all these wor honorable member for Maranoa i as myself in the desire that th Factory should be pressed to a spe pletion; and I have no doubt th cognises that the same argument this factory and to the clothing ness factories, as to a college training.

It is deplorable that we sho this provincialism in a Cha this kind; but the best way to to show that it does not pay. dently hope that the Government us identically the same assurance given in the case of the Naval Co

Mr. FAIRBAIRN (Fawkner) There is all the difference in the tween a cordite factory and a nava

Mr. KELLY.—One is in Melbou the other is not!

Mr. FAIRBAIRN.—The grea ence is that, in the case of a man it must be near a supply of labour

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Mr. KELLY.—In England they are manufacturing soap and chocolate in garden cities.

Mr. FAIRBAIRN.—England is a different proposition from Australia. For many years there will not be a sufficient supply of labour at either Yass-Canberra or Jervis Bay. I have no great objection to all these factories being in the Federal Capital eventually; but for a great many years they must be near a labour supply. All that has been suggested is that if the Naval College is established at Port Hacking, it should be of a temporary character.

Mr. KELLY.—Does the honorable member make the same suggestion in regard to the factories in Melbourne?

Mr. FAIRBAIRN.—I am not sure that cordite can be manufactured in a temporary building, but if I can, I should make the same suggestion. If we spend £75,000 on a Naval College near Sydney, that will fix the College there for all time. I contemplate that, at some time, all these factories will be on Federal territory, for that is the general trend of opinion; but to establish an intricate factory, which requires a great supply of labour, in a bush capital, would be midsummer madness.

Mr. KELLY.—Do not shearers come to the honorable member's station when he has sheep to shear?

Mr. FAIRBAIRN.—That is a ludicrous suggestion. The shearing, which is the manufacturing part of the pastoral industry, is carried on for only six weeks of the year by practically casual labour. No sensible man would ever suggest bringing sheep to Maribyrnong to be shorn, or even taking them to Port Hacking.

Mr. McWILLIAMS (Franklin) [4.50].—I am not concerned about the manufacture of harness or clothing, but I think we are making a great mistake in establishing a cordite factory in a suburb of a large city. In spite of what the honorable member for Fawkner says, the same principle applies to the cordite factory as to the Naval College. We are establishing one of the most important works that the Federation could establish in the manufacture of our own explosives.

Mr. PAGE.—There cannot be temporary buildings for that purpose.

Mr. McWILLIAMS.—The buildings should be permanently established in the Federal territory. I thought we had made a great mistake in seeking to establish a Federal Capital at this stage of our history, but Parliament, in its wisdom, or otherwise, has so decided; and we have taken over a territory stretching to one of the best harbors in Australia. Although we have all this land, we are purchasing in a suburb like Maribyrnong, at an enormous price, land on which to establish a factory. It would be better for the Federation, and infinitely better for the workpeople, if the factory were erected where more room and better conditions could be provided than are possible in a closely settled suburb of a city like this, especially when, at a great cost, we are attempting to establish a city of our own. I hope that the Prime Minister, as in the case of the Naval College, will promise another opportunity for the discussion of the location of all these factories.

Mr. KING O'MALLEY.—The Cordite Factory is very nearly finished.

Mr. FENTON.—Cordite is being manufactured there to-day.

Mr. McWILLIAMS.—Then we have made a very serious mistake. I understood that only the site had been purchased.

Mr. CHARLTON.—On the last Estimates, we voted £31,000 for this factory.

Mr. McWILLIAMS.—But a great deal of that went in the purchase of land, I understood.

Mr. CHARLTON.—It is a pity we are too late!

Mr. McWILLIAMS.—It is a pity that "the broad, national spirit," which is beginning to dawn on this Parliament, was not manifested last year; because I am afraid this is only one more of the very serious blunders we have made in starting. I hope that in the future all such works will be established on Federal territory, instead of our adding to the population and business of the two large cities, which already, unfortunately for Australia, contain much too great a percentage of the population.

Mr. HEDGES (Fremantle) [4.54].—I hope that this Cordite Factory is only a start, for I should like to see other explosive factories erected at different parts of the Commonwealth, so that, in time of trouble, the permanent staff might be distributed. This is a country of magnificent distances, and it would be a national calamity if, in time of war, some parts of Australia were cut off from our only explosive factory. We ought to establish factories in other parts of Australia.

Mr. SPENCE.—One in the West, and one in Tasmania.

Mr. HEDGES.—We ought also to have one in Queensland.

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Mr. CANN.—To supply explosives to the miners?

Mr HEDGES.—To supply explosives to all parts of Australia. I think the time will come when we shall have explosive factories established in different parts of the Commonwealth. No harm can be done in establishing one in Victoria.

Mr. RILEY.—But we need not make it big enough to supply all Australia.

Mr. HEDGES.—It could not do that. As to another suggestion which has been made, I think that our defence requirements will be sufficient to keep the factory going for some time, without widening the scope of its operations. I hope that we shall have buildings and machinery provided in Western Australia, Queensland, and New South Wales for the manufacture of explosives. I do not say that they should all be put into work, but they should be ready to meet an emergency.

Mr. RILEY (South Sydney) [4.57].—I desire to have an explanation in regard to the item of £4,700 to provide for the harness, saddlery, and leather accoutrements factory at Clifton Hill. If this proposed vote is to provide for additions to that factory, I must protest against it. The factory at Clifton Hill is only a temporary one, and any further development of the work should take place in the Federal Territory. There is also an item of £6,500 for "clothing factory, Melbourne." Again I protest against additions being made to other people's property. We have our own Territory, and should build there.

Mr. ROBERTS.—The permanent harness and saddle factory is established at Clifton Hill, and the proposed vote is to put it into more effective and economic working order.

Mr. TUDOR.—I understand that it is to complete the purchase of the present factory.

Mr. RILEY.—And what is the explanation in regard to the clothing factory?

Mr. KING O'MALLEY.—We are erecting the building now.

Mr. RILEY.—This House was never consulted in regard to it.

Mr. KING O'MALLEY.—Provision was made for it in last year's Estimates.

Mr. KELLY.—For a temporary building.

Mr. KING O'MALLEY.—The building is being constructed of galvanized iron.

Mr. RILEY.—I should like to know where it is being established.

Mr. TUDOR.—At South Melbourne?

Mr. MATHEWS.—It is a very temporary looking structure.

Mr. RILEY.—If it is only a building I shall not object to the I think that the permanent facto be established in the Federal Te

Mr. TUDOR.—We would not g ployés there.

Mr. RILEY.—We should b obtain them without much tro vided the conditions were satisf hope some explanation will be g gard to the item relating to th factory.

Mr. KING O'MALLEY Minister of Home Affairs) [4. clothing factory is being erecte owned by the Defence Departm rear of the Victoria Barracks, S bourne. It is being constructe vanized iron, which, when we s Federal Capital, can be utilized purposes.

Mr. RILEY.—That is all rig only a temporary building.

Mr. KELLY (Wentworth) thought the Minister was going an explanation of the item rela Cordite Factory. Speaking subj rection, I understand that the C considered one of two alternati other words, that they had to de tween the suitability of Sydney bourne as a site for a cordite fa those two cities only be taken in I believe that Melbourne is the for the establishment of a cordi It is a question of humidity; c be manufactured more advantage drier than in a humid atmosphe

Dr. CARTY SALMON.—Quite s

Mr. PAGE.—Then the Feder would be a still better site.

Mr. KELLY.—I am glad t honorable member for Laane "Quite so," since there is infi humidity in the Federal area th in Melbourne. If we are to c development of the Federal ar lines suggested by the honorab for Laanecoorie and others, w we not establish the Cordite Fact by doing so, we should not only l ing the Federal territory, but wh could be manufactured mo tageously than in Melbourne? going to lay down at present any fast lines, but the Labour Gove pear to be frightened of the d getting workmen to go out whe to be done.

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Mr. CHARLTON.—There would be no difficulty.

Mr. KELLY.—None at all. If private enterprise in a country like England can succeed in this direction, I fail to see why our gifted Minister should not act with equal success. I am not going to urge at this juncture that the Government should recede from what is being done at Maribyrnong.

Mr. PAGE.—What has been done there?

Mr. KELLY.—The Government have started to erect a factory there.

Mr. KING O'MALLEY.—It is virtually complete.

Mr. PAGE.—Then why all this expenditure?

Mr. KELLY.—Exactly the query I was going to put. If the factory is virtually complete, why is it necessary to spend another £29,000 upon it? I presume that the Minister was speaking in the language of his Department, where "virtual completion" is arrived at when the plans have been decided upon.

This Labour Government, as soon as it found that the bulk of honorable members in the Chamber required it, gave a very easy assurance that the House would be allowed a further opportunity to decide the location of the Naval College. We ought to have identically the same assurance with regard to all these matters. If we do not, then I think Australia may take it that provincialism is triumphant in this Chamber—that certain honorable members from this State, acting without the knowledge of the people of Victoria, who, so far as I can gauge, are not provincialists, but acting on the secret influence of a section of the Melbourne press, are trying to get money spent in the neighbourhood of this city, whilst at the same time they try to prevent money being spent where the advisers of this Government have said that it should be expended.

Mr. MATHEWS.—Is it the honorable member's tongue that causes that lump in his cheek?

Mr. KELLY.—I do not think that the honorable member is an authority on the construction of the human frame, let alone on the observance of common decency in regard to the expenditure of public moneys. "Broad Nationalists" like the honorable member for Melbourne Ports, who, with his colleagues, was highly indignant at the spending of the funds of the Australian public where the Government's advisers advised that it should best be spent, now seek to ridicule us when we suggest the application of the same principle to votes relating to their own constituencies.

Mr. MATHEWS.—I have not said a word.

Mr. KELLY.—Because the honorable member has not a case which he, even with his effrontery, could submit to the Committee and claim that it should receive support. I hope that the Minister is going to make some explanation in this regard. I am not asking for any more than he was prepared to concede to the broad Nationalists of Melbourne. If the advice of the Government's expert advisers is to be subordinated to the views of narrow provincialists in this Chamber, let the principle apply all round. If provincial jealousy is to apply in respect of one item, let it apply in both cases, and when it is found that such a system will not pay, this will become in reality a National Parliament, and not the playground for provincial jealousies.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [5.6].—The sum of £29,000 is the total estimated cost of providing for the following:—Permanent Battery: Officers' quarters, stables (120 horses), forage store, barn, sick bays, pharmacy, forge, wheelwright and collarmakers' shops, water and sewerage, gun parks, mobilization store, company offices, guard room, men's barracks, non-commissioned officers' (married) quarters, earthworks, and lighting. Militia Batteries: Orderly room, store, gun parks (two batteries), harness room, shelters for men, and fencing. I am sorry that this provincialism has entered into the consideration of a great issue. The Committee does not appear to recognise the necessity of scattering these establishments. I am just as much for the Federal Territory as is any living man, but if a great army concentrated and captured the Federal Territory, we should lose everything if we had all our establishments there. If the United States Government had had everything at Washington in 1814, when the British Army took the city, it would not have had a gun, or even a factory to manufacture any of its requirements.

Mr. CANN (Nepean) [5.9].—I wish to draw the attention of the Minister to the item—"Williamstown Temporary Gunnery and Torpedo School—Alterations and Additions to Naval Depôt, £2,000." I fail to see why this item, like that relating to the proposed establishment of the Naval College at Port Hacking, should not also

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be reconsidered. A school of gunnery would fit in very nicely with the Naval College. I wish also to have some information regarding the item—"Maribyrnong—Access to Defence Property—towards cost, £500."

Mr. GREENE.—The total estimated cost is £2,000.

Mr. CANN.—I have forwarded to the Department half-a-dozen letters from the Lithgow Municipal Council in regard to the upkeep of roads used in connexion with the Small Arms Factory there, but have been informed, in reply, that the Government will pay nothing towards the upkeep of roads in New South Wales.

Mr. RILEY.—Then why should they do so here?

Mr. CANN.—That is what I should like to know. If the Government are prepared to provide on these Estimates £500 towards the cost of constructing a road leading to the Cordite Factory at Maribyrnong, they should be prepared to extend the same principle to other States. I ask for an explanation from the Minister, as a very grave principle is involved. If these payments are to be made in one case, they should be made in all, and the equivalent of rates should be paid to the local governing authority wherever there are military or naval properties to which roads of access have to be made or maintained. In this case £500 is proposed to be paid.

Mr. KELLY.—But we are committed to an expenditure of £3,000.

Mr. CANN, Yes, according to the footnote.

Mr. WEST (East Sydney) [5.12].—I should like to draw attention to the claims of my electorate. It cost the municipality £20,000 to woodblock the road in front of Victoria Barracks at Paddington, and in addition two streets with asphalt pathways have been made. If £500 is to be spent in compensating a local authority in the electorate of Maribyrnong for the damage done to a road in the conveyance of material to the Cordite Factory, the local authority in my electorate should be similarly treated. I would also point out that something should be paid for the maintenance of the roads serving the Victoria Barracks in Melbourne.

Mr. KING O'MALLEY.—We have a great deal of land at Maribyrnong, and the road in question became so terribly bad that we agreed to give £500 for its repair, on condition that the shire would maintain it in future.

Mr. CHARLTON (Hunter) [5 do not regard the Minister's reply factory. I think that the Comm should make good any damage roads, and if a shire in the Mar electorate is to be paid £500 to r road serving the Cordite Factory, t cipality of Lithgow should be com for the damage done to its roads i material to the Small Arms Factor

Mr. KELLY.—The same princip apply all over Australia.

Mr. CHARLTON.—Yes. Wh be proved that the Commonweal sponsible for material damage to a it should pay the local authority f ing the necessary repairs. The h member for Nepean has received factory reply to his request for c tion, yet in a Melbourne electorat is to be given to the road-making a committing the Commonwealth to expenditure of £3,000.

Mr. KING O'MALLEY.—The £ to be spent on Commonwealth pro provide a wharf on the Saltwate and a road to connect the powder m and to improve the gradient of leading from the magazine to th street.

Mr. CHARLTON.—The footno make it appear that £3,000 is to to the shire. Although the explanat a different complexion on the matter not get rid of my objection that t treatment is not being meted out to authorities in Australia. It is not compel the Lithgow municipality t perhaps £1,000 or £2,000 in roads brought into disrepair by the of material to the Small Arms when a shire in the Maribyrnong e is given £500 to repair the damage the road over which material ha carted for the Cordite Factory.

Mr. KING O'MALLEY.—Cases sh treated on their merits.

Mr. CHARLTON.—The dama in Lithgow has been admitted, and tion has been made for compensat it has not been granted. Why is t orable member for Nepean treate ently from the honorable member fo byrnong? A little while ago, I s I favoured the establishment of a monwealth works, so far as possible Federal Territory. Ministers s labour cannot be obtained there, bu certain that all the labour needed obtained if it were made known tha

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required. I have never taken exception to a proposal on the ground that it would benefit any particular State, but Victorian representatives are so fond of asserting that no money should be spent in New South Wales except in the Federal Territory, that it is time that we pointed out the need for locating all Commonwealth works there, so far as that may be possible. The sum of £6,500 is put down for a clothing factory, which the Minister says will be temporary, but why spend money on a temporary establishment? It would be better to build a permanent establishment in the Federal Territory. I desire that the Federal Capital shall grow, and the only way to insure its growth is to bring as many persons as possible to live there. The honorable member for Maribyrnong gets no less than £29,627 for his electorate this year, including £500 for the road under discussion. Other honorable members should be similarly treated to prevent invidious comparisons. The electors will think that because they are far removed from the Seat of Government no notice is taken of their applications.

Mr. KELLY (Wentworth) [5.24].—The principle supported by the honorable member for Hunter is one whose adoption I have advocated for some time past. The Commonwealth might very well agree, as an act of grace, to meet its obligations for municipal services, just as private persons have to do. If this is not done, log-rolling is likely to take place. A shire council might allow its roads to fall into disrepair, to compel the Commonwealth to spend money on them. My suggestion is that the Commonwealth should pay a fair charge, but no more, for municipal services. There should be a uniform basis.

The Minister has not made it clear whether this road is on Commonwealth territory or within the municipality. I know he says that it is "access to defence property," but the access itself might belong to the Commonwealth or to the municipality. If it belongs to the Braybrook Council, not a penny piece should be expended upon it until all claims of a similar kind have been equitably met. There are roads in the electorate of Nepean, in the electorate of East Sydney, and in my own electorate which are heavily used by the Commonwealth, and the Commonwealth refuses to pay a penny in rates and taxes. We are not here to dole out public funds without responsibility, simply because one honorable member is a little cleverer behind the scenes than another.

Mr. KING O'MALLEY.—He had nothing to do with it.

Mr. KELLY.—Some previous member for the district may have been cleverer behind the scenes than others.

Mr. KING O'MALLEY.—We cannot use our own property unless we have this road.

Mr. KELLY.—Then we are asked to vote this money because the municipality has let its own property run down?

Mr. ROBERTS.—No.

Mr. KELLY.—I understood from the Minister of Home Affairs that the £500 was for building a road which the Council would afterwards maintain. I presume, therefore, that it is the council's road. The claims of Nepean, East Sydney, Wentworth, and other electorates where roads may be proved to have been cut up, and in some cases almost destroyed, by Commonwealth use, will have to be taken into consideration if we are to spend money on this road.

Mr. KING O'MALLEY.—They ought all to be treated on their merits.

Mr. KELLY.—Will the honorable member for Nepean say whether he has succeeded in getting the claims of his constituency considered on their merits? The honorable member has not, nor has the honorable member for East Sydney, nor any other honorable member except the fortunate representative of this Melbourne constituency. Either all electorates should be put on an equal basis, everybody being treated alike, or we should not pass this item. The honorable member for Nepean is in a peculiar difficulty owing to the roads about Liverpool, and especially at Lithgow, being cut to pieces by Commonwealth usage, and the Minister's reply ought to be made to him. He is the most aggrieved. I do not suggest that he should move at this stage to reduce the amount, because the Minister might yet meet him and the Committee, whose general feeling is that the principle now introduced should apply all round or not at all.

Mr. CANN (Nepean) [5.29].—I understand that the Lithgow Municipal Council made an offer to the Federal Government to form and metal the road to the Small Arms Factory, and that the Government refused absolutely to have anything to do with it. The road in the middle of last winter was simply impassable. The Lithgow Council are still willing to perform their part of the matter. If the Minister

will give me an assurance that he will treat my electorate in the same way as he has treated that of the honorable member for Maribyrnong, I shall be satisfied. It is not a question merely of the Lithgow municipality or the shire of Braybrook, because throughout the Commonwealth, wherever these large Federal properties are situated, an assurance ought to be given that the same kind of treatment will be extended to the local authorities as is being accorded in the district of Maribyrnong. It is "up to" the Minister to give that assurance. I do not wish to move a reduction of the item, because I think it ought to be voted to pay for the upkeep of the road. If, however, the cost of the upkeep of the road is paid for in that case, the upkeep of every other road in the Commonwealth used for similar purposes ought to be paid for.

Mr. CHARLTON (Hunter) [5.31].—I hope the Minister will make the statement asked for. I am not prepared to allow the item to go through without that statement, because it establishes the principle—of which I approve—that where the Commonwealth has been proved to do damage to certain roads, it should give something to repair the damage. If that principle is to be established by this vote, then representations which have been made from other quarters ought to be given similar consideration. If the Minister has not had time to consider them so as to allow amounts to be placed on the Estimates to repair the damage, he should be in a position to assure the Committee that all applications that have been made in that direction will receive consideration. When the Commonwealth has damaged roads, we should be assured that it will pay a fair amount to put the roads into repair again. I do not say that the Commonwealth should take on any responsibility in regard to the upkeep of the road afterwards, but if the Commonwealth is going to continue to use and damage the road, it would be fair to come to an understanding as to the amount to be paid for upkeep. The State Government adopt that principle in many cases, apart altogether from the subsidy given to the municipalities and shires. I am not prepared to pass items concerning one particular electorate or one particular State night after night without an assurance that the same principle is to be extended throughout the Commonwealth. The Prime Minister is present, and I expect the Government to give an assurance that consideration will be given to every compensation for damage done to the Commonwealth. If not, the trouble in connexion with these different localities. A municipa has to levy rates from resident maintenance of its roads, and if monwealth establishes a factory trict, and damages the roads to of £500, it is unfair to compel people of the district to pay taxes to make good that damage.

Mr. GROOM.—And we pay no

Mr. CHARLTON. — The wealth is exempt from rates, b damage and snap our fingers, re take responsibility for repairs. say that we should establish the of acknowledging responsibility cases, but certainly we should, of grace, vote money to repair dar by us. That need not necessaril simply on the application of the co cerned. The fullest investigatio made by our own officers as to wh amount of damage done is as sta claim, and the amount voted acc

Mr. ROBERTS (Adelaide—Minister) [5.35].—If honorable had listened carefully to what wa the Minister of Home Affairs, th not have indulged in their recent If the principle of assisting mun to repair roads for any purposes was involved, honorable membe have a perfect right to call attent matter, and demand an explanat the Government, but I understand principle has not yet been approv Federal authorities.

Mr. PAGE.—How does the Mi count for the honorable member byrnong getting £500 for that and the honorable member for Ne ting nothing?

Mr. ROBERTS.—That princi involved in the vote now before mittee. The whole of the expen this item is for the repair of Fed perty.

Mr. CHARLTON —That is not is £500 for the shire of Braybro

Mr. ROBERTS.—I am afrai able members unconsciously allow selves to be misled by the mi mood of one particular honorable and did not pay strict attention was said by the Minister of Home Certain property was acquired byrnong on which a factory has be

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Access to the factory from water, and from the shore side, is indispensable for its proper working. The property is several acres in extent, and the building does not cover the whole area. A certain portion of the property has to be put in such a condition of repair that vehicles can reach the building from the public street. The total cost of providing for the necessary access to the building, both from the water and from the shore side of the property, is £3,000. The sum of £500 is now on the Estimates towards defraying that total cost of £3,000.

Mr. CHARLTON.—Will the Minister state that this £500 is not to repair damage done to the road of the municipality?

Mr. ROBERTS.—I say, clearly and unmistakably, that not one penny of the £500 will be spent on any public road or public place other than this property, which is absolutely owned by the Federal Government. All the references to the honorable member for Maribyrnong being particularly keen behind the scenes are beside the mark. He has had nothing whatever to do with the matter. The principle of repairing public roads is in no way involved. In the circumstances, therefore, I hope honorable members will permit the item to pass.

Mr. CANN.—Is the amount being paid to the Braybrook Shire Council?

Mr. ROBERTS.—No.

Mr. KELLY.—The Minister of Home Affairs said it was.

Mr. ROBERTS.—I think honorable members misunderstood the Minister. There was considerable cross-firing at the moment. The honorable member for Wentworth, whose tones are not always silvery, was endeavouring to impress upon the honorable member for Nepean and others that they ought to take strong exception to something that was being done by the Government.

Mr. W. H. IRVINE.—Then this road is altogether——

Mr. ROBERTS.—Within Government property.

Mr. CHARLTON (Hunter) [5.39].—The Honorary Minister has now stated that the road is entirely on Government property—a fact which the Committee did not know previously. He also states that, not only do the Government own the land, but they have bought the road.

Mr. ROBERTS.—They have not bought the road; they bought certain property. There was no road on it when they bought it.

Mr. PAGE.—If there was no road, how could the Commonwealth break it up?

Mr. ROBERTS.—These ideas about breaking up a road are in the honorable member's imagination.

Mr. CHARLTON.—The Minister now says we are drawing on our imagination when we speak of roads being broken up. The Minister of Home Affairs and the honorable member for Maribyrnong led us to believe that £500 had been paid to the local council on account of the damage done to the road by the Federal Government. We are now informed by the Honorary Minister that this is a Government road on our own property; but, even so, that does not destroy the argument that where the Commonwealth does considerable damage to any road, the local authority ought to be recompensed.

Mr. ROBERTS.—I approve of that idea, but the principle does not operate in the present case.

Mr. CHARLTON.—The Honorary Minister said just now that if the principle were once accepted, we did not know where its operation would end. I may say that the Honorary Minister made a mistake if he alluded to me as a member who was in a mischievous mood.

Mr. ROBERTS.—I did not allude to the honorable member.

Mr. CHARLTON.—I have never taken up a parochial view, but when I heard of the treatment of the local authorities of Lithgow, I desired to know why the same principle is not adopted in every case. I hope that the Government will, in the future, consider the necessity of making grants to shire councils and other local authorities for any damage done to roads by reason of Commonwealth works.

Mr. CANN (Nepean) [5.42].—One point has not yet been cleared up. The Minister of Home Affairs distinctly stated that £500 had been paid to the Braybrook Shire Council on the understanding that in the future that council would be responsible for the upkeep of the road. If that be so, the road is under the control of the shire council, and not under the control of the Commonwealth Government; and the principle that I stood up to defend is still in doubt. Is this road under the control of the Federal Government, or under the control of the local council? If an arrangement of the kind can be made with the Braybrook Shire Council, it can be

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made with the Lithgow, or any other shire council.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [5.44].—Points are put and reput, and yet honorable members seem no nearer understanding the position. We have not paid the local shire council anything.

Mr. PAGE.—Will the Government pay the shire council anything?

Mr. KING O'MALLEY.—We shall, under certain conditions. This road is our own. Are we to shut the factory up? I say to the honorable member for Nepean that every case will be treated on its merits, and receive careful consideration; but we do not lay down any fixed principle.

Dr. CARTY SALMON (Laanecoorie) [5.45].—Is this road on the property of the Commonwealth, or is it not? The Honorary Minister said the road was on the property of the Federal Government, while the Minister of Home Affairs tells us it is on the property of the Braybrook Shire Council.

Mr. KING O'MALLEY.—Does not the local council have any control at all in our territory?

Dr. CARTY SALMON.—If the Minister of Home Affairs is right, this road is on our own property, and to speak of it as for the purpose of giving "access" to our property is not correct, for that shows it to be outside our property. I am sorry, but I think the Honorary Minister has misled the Committee.

Mr. KING O'MALLEY.—No, he has not—here is the statement.

Dr. CARTY SALMON.—If this road is outside the property of the Commonwealth, then every other road used for a similar purpose in any other part of Australia should be treated in exactly the same way.

Mr. PAGE (Maranoa) [5.47].—The Honorary Minister drew a red herring across the trail. I have been assured by persons who know, and who are interested, that this is a public road, used by the public to get to certain village settlements on the other side of the factory property.

Dr. CARTY SALMON.—That does not square with the statements we have heard.

Mr. PAGE.—But it is a fact; and the road, I am told, is under the control of the shire council. The Public Works Department of the State are giving an amount to make the road available, and the shire council desires a certain amou the Commonwealth also. The ro be put in a state of repair, and Braybrook Shire Council is to ke repair for the future. That being all this fencing? Why not tell about the matter? This road is monwealth property, but public and the treatment that is good en the Braybrook Shire Council oug good enough for the Lithgow loc rity. The road at Lithgow has stroyed by the carting of heavy and turned into a perfect bog; Minister of Home Affairs, seeing is in a corner, gets up and says case will be treated on its meri honorable member for Nepean tioned the Minister repeatedly point; and if the Commonwealth stroyed the road at Lithgow, we sonable men, should see that it the same state as that in which it. If the honorable member for nong, being near Melbourne, is get the ear of the Minister an Public Works officials, surely the will do something for his own who is sitting behind him—will d exactly what has been done in th the Maribyrnong electorate.

Mr. GROOM.—Not because he porter, surely?

Mr. PAGE.—I am not asking There is a military road in Sydn the main road to Middle Head, maintained by the Department.

Mr. RILEY.—It is only called tary" road.

Mr. PAGE.—It is maintaine Department.

Mr. RILEY.—No.

Mr. PAGE.—I have assisted votes for the purpose. It is of n Honorary Minister trying to "th in our eyes," because we have enough at the "game" to know much as he does. We ought to local authorities do not suffer an our destruction of the roads, seein do not pay a single penny in local In order to test the feeling of mittee, I move—

That the item "Maribyrnong—acc fence property—towards cost, £500," by £1.

Mr. FISHER (Wide Bay—Pr ister and Treasurer) [5.52].—I ha sonal knowledge where this roa whose property it is, but I am by means of a communication

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Minister of Defence, who is in a position to say, that the road is on Federally-owned ground.

Mr. GREENE.—Is it a public highway?

Mr. FISHER.—I hope it is, but I do not know.

Mr. GREENE.—If so, it is not Federal ground.

Sir JOHN FORREST.—Why do the Government wish the municipality to interfere?

Mr. FISHER.—I cannot tell the honorable member. I have just seen an officer of the Home Affairs Department, who has been in communication with the Minister of Defence, and I am told that the road is on land belonging to the Federal Government.

Dr. CARTY SALMON.—Then the word "access" is wrong.

Mr. FISHER.—I do not agree with the honorable member for Laanecoorie in the construction he places on the word "access." I did not agree with him when he was making his speech, but I did not think it worth while to intervene. The word "access" may mean from a waterside to another building at a distance.

Dr. CARTY SALMON.—It is not a waterside.

Mr. FENTON.—Yes, it is.

Mr. FISHER.—The road may cross some property temporarily belonging to the municipality; but that would not in any way qualify the statement I have made. I desire to see the facts laid before the Committee.

Dr. CARTY SALMON.—We have had two different statements from Ministers.

Mr. FISHER.—I shall personally consult with the Minister of Defence and ascertain the position. It is impossible for any Treasurer to be conversant with all these details.

Mr. PAGE.—What about the Lithgow road?

Mr. FISHER.—Not only the Lithgow road, but all other properties under like conditions will be considered on their merits as the cases arise.

Mr. PAGE.—The honorable member for Nepean has already presented the case.

Mr. FISHER.—That may be so; but if honorable members think that any injustice is being done at Lithgow they are mistaken. It is under consideration whether a railway shall be constructed; and it would be inadvisable to lay down a permanent highway when there is a possibility of an iron way.

Dr. CARTY SALMON.—Did the Prime Minister ascertain whether this road, when completed, is to be kept in order by the Braybrook Shire Council?

Mr. FISHER.—I think so.

Dr. CARTY SALMON.—So that the Commonwealth is going to hand over to a shire council, in a State, the upkeep of a road which is on the property of the Commonwealth, and belongs solely to the Commonwealth?

Mr. FISHER.—I can conceive of such an arrangement being good business. In addition to the land belonging to the Commonwealth there may be, at the end of the road, a large area of land belonging to the municipality or shire council. The road would thus give access to the property of the local authority as well as to Commonwealth property.

Mr. GROOM (Darling Downs) [5.55].—Are we to understand from the statement made by the Prime Minister that we are practically making a roadway across our own property, and dedicating it to the public, so that the ratepayers of the shire of Braybrook may use it to gain access to other private lands? It would appear from the statement made by the Minister that the Government are dedicating this road to the use of the public, and saying to the shire council, "We will put it in good order if you will in future keep it in good order." I am slightly sceptical regarding promises that are made as to a municipality keeping a roadway in good order for all time. Perhaps the Minister of Home Affairs will give us some information.

Mr. FENTON (Maribyrnong) [5.56].—I appear to have been made the butt of considerable criticism this afternoon, but I take the remarks of honorable members in that truly national spirit with which I always receive their comments. I admit straight away that the expenditure in connexion with the Cordite Factory site and land purchased for a horse depôt goes on automatically without the intervention of any member of Parliament. It is a national work, and the National Government must carry it out. The complaint I made was that the very part of the road in respect of which I had desired that assistance should be given to the Braybrook Council had not been provided for on these Estimates, notwithstanding that the Federal Government has cut up that roadway very considerably. The property on each side of this road, as well as the roadway itself, is owned by the Commonwealth.

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Mr. GROOM.—Then it is a public highway running between public property.

Mr. FENTON.—No; it was part and parcel of the old Maribyrnong Estate, and was the approach to the homestead. It was practically a private roadway, from one end of which there was no outlet, since it was cut off by the Saltwater River.

Mr. KELLY.—In that sense only it was private property.

Mr. FENTON.—No; it was originally part of the Maribyrnong Estate; it was like a carriage-way running up to the old homestead. The State Government, however, having purchased land on the other side of the Saltwater River, and having established a village settlement there, constructed a bridge across the stream, and offered to pay half the cost of making this road. The position now is that the Public Works Department of Victoria is contributing £500, whilst the Commonwealth is contributing a like amount for that purpose.

Mr. GROOM.—And the roadway is to be open to public use?

Mr. FENTON.—Yes; but the Federal Government have power at any time to say that no one but those desiring to approach the Cordite Factory shall be allowed to use it.

Mr. GROOM.—They could not justly impose such a restriction.

Mr. FENTON.—They certainly would not.

Mr. HARPER.—Who is to maintain the road?

Mr. FENTON.—In consideration of a mere handful of the ratepayers of the shire of Braybrook being allowed to use this roadway, the shire council is prepared to keep the road in order after the Public Works Department of Victoria and the Commonwealth Government have constructed it.

Mr. GROOM.—Will they accept all liability for negligence and so forth?

Mr. FENTON.—I presume that they will. The shire engineer will act in conjunction with the State and Commonwealth Government engineers, and they should be able to make the road to our satisfaction. Another point to be remembered is that the Commonwealth Government, by purchasing land on the other side of this road, have deprived the local council of a revenue of at least £60 per annum, since, as honorable members are aware, municipal rates cannot be levied on Commonwealth property.

Mr. KELLY. — The Commo should re-imburse the shire to that

Mr. FENTON.—Yes. I shall be prepared to assist honorable mer securing the construction of militar in their electorates. Certain roads be declared military thoroughfares tion of the road under considerat been badly cut up by the carting o loads of machinery and the materi in the erection of the Cordite F Failure to make the roadway now involve the Government in still fur pense. Heavy loss was sustained the winter months since, in respect tain parts of the roadway, big loa to be conveyed through a veritable mire, which meant the employm double teams. The Commonweal vernment have not gone off their ow perty. To all intents and purpos property still belongs to them; bu have deprived the shire of Braybr certain rateable values, and it is on that this road should be constructe the result of this expenditure, the cartage to the factory will be r The Saltwater River skirts the Cordi tory as well as the Military Horse G and access to those grounds will be o both by water-way and by road. we have a proposed vote of £3,000, is likely to be used for the constr amongst other things, of a wharf. gether with members of the State ment, I played some little part effort to have the river made nav and that work is now being carri at the expense of the State Gover It will be very useful to the Common Government. We are asked really to a very small amount to put the ro in order.

Mr. KELLY (Wentworth) [6.2]. misunderstanding that has arisen h been due to any fault of the Committe have had four distinct and mutuall flicting statements—three from Mir and the other from the representati the district—and I think that that ma the honorable member for Maribyrn really the first explicit statement we had bearing on the situation. The ciple still involved in this question be settled immediately by the Prime ister saying that he would take the question into his consideration, and inform the House, on some future da the view taken by the Government re ing the desirableness of recompensing

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cipalities that are put to undue and exceptional charges in the maintenance of their roads as the result of particularly heavy Commonwealth traffic thereover. I do not think anything else need be said. As to the particular road under consideration, I think that the Minister will have to dedicate it to the public as soon as it is constructed. As a matter of common justice to the men who are being settled by the State Government upon land on the other side of the river, continuous and perpetual access to their property must be guaranteed them. But if we are going to construct a road which may, later on, according to the honorable member for Maribyrnong, be closed to the public——

Mr. FENTON.—I did not say that it would be closed up. I said that the Government would have the power to close it.

Mr. KELLY.—If the Government do not intend to exercise that power, they might as well dedicate the road at once to the public. That re-opens the whole principle to which such strong exception has been taken by the honorable member for Nepean, and the honorable member for Hunter. I do not think it is fair to ask the Prime Minister to make an immediate statement, but he should take the matter into his earnest consideration, because grave injustice is being done to certain municipalities which cannot afford the expense of repairing roads badly cut up by Commonwealth traffic.

Mr. CANN (Nepean) [6.5].—In reply to the statement made by the Prime Minister, I should like to explain that the construction of the railway does not enter into the matter of paying for damage done to the Lithgow roadways. The railway, to be of any use in this regard, should have been constructed before the factory was erected. The damage was done in connexion with the cartage of the machinery as well as the materials used in the construction of the factory. The road will be used for other purposes whether the branch line of railway is, or is not, constructed.

Sir JOHN FORREST (Swan) [6.6].—I think most of us are convinced that the Government have not given us full information in regard to this matter, and that to their failure must be attributed the trouble that has arisen. They do not seem to know exactly what the facts are, but it is only reasonable that the Committee, when asked to pass certain proposed votes, should be afforded full information in regard to them. We have been told by one Minister that the municipal council has something to do with this matter, while from another source we learn that it has nothing to do with it. Then, again, we have been told by the honorable member for Maribyrnong that the roadway is altogether within Government property.

Mr. FISHER.—I said that it was completely within our own property.

Sir JOHN FORREST.—Is the roadway, when constructed, to be Commonwealth property, or are the public to have access over it? Notwithstanding the long discussion that has taken place, I am not yet satisfied as to the exact position. I do not think any one present knows the facts. The Minister of Defence is not a member of this House, but the Minister of Home Affairs, who ought to know all about these matters, has made a statement at variance with that made by the Honorary Minister representing the Minister of Defence, who said that the road was outside the Government property.

Mr. ROBERTS.—No.

Sir JOHN FORREST.—We want to know whether the road will be a public road, or belong exclusively to the Commonwealth. I do not wish to prolong the consideration of these Estimates, but the explanation so far given regarding this matter has been very confusing.

Mr. PAGE (Maranoa) [6.8].—It would appear from the explanation made by the Prime Minister that I did the Honorary Minister an injustice by saying that he was stating what was at variance with the facts when he declared that the road was through Government property. As the Prime Minister assured us that he had it from the Minister of Defence——

Mr. FISHER.—Direct.

Mr. PAGE.—That it is Government property——

Mr. BRENNAN.—Does the road run through Government property, or is the road itself Government property?

Mr. FISHER.—It runs through Government property, I am informed.

Mr. PAGE.—I wish first of all to withdraw the imputation that I made against the Honorary Minister that he was misleading the Committee. I know that he would not wilfully do so, but it seemed to me, owing to the conflicting statements of the Minister of Home Affairs and the Honorary Minister, that something was being hidden which the Committee ought

to know. I think that the honorable member for Maribyrnong has given the true version of the facts. This was a private roadway, and was sold to the Commonwealth——

Mr. WEST.—I do not know what it is.

Mr. PAGE.—I think that the honorable member, who has had a lot to say about roadways, has been confusing the Victoria Barracks, Sydney, with the Victoria Barracks, Melbourne, and the Maribyrnong factory. The Prime Minister knows that this is the only opportunity afforded honorable members for the criticism of the Government's policy and administration. Two sessions ago the right was taken from us by a brutal majority which applied the "gag," but I hope that that will not happen again.

The CHAIRMAN.—I ask the honorable member to confine his remarks to the item, in which there is no reference to the "gag."

Mr. PAGE.—Then I shall deal with the items as they occur. For instance, £35 is set down for fortifications, and £370 for new services. It is proposed to spend £877 on barracks. Is that to make them habitable after the recent outbreak of scarlet fever or some other epidemic? The sum of £347 is a re-vote for rifle ranges, and £386 a re-vote for drill halls.

Mr. GROOM.—Additions only.

Mr. PAGE.—To how many drill halls are additions to be made?

Mr. GROOM.—How many new drill halls can be built for £47, which is the amount set down for new works? In Queensland only £5 is proposed for new drill halls.

Mr. PAGE.—The Minister is never very lavish towards Queensland. The sum of £250 is proposed for new works on fortifications, with a re-vote of £88. Where is that money to be spent? £450 is for new works on barracks, and £2,703 is asked for to provide the emplacement of guns, lights, and accessories, or, with the re-vote, £5,000. Is the work to be carried out at Queenscliff, Point Nepean, or Swan Island? At Fort Nepean £850 is to be spent on the reconstruction of the jetty, and £750 on the installation of electric light, £322 being a re-vote. Then we come to that blessed word "Maribyrnong," the sum of £16,615 being set down for the site, buildings, and engineering works for the Cordite Factory. I ask the Minister to give us information regarding those items.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [6.16]—£16,615 referred to is to complete in course of construction during t vious financial year, and to lightning conductors for the protec dangerous buildings, a guardroo bicycle stable, drainage, and approa buildings, three store buildings, h room, and store for inflammable an oil paint and general store, fenci

Mr. GREENE (Richmond) [6. wish to draw the attention of the H Minister to the fact that in nearl case in the Victorian and New Sout divisions the re-vote is greater, or as great, as the expenditure on rifle during the past financial year, whic dence of the great difficulty in gett Department to spend the sums appr by Parliament. I do not know wh is the experience of other honorabl bers, but my experience is that oft rifle clubs have been formed the r have to wait two years or more bef can fire a shot. I ask for an as that the Department will initiate n peditious methods. I know that are frequently due to difficulties v State Lands Departments, but mor be done to expedite works. I ho next year the Department will be spend the money voted.

Amendment negatived.

Mr. GROOM (Darling Downs) —The sum of £5 is put down drill halls in Queensland. Is that is to be spent there during the year? In New South Wales an e sum is proposed. There seems t forward movement in that State in to construction of the necessary dr to meet the needs of the compulsor ing system. That question is b more and more a matter of urgen in all the States, and I should Minister to outline the proposals Government with respect generally provision of drill-halls in the Many new drill centres in Queensl coming under the Compulsory Act. Is it the intention of the Gov to build halls, or to continue to n with the municipalities and other for the use of local halls?

Mr. ROBERTS (Adelaide—H Minister) [6.25].—I frankly admit am not in a position to make a statement regarding the future po

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the Government with regard to the provision of drill-halls, but the item to which the honorable member for Darling Downs has referred is for the sum of £5 towards the completion of works for which the money was voted on last year's Estimates. The policy, so far as drilling cadets in drill-halls is concerned, will be to look at the local requirements in each case. In some instances the local authorities have very generously assisted, whereas in other centres we have not been able to secure halls in the same manner.

Mr. PAGE (Maranoa) [6.26].—Will the Minister give some information regarding the item of £556 for a rifle range at Roma?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [6.27].—The information is: "Roma rifle range, £556 to completing work begun during the previous financial year."

Mr. GROOM (Darling Downs) [6.28].—Have the Government gone any further in the negotiations for the transfer from the State of Queensland of lands necessary for the completion of the Toowoomba rifle range?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [6.29].—The amount asked for is: "For the acquisition of land and extension of range, removal and re-erection of ten targets, and provision of firing mounds up to 600 yards; also alterations to existing range."

Mr. CANN (Nepean) [6.30].—There is an item of £13,608 for the Beerburrum manœuvre area. There is a manœuvre area at Liverpool, New South Wales, over which trouble has occurred for some time.

Mr. GROOM.—The honorable member should not deal with the Beerburrum area, which is in Queensland.

Mr. CANN.—I was assured by the Minister of Home Affairs that no similar areas were being resumed anywhere else in the Commonwealth.

Mr. GROOM.—This was done some time ago.

Sitting suspended from 6.31 to 7.45 p.m.

Mr. CANN.—I can find no provision in these Estimates for the resumption of the Liverpool manœuvre area, and therefore this is the only item on which I can ask the Minister for an explanation. I have written officially on several occasions, and the Minister has definitely promised me three times that this long-standing grievance in my electorate would be settled. Yet no provision is made towards it, while an item of £13,608 is provided for a similar purpose in Queensland. The Minister has distinctly stated time after time that the Federal Government have no power to resume land in New South Wales for this very purpose. If so large a sum can be set apart to resume land for a manœuvre area in Queensland, the Minister's previous statements to me must be incorrect. The Liverpool manœuvre area in New South Wales is tied up with the transferred properties, and I can get no satisfaction from either the State or the Federal Department. It is "up to" the Minister to do the straight thing to-night, and tell me exactly where the matter is hung up. The Government should say straight out what they intend to do. I am not against the manœuvre area being at Liverpool, because I think it is central for a large part of the population of New South Wales, but at present the owners of the private lands in the area are being squeezed between the Federal and the State Governments, and can get no satisfaction from either. This vote for Queensland proves that the letters I have received from the Department with regard to the Liverpool manœuvre area have been so much bluff. It is quite time that a definite statement was made, and bluffing discontinued, so that I may let my constituents know the true state of affairs.

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [7.48].—We started negotiations with the New South Wales Government over the Liverpool manœuvre area, and were working together very conciliatorily and harmoniously, until suddenly the New South Wales Government decided that they could not go on with it until certain things were fixed with regard to the transferred properties. The New South Wales Government were to resume the land in the area, and the Commonwealth Government were to pay them interest on the cost of resumption, and then the land was to be dedicated for military purposes. We have not got any further with the matter at present, but as the whole question of transferred properties has virtually been settled, or nearly settled, I think it will not be long now before it is brought up again for consideration.

Mr. CANN (Nepean) [7.50].—If the New South Wales Government and the Federal Government do not come to an understanding, will the Federal Government take, with regard to the Liverpool manœuvre area, the same steps that they

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are taking with regard to the Beerburrum manœuvre area? I cannot understand why different methods of procedure should be adopted in different States. In Queensland, the Government resume the land direct for military purposes, which the Constitution gives them power to do, but in New South Wales they get the State Government to resume the land, and pay the State interest on the cost of resumption. What puzzles my constituents and myself is why that method of procedure should be followed in New South Wales, and not in Queensland. If the New South Wales Government will not resume the land, will the Minister state clearly what the Commonwealth Government intend to do?

Mr. KING O'MALLEY (Darwin—Minister of Home Affairs) [7.52].—As Minister of Home Affairs, I am not in a position to state what the intention of the Government in that regard will be, because I simply carry out what the other Departments want done. This is purely a Defence matter, and not a Home Affairs matter, so that I shall ask the Minister representing the Minister of Defence to speak on it. If I am ordered to do a work, then I do it, but I cannot say myself what will be done.

Mr. W. ELLIOT JOHNSON.—Where is the Minister representing the Minister of Defence?

Mr. WISE (Gippsland) [7.54].—Can the Minister of Home Affairs give any information about the provision of a new post-office at Yarram? The matter has been in hand for a considerable time, and I understood that an item of £2,000 was to appear on the Estimates. I do not see it, and do not know what has happened to it.

Mr. KING O'MALLEY.—Have we got the site?

Mr. WISE.—The Department bought the site about three years ago. There is a miserably insanitary building on it now, and the necessity for a new building is admitted.

Proposed vote agreed to.

Divisions 6 and 6A (*Postmaster-General*), £1,300,000.

Mr. W. ELLIOT JOHNSON (Lang) [7.57].—Division 6A relates to a proposal to pay into a Trust Fund on account of special works connected with telegraphs and telephones the sum of £600,000, and the Prime Minister has already promised that a special Bill will be introduced to deal with this matter. He intimated his intention to make a statement to the Committee, and I would like to know when he proposes to do so. I would rem that when the honorable member ling Downs suggested that a should be inserted setting out t money is to be appropriated by Act the right honorable gentlema in reply that he had no objectio adoption of that course. The h member for Darling Downs furth whether a special schedule would vided, and the Prime Minister that he would think over the matte the head of the Government inf Committee of the position of affai present time, and state whether he to bring in a special Bill to deal appropriation?

Sir JOHN FORREST (Swan) I do not think that the paying of a sum as £600,000 into a Trust account of special works connect our telegraphs and telephones is a g cedent to establish. When the ma previously discussed I took exceptio course which it is proposed to Although it may be legal, I think paying of so large an amount into Fund to be expended on telegra telephones just as the Treasurer c stretching the Audit Act altoge much. The only reason which I for the adoption of this course is to get this money away from th of Parliament so that the Governm do as they please with it. At the the financial year the ordinary v expire, but the proposed Trust F be a continuing one. If it be a go to deal with £600,000 in this w equally good to deal with other in a similar way. For instance, of £700,000 which we are asked in connexion with the extension phones and telegraphs might just a ably be paid into a Trust Fund. travesty upon parliamentary go to place such a large sum as £6 the credit of a Trust Fund for pose of special works on account graphs and telephones. The sa tice might just as well be adopte spect of other items. Why is this required?

Mr. FISHER.—To bring the Po up to date.

Sir JOHN FORREST.—Why ply the Committee with details?

Mr. FISHER.—I will do so.

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Sir JOHN FORREST.—Why not deal with this expenditure in the same way as other expenditure is dealt with?

Mr. FISHER.—Because we propose to extend it over more than one year.

Sir JOHN FORREST.—If we allow the Treasurer to pay £600,000 into a Trust Fund for a special purpose, and to expend it as he chooses, it means that we shall take that amount away from the control of Parliament. The Government have no right to exercise a discretion as to what sum they will expend during the financial year. They have to ask Parliament for what they require, and they are in duty bound to expend the amount voted by Parliament unless good reason exists for their failure to do so. They cannot ask Parlialiament to vote money and afterwards spend it or not spend it, just as they may choose. It is proposed to vote a large sum of money which the Treasurer may or may not spend as he chooses. That was the old procedure under an autocratic form of Government, when Ministers could do as they liked; but that has all passed away in the States, and there have to be Estimates setting out exactly what works are to be taken in hand. In my opinion, the Audit Act does not permit of the Treasurer putting £600,000 in this way into a Trust Fund. We have already voted £700,000, without a single word of explanation as to how it is to be spent.

Mr. FISHER.—Would the right honorable member have any objection if the items were set forth in a Bill?

Sir JOHN FORREST.—No, but there is no reason why this should be treated differently from any other vote. If we vote £10,000 to construct a building or for some other purpose, and only half is spent, the balance has to be re-voted; and I do not see why there should be any distinction made by hiding the money away in a Trust Fund.

Mr. GROOM (Darling Downs) [8.8].—I suggest to the Prime Minister that he should adopt the suggestion to create a fund by a special Bill. The general scheme of our finance, under the Constitution, is annual services, as shown by the references in sections 53 and 54, where such services are clearly contemplated. This £600,000 is not an annual appropriation, and, therefore, I think there arises a serious constitutional objection.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [8.10].—I regret the remark of the right honorable member for Swan in reference to "hiding" away money in a Trust Fund, because, coming from an ex-Treasurer, it leads to misapprehension.

Sir JOHN FORREST.—There was nothing personal intended in the remark; I did not mean that it was done surreptitously.

Mr. FISHER.—*Hansard* is read by a number of people who are not so well acquainted with the forms of the House and the Audit Act as we are, and they do not know that such a thing as "hiding" away money is not possible. Owing to my temporary absence from Melbourne, I was not able to get the schedule of expenditure printed and circulated, but I have the schedule here, and will have the matter seen to.

Sir JOHN FORREST.—I hope it will deal with the £700,000 also.

Mr. FISHER.—The details as to that sum are all set forth.

Mr. GROOM.—A sum of £42,300, for instance, is set down for the construction and extension of telephones lines, but there are no details given.

Mr FISHER.—A schedule of details might have been provided had any one desired. I can assure honorable members that there is no desire or intention to hide anything.

Mr. SAMPSON.—Does the schedule cover the whole of the expenditure?

Mr. FISHER.—Yes. The reason we desire to have this £600,000 over a period longer than twelve months is that we discovered that a good deal of money is lost to the Commonwealth owing to the absence of continuity in work—that continuity is necessary to economy and efficiency. This £600,000 is particularly required to bring the Post and Telegraph Service up to what may be called the standard. It may be possible during the financial year to expend the greater portion of the vote, though, on the other hand, we may not be able to spend more than 25 or 30 per cent.

Sir JOHN FORREST.—Then why ask for so large a sum?

Mr. FISHER.—For the very obvious reason that we desire the work to be continuous until the money is expended and the works completed. This is a difficulty which we inherited, and did not create. The honorable member for Darling Downs knows that, when he was in office, the Government did not, during any financial year, expend all the money that was available, and some £6,000,000 was handed back to

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the States, while the Post Office was going behind in the matter of permanent works and efficient working. The present Government found a difficulty, even by means of large annual votes, in bringing the Department up to a reasonable standard; and the scheme now proposed presents itself as the most reasonable. I admit the force of the contention of the honorable member for Darling Downs, and, perhaps, it would be better to set out these works in a Bill. We should then not be in any way likely to come into conflict with the Senate, and we should secure continuity in the work. I feel sure that if the Opposition accept the principle they will not discuss the Bill itself. I did not pledge myself to deal with the matter in that way, but I said that I would look into it, and I am satisfied that the finances will be protected by the adoption of this plan. Every detail of information will be given to the House, as far as I can do so. I have not been able to get the schedule put into print, but if I read the principal items honorable members will understand what is meant.

NEW SOUTH WALES.

Construction and extension of telegraph lines, instruments, and materials	£77,850
Construction and extension of telephone lines, instruments, and material, including construction of conduits and placing wires underground ...	160,750
New trunk lines	11,400
Metallic circuits in existing single wire networks	16,600
	£266,600

VICTORIA.

Construction and extension of telegraph lines, instruments, and material	£9,000
Construction and extension of telephone lines, instruments, and material, including construction of conduits and placing wires underground ...	36,000
New trunk lines	2,000
Metallic circuits in existing single wire networks ...	131,000
	£178,000

QUEENSLAND.

Construction and extension of telegraph lines, instruments, and material	
Construction and extension of telephone lines, instruments, material, and miscellaneous switchboards, including construction of conduits and placing wires underground ...	
New trunk lines	

Mr. PAGE.—That is a terrib
wonder that the Treasurer can
Sir JOHN FORREST.—There is
of £71,000 on the Estimates fo
land.

Mr. FISHER.—Fortunately,
land expended a large sum
money on up-to-date telegraphy
phony while the honorable me
Capricornia and I were membe
Parliament.

Mr. PAGE.—That is all right
have suffered ever since for it.

Mr. FISHER.—I am sure
honorable member is Australian
wish the services of other Sta
standardized. That is what is
this proposal.

SOUTH AUSTRALIA.

Construction and extension of telegraph lines, instruments, and material	
Construction and extension of telephone lines, instruments, and material, including construction of conduits and placing wires underground ...	
New trunk lines	
Metallic circuits in existing single wire networks ...	
New switchboards and extensions	

WESTERN AUSTRALIA.

Construction and extension of telegraph lines, instruments, and material	
Construction and extension of telephone lines, instruments, and material, including construction of conduits and placing wires underground ...	
New trunk lines	

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TASMANIA.	
Construction and extension of telegraph lines, instruments, and material	£2,000
Construction and extension of telephone lines, instruments, and material, including construction of conduits and placing wires underground ...	4,900
	£6,900

These are the works which we thought absolutely necessary to bring the Postmaster-General's Department up to a state of efficiency; and we ask Parliament to appropriate £600,000, leaving it to the engineers, and those who are capable of advising the Ministry, as to the best way to proceed, to recommend when the money should be expended, and generally to accomplish what we are aiming at. It is, I think, the only practical plan which can be recommended to Parliament. That is the position of the Government; and, in accordance with my promise, I have no hesitation in stating that we shall bring down a Bill, framed on the lines set forth in this schedule, and empowering the Government to spread the expenditure of the money over a period of two or three years, perhaps over a period of two and a half years. At any rate, I think that it ought to be left to our experts to say how the money can be most economically expended in the interests of the Commonwealth, and of the people generally.

Mr. GROOM (Darling Downs) [8.22].—I think that we can accept, with satisfaction, the Prime Minister's statement that he will bring down a special Bill; but there is one thing to which we would like to draw his attention. We all admit that, owing to certain financial difficulties and problems which we had to face, and also attempts which were made to assist the States, a sum of about £2,000,000 is required to put the postal, telegraph, and telephone services in proper order.

Mr. FISHER.—This means a total expenditure of £2,000,000.

Mr. PAGE.—And the honorable member helped to give the States £6,000,000.

Sir JOHN FORREST.—The honorable member for Maranoa did, too.

Mr. McWILLIAMS.—We were all very glad to get the money.

Mr. PAGE.—I was not.

Mr. GROOM.—Honorable members are quick to forget the serious troubles through which Australia went during the first five years of Federation, and the attempts of all parties, Commonwealth and State, to try to remove the burdens on Australians as much as possible.

Mr. WISE.—All the States made a surplus with the money which was handed back by the Commonwealth.

Mr. GROOM.—No. There was not a surplus in all the States, because Queensland had a large deficit.

Mr. PAGE.—Only in one year.

Mr. GROOM.—The only object in looking back is to try to gain a lesson, in order to prevent the occurrence of mistakes in the future.

Mr. PAGE.—Of course, the honorable member wants to smother up his tracks.

Mr. GROOM.—I would smother up the honorable member's tracks, but I am afraid that they are difficult to smother up. It requires, I repeat, an expenditure of about £2,000,000 to put the postal, telegraphic, and telephonic services in proper order. I think that the Prime Minister is quite right, now that the money is available, in trying to make it available for the purpose of making the services efficient. I dare say that he has now received a report from the officers showing exactly wherein the services as a whole are deficient. The statement which he has just read to the Committee cannot possibly reflect the relative deficiencies in the different States. For instance, out of this sum of £600,000, New South Wales alone is to receive £266,000, or very nearly one half of it. I do not object to that State getting all the money which is necessary, but when we find that £28,400 represents Queensland's share of the £600,000——

Sir JOHN FORREST.—There is a sum of £71,000 on the Estimates for Queensland.

Mr. GROOM.—I am speaking of this particular vote, and will refer to the other presently. Relatively speaking, £28,400 cannot possibly be a fair proportion of the total sum for Queensland, when we bear in mind the deficiencies of its services. I do not know whether it has been improved during the last few months, but constantly telegraphic communication between Brisbane and Sydney has been stopped, at one time for two or three days, owing to the deficiencies of the lines between those two cities.

Mr. THOMAS.—Only because of storms.

Mr. GROOM.—The honorable member is in error. Delays are often caused by congestion of business. I recently received

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a telegram bearing a stamp to the effect that it had been delayed by interruption of business. My object is only to show that these services in the northern State are not yet sufficiently supplied. Knowing as I do the capacity of the officers and their desire to push on with these undertakings, I am sure they will recommend necessary works, and I hope that when we have before us the complete scheme in respect of the £700,000 we have voted, the £600,000 we are now voting, and the £700,000 to be voted next year, we shall find that the Queensland services were being fairly considered.

Mr. PAGE.—The Treasurer is too modest in regard to his own State.

Mr. GROOM.—Like the honorable member, he believes, I trust, in being a good Australian and a good Queenslander. I wish to know whether, when this vote is agreed to, he will have prepared a short statement showing the whole work in details with respect to each State to be carried out in connexion with the total proposed expenditure of £2,000,000.

Mr. FISHER.—This is linked up with the proposals for next year.

Mr. GROOM.—I think that the Prime Minister misunderstood a remark made by the right honorable member for Swan in regard to the question of Trust Funds. All that the right honorable member urged was that it was inadvisable to have moneys placed to the credit of a lot of Trust Funds unless those funds came from time to time under the review of the Parliament, so that we might know their character, the amount to their credit, and the manner in which they were being expended. As a matter of fact, the Auditor-General's general statement gives a good deal of information with regard to such items, but we are apt to receive that statement too late to enable us to take special action.

Mr. FISHER.—The Budget-papers also give the information.

Mr. GROOM.—I dare say they do, but they do not come before the House in the direct way in which the right honorable member for Swan suggests the information should be put before us. We shall have later on, however, an opportunity to deal with the individual items.

Mr. PAGE (Maranoa) [8.28].—After listening to the remarks made by the Prime Minister regarding the proposed disbursement of this £600,000, I feel that, as a Queenslander, I cannot compliment him.

Mr. THOMAS.—Compliment Australian.

Mr. PAGE.—As a New S man, the honorable member sh ment him, because more than £600,000 is to be expended in Wales. The Prime Minister the works to be carried out in and the list is all very good but I wish the Committee to that because Queensland prior tion put her house in order large sums in standardizing h and telephone lines, she has n All that work was paid for moneys. The honorable membe Downs tried to smother up t garding the expenditure of the necessary to bring the Postmas Department up-to-date, but he well—and I am just as guil since I was a member of Parl time, although not a member ministration—that we starved services in order to pay to £6,000,000 more than we w under the Constitution to ret We find ourselves, consequentl a brick wall to-day. As while the Prime Minister w his Budget statement, there ha single mile of developmental telegraph lines erected in Que Federation. Can it be said land has had a fair and squar

Mr. GROOM.—What does t member mean by development

Mr. PAGE.—I refer to th lines where none exist to-day— adopted in pre-Federation day ber reading a speech made b able member shortly after his to Parliament, in which he s graph lines should precede and so bring the outer se Queensland into speedy c with centres of population. a similar protest year after Federation, the population o has increased by 100,000.

Mr. FENTON.—She has robb torians.

Mr. PAGE.—It is Victoria If she cannot retain these pe is Queensland's gain and Vi Some of the best men we hav land to-day, I am proud to Victorians. They have blaz for others to follow.

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Mr. BRENNAN.—Let Queensland be careful that she does not follow our bad example.

Mr. PAGE.—The leasehold system is so much appreciated in Queensland to-day that it is impossible to sell land there. That is the secret of the whole business. In 1902, Queensland had a total revenue of £3,535,062, whereas to-day her total revenue is £6,251,694. We have doubled our revenue, and largely increased our population, our exports, and our imports. The State is going ahead by leaps and bounds; yet the Treasurer comes down with a proposal to spend there a miserable £28,000 on developmental works in connexion with the Postmaster-General's Department. If a telephone or a telegraph line is desired in western Queensland to-day, local residents are called upon by the Department to pay half the cost, and to give a five or seven years' guarantee. It was not on the half-pay system that Queensland was made what she is to-day; she was developed by the progressive Governments that have gone before.

Mr. SCULLIN.—But has not this Government made a 25 per cent. reduction in charges?

Mr. PAGE.—They have not done so in the case of my electorate. Here apparently is another favour for Victoria, which has not been extended to any of the other States. She has received a favour in regard to the maintenance of roads, and now she has another "lift" on the rest of the Commonwealth to the tune of 25 per cent. I received a letter to-day, in which the Department not only asked people who are living in the back-blocks of western Queensland to find the money for a telephone, but also to pay half the cost of the service. Penny postage, indeed! What does postage mean to people who are living in western Queensland? It means shilling postage! Tens of thousands of pounds have been spent on constructing conduits for telephones in the big cities. In Melbourne the Department ripped up the bowels of the streets to construct tunnels for the same purpose. But they have done nothing with the tunnels since. If only a portion of that money had been spent on services to make the lives of pioneers in the remote parts of this country more comfortable and easy, by giving them better communication with the outside world, I should have said that this Government had really undertaken a truly national work. We claimed that our Government was going to be a Government of progress. We were going to show other parties what a Government could do. But what have we done? We have followed in the same tracks as previous Governments pursued. We have not done one whit better. I ask honorable members, in all seriousness, Is it fair to spend such enormous sums of money in and around the big cities, whilst leaving the outside districts languishing? For my own part, I think it is about time we took a leaf out of the book of country members in the State Parliaments, and formed a country party. They know how to squeeze Governments to some tune. I cannot understand the Treasurer of the Commonwealth coming down with such a miserable sum for a State like Queensland, knowing what is required for developmental purposes there. What does the Treasurer intend to do with the £28,000?

Mr. RILEY.—It is all to be spent on new lines.

Mr. PAGE.—I will guarantee that the Treasurer intends to spend the money in Brisbane. If he can show me that a single penny of it is going to be spent outside Brisbane, or on work that is not to connect directly with that city, I shall be very glad. That leads me to mention that I fought a battle for the Treasurer some years ago, when telephone communication was required between Brisbane and Gympie. I put up the fight of my life to get the condenser system between those two places. The departmental officials said that the work could not be done for less than £8,000. But there was a post-office official in Tasmania, Mr. Hallam, who knew how to do what was required. I induced Mr. Sydney Smith, who was then Postmaster-General, to let this gentleman go up to Queensland, and he did the work for about £250.

Mr. McWILLIAMS. — And afterwards some of us had great difficulty in securing even a slight recognition of the services he performed.

Mr. PAGE.—Mr. Hallam knew a great deal more than did many of the officers in the professional division. Yet the Public Service Inspector set up a barrier to prevent him from getting over it. However, I am glad to say that his merits have since been recognised, and that to-day he is an electrician in the professional division. I am getting tired of asking Governments year after year to do something more for the remote districts, not only in western Queensland, but also in western New

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South Wales. Whenever a telephone is asked for, guarantees are required. The Department does not ask people in the big cities to give guarantees. Here, however, letters are delivered three or four times a day, and if the letter-carrier happens to be a quarter of an hour late people telephone to the Superintendent of Mails to know what has become of him. In my electorate the Department is actually reducing mail services. In some parts the people have a mail only once a month, and are told that they are lucky to have any mail at all. Those who represent constituencies in the interior of this country know very well that the arrival and departure of the coach is a red-letter day in some small towns. Of course, some honorable members regard this kind of thing with a great amount of levity, but let me tell them that these are the people who are making this country better for future generations to live in. They are the pioneers who are blazing the track and increasing the prosperity of Australia.

Mr. W. ELLIOT JOHNSON.—The honorable member is quite right, though what he says sounds like a tale of fifty years ago.

Mr. PAGE.—Whenever I go out amongst these men I have to listen to complaints about lack of telephone services and mails. In one instance the Department wanted a guarantee of £2,000. I would not ask the people for it, because I knew very well what they would say to me if I did.

Mr. TUDOR.—Did the honorable member get the line?

Mr. PAGE.—No, I got a promise. But people cannot live on promises out there any more than we can who live in Melbourne. If this Government does not intend to do something to relieve these back-blockers, I am afraid I shall have to consider my position. I say, without fear of contradiction, that I got more out of other Governments than I can get out of this one. I cannot even get a small telephone or telegraph line. All I can get is the promise that the matter will be "looked into." Sometimes they are so long "looking into" a case that they do not even send me a reply. Will the Prime Minister, during next recess, "look into" a few of these matters himself?

Mr. FISHER.—I will go up and see.

Mr. PAGE.—I wish the right honorable gentleman would. The year before last, at election time, when I was in the remote parts of my constituency, a Thargomindah and going to South Australian border, I took out with me. I brought the back, having heard nothing meantime. I never felt so lone life. I did not even know wha Minister had been saying, and tial that all members of our keep in touch with his utteranc

Mr. W. ELLIOT JOHNSON counts for the diversity of stat by members of the party.

Mr. PAGE.—It was not diversity of tales told by the Opposition party. At actually had to answer the a having said, "To hell with th One of my constituents said t are the man who said it."

The CHAIRMAN.—Does member intend to connect his the question before the Chair?

Mr. PAGE.—That observat by the way, I having been d track by the honorable memb I wish to know whether the ister will, during the recess, ar £600,000 is disbursed, look in of short telephone lines, and to the policy of harassing a ing. If the States follow similar to that of the Comm developmental work would ha in northern Queensland; the no railways, telephones, and tending out to distant place State Government taken the work must pay from its inc would be no telegraph line Downs, or out to the Sout border, and Queensland would longest mileage of railways But since Federation, no tele phone lines have been erect connexion with railways. Th could not avoid giving co places along railway lines, b business at the railway statio

Mr. FENTON.—Then abou of telegraph lines must have b the State since Federation.

Mr. PAGE.—Not so muc rate, the Department has pa the cost of telegraph lines on Railway Department paying t In many instances, the pla railways have been made we phone or telegraph commun railways were constructe

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Treasurer to consider the claims of far western Queensland, so that the people there may have some of the comforts which are so freely given to those in the big centres of population.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [8.48].—We have had an excellent speech from the honorable member for Maranoa, and I do not complain because he has reminded me of the views which I expressed in 1893, and still hold. I think that the pioneers of Australian development should be given telephone, telegraph, and postal services, whether they pay or not, so long as they can be provided at a reasonable cost. I am not unacquainted with the western and northern portions of the continent, and do not think that there can be better expenditure than in the way the honorable member has suggested. But this Government cannot be charged with neglect in the matter, because, during our term of office, we have spent twice as much on these services as any of our predecessors, while the Estimates for this year are an increase of 50 per cent. on the expenditure of last year, and we propose a further increase of 30 per cent. next year. The sum of £2,000,000 will be expended on developmental work in connexion with the Postmaster-General's Department during two years, if the £600,000 now asked for is taken into account. Queensland has not been entirely neglected since Federation in the matter of new telegraph lines. Between 1901-2 and 1908-9 the mileage of new lines was 915.

Mr. PAGE.—Erected mostly along the railways.

Mr. FISHER.—In 1909-10, 241 miles 5 chains of new telegraph lines were erected.

Mr. PAGE.—The line from Cleveland to Redland Bay is called a telegraph line, because telegraph rates are charged, although only a telephone service is given.

Mr. FISHER.—In 1910-11, the year in which this Government took office, 585 miles were erected.

Mr. PAGE.—I should like to know where they are.

Mr. FISHER.—In 1911-12, for which we are discussing the Estimates, 525 miles 10 chains will be erected out of general votes, apart from the £600,000 referred to.

Mr. PAGE.—I would stake £20 that not a mile of developmental work has been erected since Federation.

Mr. FISHER.—I am indebted for my information to the report of the Postmaster-General.

Mr. PAGE.—Will the Prime Minister say where the new lines are?

Mr. FISHER.—I cannot give the information offhand; but, since Federation, 2,266 miles have been erected. I do not know whether they were new developmental lines; but I promise the honorable member that if more developmental lines are needed, their erection will have early attention from me. If I have the honour to remain in office long enough, I hope to ascertain for myself the conditions under which the people live everywhere in this continent, and to give full consideration to the manner in which telegraph, telephone, and postal facilities may be extended to them, and bettered. Nothing would give the Government greater pleasure than to provide all necessary facilities, and we shall do it cheerfully.

Mr. McWILLIAMS (Franklin) [8.53].—I think that this is the sixth year in succession in which I have congratulated the honorable member for Maranoa on a speech similar to that which he has made to-night. The misfortune is that we seem unable to effect an improvement in the system. No more unfair, unjust, or unstatesman-like policy can be adopted than that of the Commonwealth in regard to telephone extensions. The £600,000 referred to is to be spent largely in the cities on the alteration of switch-boards, undergrounding of telephone wires, and other admittedly necessary works, but works not as urgent as the construction of new lines. The policy which our Postmaster-General has followed is cruelly unjust. Only to-day I received a letter from a handful of people who have gone out into the bush miles away from their fellows, and, having asked for telephone communication, have been told by the Department that they must guarantee it against loss, and provide the necessary poles. But, whereas within the cities one may telephone over a large area for 1d., the further one gets out into the back-blocks, the heavier the charges become. The zone system is one of the most unfair that could be used. While we promise, from every platform, and in this chamber, to do what we can to assist the pioneers who, as the honorable member for Maranoa has said, are building up the nation, and making it easier for others to follow them, nothing is done to give them the telephone facilities for which they ask. I was one

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of those who opposed penny postage. I consider that it was one of the greatest mistakes the Commonwealth could make to adopt that system before we had removed from people in the back-blocks the handicaps under which they labour in the matter of communication. We carry a letter from one end of Australia to the other for a penny, but in connexion with our telephonic service the further we go from the cities the heavier the charge becomes.

Mr. THOMAS.—The further one travels by train the more he has to pay.

Mr. McWILLIAMS.—This Parliament should not make the paying of a telephonic service the be-all and end-all of Government action in the matter.

Mr. THOMAS.—Can the honorable member tell me of any country in the world in which cheaper and better facilities in the matter of telephone communication are given than in Australia?

Mr. McWILLIAMS.—I am speaking of the system already in operation in Australia, and of the facilities and low rates given to the people of cities as compared with the way in which we handicap those who reside in the back-blocks of the continent. It is time that we did something more than bark about this matter session after session. We should take some definite action to secure the adoption of an entirely new system in connexion with the extension of telephonic communication to the outlying districts. Where there is established a fairly wealthy community, and the prospect of a line paying, the Government erect lines at their own cost and risk, and if the district happens to be close to a large centre of population a very low telephone charge is made, but if a scattered community in the back-blocks ask for telephonic communication, a guarantee to cover any loss on the service is demanded before the Government will undertake the work.

Mr. THOMAS.—Would the honorable member establish telephonic communication whenever it is asked?

Mr. McWILLIAMS.—Wherever we have a handful of people settled in any part of Australia who have no other means of communication, we should provide them with telephonic communication whether it pays or not.

Mr. THOMAS.—To what extent?

Mr. McWILLIAMS.—I should be prepared to accept a very large loss.

Mr. THOMAS.—The Government are prepared to accept 25 per cent. more of loss than any previous Government agreed to.

Mr. McWILLIAMS.—Then spect, the present Government cent. better than their predeces desire that they should go anc cent. better.

Mr. THOMAS.—What is th member's limit; let him state

Mr. McWILLIAMS.—It is of the Government to fix the li we have had no reasonable pol the matter of the extension o communication in the country contend that the zone system n tion is one of the most cruel ever adopted.

Mr. THOMAS.—What does t member mean by the zone syste

Mr. McWILLIAMS.—We system by which the charge fo the telephone is in proportion tance from the capital cities.

Mr. THOMAS.—Does the hor ber mean to say that we ought more for speaking from Hobar ton than for speaking over o distance?

Mr. McWILLIAMS.—Yes, liberately. There is no more the charge should be more fo the telephone than there is fo same charge for letters betwee Launceston as for letters carri half the distance or for teleg

Mr. THOMAS.—The honor would charge the same for th telephone from Melbourne t for its use between Melbour sendon.

Mr. McWILLIAMS.—We same charge in respect of teleg

Mr. THOMAS.—And the hor ber thinks that we should foll practice in connexion with the

Mr. McWILLIAMS.—I d that it is beyond the Mini ternal Affairs. He has not what is aimed at. As Postm he followed, as the honorable Maranoa has said, in the foo predecessors, and no Governme dealt with the question of te tension on proper lines. The is now losing by the enorm which are made for the use of over long-distance lines. It some instances to send a wire send a telephonic message betw two places. We are throwi phonic service out of order, a a comparative luxury for tho

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most of our pioneers, have very little money to spend. I have no objection to the improvement of the telephone services in our large cities. Those who attempt to make use of them are agreed that there is room for great improvement, but I should prefer that they should remain as they are for the next three years, if the money required to make the necessary improvements in them were to be expended in the extension of telephonic facilities to places where there is no easy means of communication. Honorable members will agree that in some cases it may be a matter of life and death to have telephonic communication in order, perhaps, to summon a medical man. People in the large cities have letters delivered to them three or four times a day. They have their newspapers delivered in time for breakfast every morning, and can use the telephone at any time for a charge of one penny. But there are communities throughout Australia that are without any means of speedy communication. Instead of continually barking about the matter when the Estimates are under consideration, it is time that honorable members like the honorable member for Maranoa, myself, and others, who feel strongly on the subject, started to bite.

Mr. GREENE (Richmond) [9.4].—I should like the Prime Minister to seriously take into consideration the possibility of withdrawing the guarantee conditions in regard to many telephone lines. I have said before in this House that I can understand that a demand for a guarantee is justified in certain circumstances. Where a line is to be constructed into a district which is not capable of any great expansion, it seems to me a reasonable business proposition to ask those who will be served to subscribe so much to meet the capital expenditure.

Mr. THOMAS.—A limit must be set somewhere.

Mr. GREENE.—I have endeavoured to show that the limit should be set where a line is asked for in a district in which there is no possibility of extension, owing to the configuration of the country or for other reasons. If people in such a district ask for telephonic communication there is every reason why the Department should say, "We want you to subscribe so much of the initial capital cost, or guarantee us against loss for a term of years."

Mr. THOMAS.—Those people might want a doctor just as much as other people.

Mr. GREENE.—I do not say they would not, but there is a reason in that case why the Department should ask for a guarantee. The Department, however, are asking for a guarantee or a cash donation towards cost of construction in very different circumstances. A handful of people who go out to pioneer back country feel the need for telephone communication, and apply to the Department accordingly. To them every sixpence is of importance, and although the Department must see that in a few years additional population is sure to come to that district, there being any amount of room for development, and that a telephone line, if constructed, must eventually pay handsomely, they insist on those few pioneers putting up cash, or entering into a guarantee. That is utterly unjust and unbusiness-like. If private firms were constructing the telephone lines they would have quite enough foresight to recognise that they could stand a loss for a few years if for all time afterwards they were going to have a profitable enterprise.

Mr. THOMAS. — Does the honorable member think the telephones are paying now in Australia?

Mr. GREENE.—I do not say they are, but as Australia is opened up and developed the traffic on the lines is increasing, the revenue is growing, and they are paying more and more.

Mr. THOMAS.—And more and more telephone lines are going up every year.

Mr. GREENE.—That does not get away from my contention that in circumstances such as I have described the Department should bear the whole of the initial cost, because eventually they are going to have a property that will pay them handsomely. This Parliament can generally do very little to help the pioneers of Australia; but in the postal, telephonic, and telegraphic services it can do a good deal. I should like an assurance from the Prime Minister that he will look into the whole of this question, and do away with the guarantee conditions and cash contributions, and let the Department be prepared for a few years to shoulder a small loss on lines in districts where there is bound to be an enormous amount of extension and development.

Mr. THOMAS.—A small loss? We shoulder 25 per cent. of the loss to start with.

Mr. GREENE.—That percentage is based on the Department's own estimate of the cost of construction, which in nearly

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every instance is very large, or on the Department's own estimate of the revenue to be derived from the line, which is invariably very conservative.

Mr. THOMAS.—If that is so, it is all the better for the people concerned, because the 75 per cent. which they would have to pay would be much less.

Mr. GREENE.—The result of the system followed by the Department is to increase the estimated loss greatly.

Mr. THOMAS.—That is all to the advantage of the persons who give the guarantee.

Mr. GREENE.—It is exactly the opposite. The people concerned have to put up in some cases a cash guarantee for two years. That money is a considerable item to them, as the honorable member for Gwydir knows, and they have to stand out of it for all that time. The Department are not treating the settlers as liberally as they might. The Minister of External Affairs says that the Department have consented to bear 25 per cent. of the loss. We are thankful for small mercies, but that 25 per cent. is based on an estimate of 10 per cent. on the capital cost of construction. Ten per cent. on the capital cost is a very large proportion. It is usually considered in the commercial world enough to cover practically everything, and the Department, in cutting the interest down to 7½ per cent., have only done what they should have done.

I wanted to ask the Prime Minister particularly about the vote of £600,000 for special works. I gather from his remarks that he proposes to place that sum in a Trust Fund under the very same items as appear in the schedule in relation to the present vote of £700,000. I noticed particularly that the items corresponded with the schedule word for word. Personally, I think there is a great deal in what the Treasurer proposes to do. At the same time, it is a clumsy way of overcoming a difficulty, which I, and many other honorable members have recognised for quite a long time. Practically, the right honorable gentleman is seeking to put aside this money for the purpose of allocating it to the identical items which appear in the Estimates. Then, when the amounts voted by Parliament lapse at the end of the financial year, he will have in the Trust Fund a sum upon which he can draw, so as to insure the continuance of works which would otherwise be stopped.

Mr. FISHER.—No; thes

Mr. GREENE.—The Treasu have included the whole of this £ in the annual votes.

Mr. FISHER.—That would no complished my purpose.

Mr. GREENE.—Had the ri able gentleman done so, he wou end of the financial year, have h siderable sum unexpended, and for which that money was voted cessarily have ceased until re-vote made by Parliament. But the P ister has split up the annual vote parts. One portion has been en the ordinary Estimates, and the proposes to place to the credit o Fund. The result will be that, financial year closes, he will have money upon which he can draw time as Parliament votes fresh e for new works. I have previous out that the system of lapsed vo sulted in many important pub being hung up indefinitely. Bu see why it is not possible to devis under which moneys voted by for a specific purpose, which la end of the financial year, can be for that purpose.

Mr. FISHER.—No British Parl tolerated that.

Mr. GREENE.—Nevertheles exactly what the Prime Minister ing to do under this scheme. was possible for him to have at question upon broad lines, and that, had he done so, he would manded the support of a large honorable members.

Mr. FISHER.—I studied the years ago.

Mr. GREENE.—The Prime doing, by means of what, for better word, I must call a subte

Mr. FISHER.—That is quite a word to use.

Mr. GREENE.—By this sc right honorable gentleman is which, he says, no British Parli ever tolerated.

Mr. FISHER.—I propose to bri Bill to authorize the creation of Fund.

Mr. GREENE.—But, to all i purposes, the Prime Minister is I say.

Mr. RILEY.—Does not the want the Estimates pas

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Mr. GREENE.—Yes. I am not objecting to the amount which we are asked to vote, but to the method which it is proposed to adopt. However, I have no desire to labour the question. I merely draw attention to it because I think that the whole of our financial practice, particularly in regard to public works, needs serious consideration, with a view to its remodelling.

Mr. ARCHIBALD (Hindmarsh) [9.23].—A great deal has been made by members of the Opposition of the proposal of the Government to pay £600,000 into a Trust Fund for the purpose of proceeding, during a period of two or three years, with special works connected with the Postal Department. By innuendo, too, the soundness of this method of finance has been challenged. While such criticism may prove interesting to honorable members, its tendency is to create, in the minds of the public, an impression that the procedure which it is proposed to follow on this occasion is illegal. Such an impression is utterly unwarranted; and, consequently, the line of opposition which has been adopted by honorable members opposite is, to say the least of it, exceedingly objectionable. I think that the action of the Government marks a step in the right direction. As the £600,000 which it is proposed to expend upon special works connected with our telegraphs and telephones is to be placed to the credit of a Trust Fund, the Government will be in a position to insure a continuity of policy, with the result that, before many years have elapsed, this neglected Department will be brought into a state of efficiency. I am strongly in favour of this method of a Trust Fund, instituted by a Bill, a resolution, or a statement on the part of the Government. It is not unusual, at the end of the financial year, especially if times are dull, to find a sudden cessation of work; and this is very injurious to the community. The fact that the financial year closes on 30th June does not really matter to-day, but it has had serious consequences in the past when prosperous conditions did not prevail. It has meant the stoppage of public works in the winter time, when it should be the aim of the Government to even strain a point in order to insure employment. This is a point on which we have no certainty under our present system, so long as the financial year closes on 30th June. I do not know whether the Government can see their way to an innovation; but it is extremely likely that the inauguration of a Trust Fund system would obviate all such evils as I have indicated.

Mr. FISHER.—I think the remedy is to call Parliament together earlier.

Mr. ARCHIBALD.—That may be, but it altogether depends on what Government is in office. It is quite possible that a Government might not be anxious to meet Parliament; and we ought to be constitutionally placed in such a position as to insure continuity in public works. A Trust Fund seems to me to be a perfectly sound financial method, so long as Parliament is informed, through the Government or by an Auditor-General, how the money is expended. There seems to be a fear in some quarters to trust the Government in regard to this and other matters, but, personally, I do not see any danger. The Government will have to be very smart during the next eight months to spend the money we have voted during the last few days. The chances are overwhelmingly against Ministers in this respect; but, in any case, I think they are entitled to some trust, seeing that in about eight months' time we shall be called together again, and put in a position to challenge any expenditure not in accordance with the wishes of Parliament. I think that if a Trust Fund system had been in operation in the States, some of them would have been in a better position than they are to-day. I never could understand why, in years of prosperity, a Government should not be able to constitutionally appropriate money under some system of the kind for the purpose of providing, say, telegraphic and telephonic extensions. Once this sound principle is admitted, it will apply to all public works; and, so far from condemning the Government, I think they have shown great foresight, sagacity, and statesmanship. Of course, such a method may be irritating to old, pedantic statesmen, who have been brought up in a narrow groove; but it is a move in the right direction, which, I think, will be of benefit to the community generally. I notice that of the £600,000 something like £41,000 is intended for South Australia, though I dare say that if all the items voted in respect of that State were added, they would amount to a much more considerable sum. I desire to urge, however, that the complaints or representations of the honorable member for Maranoa in regard to Queensland apply with equal force to the back country of South Australia. The Government ought to be most

liberal in interpreting the regulations, so that the pioneers of the back country may have all possible advantages of civilization. Their lot is hard enough in all conscience; and the least they can expect is that every effort shall be made in their interests, even though it may entail some sacrifice on those who reside in the centres of civilization.

Mr. KELLY (Wentworth) [9.33].—Repeated statements by honorable members who have taken on themselves the exclusive representation of the pioneers of Australia make it necessary for the representative of a city electorate to put in a word of warning with regard to the treatment proposed to be meted out to every man who goes into the bush to make his living. I give way to no honorable member in my admiration of the grit and enterprise of these pioneers; but if we are to have great public Departments, they must be conducted on business lines. I think that I have seldom listened to a discussion which seemed to be less impregnated with business principles than the present one. The honorable member for Franklin has told us that every man who has gone into the back-blocks is entitled to a telephone by reason of that fact. If we are to make special concessions to pioneers, why not give them something which they can turn to practical use. Take, for instance, a man living a couple of hundred miles from the nearest telephonic installation. It would cost the country a great deal more to connect him with the telephonic service than to give him an outfit of agricultural machinery. I feel pretty certain that if we went round the back-blocks and asked the pioneers which they wanted —telephonic communication or free tools of trade—they would choose the latter.

Mr. GREENE.—Free tools of trade would be of no use to a man 200 miles from a telephone.

Mr. KELLY.—I understand from my honorable friend that a telephone has some peculiar agricultural advantage. As a matter of fact, these honorable gentlemen are not sincere in making these extravagant proposals to the Minister.

Mr. GREENE.—That is not right.

Mr. ROBERTS.—That is very rough on the honorable member for Franklin and the honorable member for Richmond.

Mr. KELLY.—I would hesitate to make suggestions were it not for the fact that these Estimates offer the only opportunity for encouraging innocent pioneers in the back-blocks to redouble the ardour with which they have supported my honorable friends on previous occasions. an opportunity of using the fu people of Australia to provide f tural machinery or telephones, a were allowed, I believe that th the honorable member for Fra the undoubted sagacity of the member for Richmond would occasion, and that they would pioneers what they could make what, no doubt, would be a mental thing. This is the grave I have ever heard on the capa pioneers.

Mr. McWILLIAMS.—This is funny.

Mr. KELLY.—It is not inte funny.

Mr. McWILLIAMS.—That is honorable member is funny.

Mr. KELLY.—There is no my honorable friend to be excit him every credit for the appare with which he addressed the Co do not propose to traverse his ac connexion, but it becomes a litt a member who represents a ci ency. It should be remembere city constituencies, as well as constituencies, will have to bear these wild-cat proposals.

Mr. WEST.—We must be hu government of the country.

Mr. KELLY.—Certainly; humanity take us in the direct viding free telephones when th necessities of life?

Mr. McWILLIAMS.—The member gets the use of his tele penny a time.

Mr. KELLY.—I get the us phone in this building for not are asked to spend £600,000 i increased telegraphic and telep ties.

Mr. GREENE.—Most of this be spent in the cities.

Mr. KELLY.—That is pro because it is the cities mainly w these facilities. The persons w phonic facilities used to be ind honorable friends as not being s theirs. We were told in thos persons who used telephones wo pay for them; that telephonic tions would be made purely a profit, and that the rates woul That was, I think, the gospel according to the late Postmas The fact remains that while it

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to increase facilities to the extent of £600,000 to these particular classes of the Australian community, facilities to the general user of the Post Office are being decreased. It is a common complaint throughout Australia that in order to economize, post-offices are being closed at a much earlier hour than was previously done, and that postal facilities generally, such as the clearance of letter-boxes, and so on, are being decreased. It is a curious anomaly to find through a Labour administration of this great Department, that while on the one hand, £160,000 is to be spent in New South Wales in providing the telephone subscriber with more facilities, and vast sums in other States, in constructing conduits, and placing wires underground, the unfortunate user of the pillar-box, or the unfortunate sender of letters is to be served infinitely worse, in the interests of economy, than he ever has been served, at any rate, since the Commonwealth took over the Department. That is, I think, a curious anomaly, and one which deserves the most serious consideration of the Government.

Mr. WEST.—I think that it will work out all right. People will get used to it.

Mr. KELLY.—Yes. I believe that there is a saying that one can get used to anything.

Mr. CHARLTON.—In what way is Sydney worse served in postal matters?

Mr. KELLY.—The postal service is unsatisfactory.

Mr. CHARLTON.—The people get their letters carried at about half the price which they used to pay.

Mr. KELLY.—The city user of the Post Office does not get his letters carried at one-half of the former price. The people in every metropolitan constituency have always been able to send the bulk of their letters at a cost of 1d. each, and they were able to send them too up to a certain time, but now the time within which they can post letters and deal with correspondence is limited in the interests of economy. In the same way, persons who live near pillar-boxes, and use them, find that their letters, instead of being delivered next morning within the metropolitan area are delivered late next afternoon. In fact, the extraordinary rapidity with which the Department, under Labour domination, transacts postal business in a metropolitan area is such that one could walk and get a reply or message much more quickly than he could do if he used the post.

Mr. MATHEWS.—Does not the honorable member think he is building up a straw man only to knock him down?

Mr. KELLY.—I am sure that I am not. My honorable friend, who represents a metropolitan electorate, knows as well as I do what has happened during the last few months in regard to the times for clearing the post boxes and the time for closing post-offices in his electorate. He knows the truth of every word I am uttering.

Mr. FENTON.—The pillar-boxes are cleared at the same time as they used to be.

Mr. KELLY.—In parts of my electorate the pillar-boxes are cleared a great deal earlier at night than they used to be, and also a great deal later in the morning. If what the honorable member for Maribyrnong says is correct, I want to know why my electorate has been singled out for special attention. It is resented in certain quarters, and is the subject of a complaint which is being investigated.

Mr. WEST.—The pillar-boxes are cleared at 10 o'clock, instead of at a quarter past 12.

Mr. KELLY.—That is a very considerable difference, and it affects the transmission of the letters. When we are asked to grant facilities to telephone subscribers, who used to be the butt of the democratic zeal of my honorable friends opposite, it is about time, I think, that we considered the general postal facilities enjoyed by the people as a whole. I do hope that when the question of facilities is taken into account in connexion with the back-blocks we shall deal a little more generously with the people there than we do with those who live in congested areas, where the service can be handled more easily. We ought to be very careful not to give way to the electioneering zeal of some of my honorable friends.

Mr. GREENE.—I think that that is distinctly out of order.

Mr. ROBERTS.—He is referring to the honorable member's statements regarding country telephones.

Mr. KELLY.—I thought that I might not be flattering my honorable friends if I imagined they were basing their arguments upon reason. I gather that there is something behind the proposition that we are putting to the Committee, and I hope that the Postmaster-General, who is charged with the responsibility of safeguarding the public purse, will see, if we

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are to make vast inroads upon the Treasury in the interests of the pioneer, that we give him something that is of more use to him than are the telephones which are now being clamoured for.

Mr. PARKER MOLONEY.—We could not give him anything far more valuable.

Mr. KELLY.—I have heard a lot about the use of the telephone to the back-blocks subscriber; but if, say, the farmers in the electorate of Indi, could be sure of a handsome grant towards the purchase of agricultural machinery, or of a telephone—on the chance of their wanting a doctor at some time or other—which do honorable members think they would take? Every man takes an optimistic view of life, and imagines that he will never have to send for a doctor; all have the business instinct of geting their tools of trade as cheaply as possible. Let us be reasonable. If honorable members do wish to make a plea for the country user, let them make a plea for cheapening his agricultural machinery.

Mr. PARKER MOLONEY.—The rings and combines are responsible for the high prices they have to pay for their agricultural machinery.

Mr. KELLY.—The rings and combines are eloquently assisted by a law—the Tariff—we have placed on the statute-book in regard to the manufacture of agricultural machinery.

Mr. FENTON.—Keep to the telephones.

Mr. KELLY.—The subject of agricultural machinery is a very bitter pill for some of my stalwart friends opposite. A lot of them would try to persuade their farming constituents that the prices they have to pay for machinery are not due to anything for which this Parliament is responsible.

Mr. WEST.—The first question I was asked in a farming district last Saturday was the name of the winner of the Derby.

Mr. KELLY.—I can see in that a very excellent reason for a public telephone for these pioneers. We might help them in a thousand different ways; but the Postmaster-General, who, after all, has to bear the responsibility for what is done, will see that what is done is on business lines, and is not made merely an opportunity for honorable members to gain popularity outside without due consideration to the requirements of the public purse.

Proposed vote agreed to.

Divisions 7 and 8 (*Treasury*), £5,150.

Mr. RILEY (South Sydney) regard to the item of £3,150 printing, I should like to lear Treasurer where the stamps printed.

Mr. FISHER.—They are pri

Mr. RILEY.—Is it the inten Government to print them in t Capital?

Mr. FISHER (Wide B Minister and Treasurer) [9.49].- edly the printing of stamps, of Australian notes, will be d Federal Capital, when that is e but, in the meantime, I think that the work should be done of Government for the time bei

Mr. RILEY.—Special premises be erected?

Mr. FISHER.—We shall ne special premises for the protect gold reserves in respect to the iss tralian notes, and we shall als special building for the printi notes. In connexion with that, t of stamps will be carried on the printing of debentures tha issued under the Commonwe scheme.

Mr. MATHEWS.—Does not Minister think that all that wor done in Sydney?

Mr. FISHER.—We could many places if we had the me machinery available there, but only a small amount of printing it is wise to carry out the wo place.

Mr. TUDOR.—Is not the stam done in the King's warehouse?

Mr. FISHER.—In a special

Proposed vote agreed to.

Divisions 9 to 13A (*Defence*),

Mr. GREENE (Richmond) [9 fore we adjourned for dinner, I Minister representing the Minist fence to explain why the money year in respect of grants to rifle ranges was not expended, and would take steps to see that voted under that heading in resp present financial year is expended as possible? Last year we vote in respect of New South Wales actual amount expended was onl The amount to be voted this yea large, but the clubs have had th difficulty in inducing the Depa expend the money which Parli voted. I should like to receive

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Honorary Minister an assurance that the Government will endeavour during the present financial year to expend the money that Parliament votes for these purposes.

Mr. ROBERTS (Adelaide—Honorary Minister) [9.51].—I remember that the honorable member asked for certain information, but the discussion proceeded, and I was prevented in the circumstances from replying to him. Had he been in the chamber a little earlier, he would have known that I gave information in reply to a similar question, put by the honorable member for Nepean, the honorable member for Hunter, and one or two others, respecting grants to rifle clubs, and money to be expended for the purpose of areas for rifle clubs and so forth. So far as the expenditure is concerned, the honorable member will gather from his experience to-night, at all events, that one reason why all the money voted is not expended within the financial year, is that honorable members, undoubtedly in the full exercise of their rights, delay the passage of the Estimates so long that a large part of the financial year is over before the Government can proceed to carry out the works. I can promise him, however, that every effort will be put forward during the ensuing few months to expend every penny that has been voted for these purposes. The sincerity of the Government in respect of rifle ranges has been shown by the fact that they are proposing to expend in this direction something like £70,000 as against £17,000 spent during last financial year. Their intention is that every facility shall be given to rifle clubs to secure efficiency.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [9.54].—Division No. 10, under which the Committee is asked to vote £468,700 in respect of special defence material, is designed to carry out a matter of policy. In the first place we ask for £300,000 for warlike stores, including field and machine guns, vehicles, harness and saddlery, arms, accoutrements, and other regimental and personal equipment, including ammunition. This equipment is required to place the forces in such a state that they could take the field fully armed and equipped with warlike and medical stores, tools, vehicles, &c. At present many articles of equipment are deficient. This amount is complementary to the £200,000 voted in 1910-11. Then again the division includes a proposed vote of £20,000 for the supply of cloth for uniforms required by troops on the commencement of adult universal training, the money to be paid into a trust fund—the Military Clothing Material Account. We ask also for £5,000 in respect of a reserve of warlike stores, to provide reserve parts for existing field batteries for war. There is no arsenal here, and the distance from England, and the time therefore occupied, renders necessary the provision of "spares." With regard to item 4, £45,000, the purpose is to provide annually four batteries of the Field Artillery complete with guns, vehicles, harness, equipment, &c. The intention is to work up to the Kitchener scheme.

Mr. KELLY.—Why do the Estimates say "towards cost"?

Mr. FISHER.—The expenditure is not final. An amount will have to be voted next year towards the completion of the Kitchener scheme.

Mr. KELLY.—Do these votes represent the whole cost for this year's work?

Mr. FISHER.—This vote is not a contingent vote. It is the total amount to be spent this year to provide for the equipment of the troops.

Mr. GREENE.—The money will give us four batteries this year?

Mr. FISHER.—Yes. We may have to provide some ammunition and other things later on; but not to any material amount. The item of £2,000, which stands next on the list, is "towards providing apparatus for wireless telegraphy in the field." I need not remind honorable members that wireless is now in use in nearly all Continental armies, and there is no reason why Australian troops should not experiment with it. There cannot be any doubt that wireless telegraphy will be an important feature in future warfare. The sixth item, £65,000, is to provide rifles for the Senior Cadets. I am sure that no honorable member will take objection to that. The seventh item, £31,700, is for a reserve of gun ammunition. The amount provided represents half the cost of providing increased equipment of ammunition for the fixed defence and Field Artillery armaments. I have scanned the whole of these items with the Minister of Defence; and, while much more was asked for, he admits that this expenditure will bring our Forces up to a state of efficiency.

Mr. McWILLIAMS (Franklin) [9.58].—This matter of Defence expenditure will be discussed next week in connexion with the Budget. But, meanwhile, the attention of honorable members ought to be

drawn to the way in which our expenditure in this direction is increasing. We have just voted, roughly speaking, £500,000.

Mr. FISHER.—The Defence vote is £3,000,000.

Mr. McWILLIAMS.—The expenditure on ammunition and stores amounts to nearly £500,000; and it is just as well that attention should be drawn to the rapid increase of our Defence expenditure. I know that it is unpopular to say so; but I am satisfied that, in the immediate future, the House will have to consider seriously the enormous expenditure to which Australia is being committed in this direction. I urge the Committee, and the Government, to consider the subject very seriously, and to watch carefully the manner in which our military advisers are leading us into an enormous outlay.

Mr. CANN (Nepean) [10.0].—I should like to know whether the expenditure of £65,000 on rifles for Senior Cadets will be spent on rifles manufactured at the Federal factory, or whether the weapons are to be obtained from abroad?

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.1].—I regret being unable to give the honorable member a definite answer; but I believe that the rifles are required immediately for the equipment of the Cadets. It is the policy of the Government, and the determination of the Minister of Defence, to have as many of our rifles manufactured at Lithgow as possible.

Mr. KELLY (Wentworth) [10.2].—There is one omission from this schedule. No provision is made for material for an aviation scheme. I observe that Division 11 provides a sum of £4,000 "towards the establishment of an aviation corps." I presume, however, that that is for *personnel*.

Mr. FISHER.—I think that it is intended to make some experiments.

Mr. KELLY.—It will be difficult for our men to make experiments in flying unless they have machines to fly with. It will probably be advisable to purchase a machine if any of our Forces are to be trained as aviators.

Mr. FISHER.—Might it not be possible to hire machines and work with them in the meantime?

Mr. KELLY.—I believe that it would be almost impossible to hire machines. Experience of persons who use hired machines leads one to suppose that they would be smashed up very quickly. Certain be more costly to hire flying mach to buy a couple.

Mr. FISHER.—The honorable must recollect that a man who ex with a flying machine takes his l hands.

Mr. KELLY.—As a matter o man who is learning aviation first by going across country. It is com easy for a man to learn to fly. culty occurs when men are taug serve what is visible to them while flying. An aviation scheme re least a couple of machines, and I Treasurer should consider the ness of buying them at once. understand why provision has no been made.

With regard to the general vote fo material, I wish to congratulate th ment upon the steps that have bee make our Defence Forces mobi field. It is all very well to compl this kind of expenditure, but I mind honorable members that an be efficient, must be something mo mob of men. It must be intellig capable of being led to the scene and capable of being supplied w it reaches the field of action. In these three objects may be obta must have efficient material, with for transport on an adequate scal

Mr. RILEY.—Has the honoral ber any idea of the taxation per defence purposes in the Common compared with other countries?

Mr. KELLY.—I do not want t that matter now, but I am delight that the Government are doing son equip our troops for effective ser few years ago it would probably h six months to put a brigade into That is not the kind of thing we w are to have a Defence Force at all therefore, glad that the Govern taking the necessary steps.

Mr. RILEY (South Sydney) With reference to the item of £2 cloth for uniforms, I should like whether that material is to be man in the Commonwealth or importe

Mr. FISHER (Wide Bay—Pr ister and Treasurer) [10.5].—I sh like to commit myself definitely, bu that orders have been given to loc facturers. I believe, however, t cannot be fully supplied. In th some of the cloth will have to be

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As much of it as possible will be produced locally.

Mr. RILEY.—I thought, from the money voted last year, that we were to have a clothing factory of our own.

Mr. SINCLAIR (Moreton) [10.6].—There is an item of £1,200 under division 11 for a special railway siding for the manœuvre area at Tammin, Western Australia. The Government is creating what may prove a dangerous precedent if, after paying the States all railway charges, it goes to the expense of providing sidings.

Mr. CHARLTON (Hunter) [10.7].—I wish to know whether the item for replacing condemned ammunition—£10,000—is to make good defective supplies?

Mr. FISHER.—No; it is to replace cordite which has deteriorated in the hot parts of Australia.

Mr. CHARLTON.—An amount is set down to provide apparatus for testing ammunition. I urge the Government to give consideration to the advisability of establishing a testing station in Australia for all imported powder.

Mr. FISHER.—To provide an Australian test?

Mr. CHARLTON.—Yes. That is an important matter of which we should not lose sight. Great quantities of explosives are used in connexion with mining, and in gassy mines it is essential that the explosives are such as will not give off fire. A company was formed some time ago to manufacture mining explosives in Australia, but it found that it could not sell its goods because they were not on the permissive list. When inquiry was made as to how their explosives could be put on the permissive list, it was found that samples would have to be sent to the Old Country to be tested. There the testing of explosives is under the control of a Board. If an Australian manufacturer sends explosives to the Old Country to be tested, he runs the risk of having them deteriorate on the voyage. On the other hand, imported explosives which have been tested in the Old Country may deteriorate on the voyage out, and there is also the danger that they may not have been tested. The tests at Home may be made periodically, and defective explosives may thus be sent out here. Seeing that human life is at stake, the Commonwealth should establish a testing station to prevent the use of any but safe explosives.

Mr. MCWILLIAMS.—Guns should be tested, too.

Mr. CHARLTON.—Yes, but that is another matter. I am assured that it would not cost more than £2,000 to fully equip a testing station.

Mr. BAMFORD.—The honorable member for Newcastle brought the matter forward six or seven years ago.

Mr. CHARLTON.—Then it is time that something was done.

Mr. ROBERTS (Adelaide—Honorary Minister) [10.10].—I am sure that the honorable member for Hunter does not suggest that the Government should make itself responsible for the quality of all ammunition now brought into Australia. Unquestionably the testing of imported ammunition should, in the interests of human life, receive consideration, and the Prime Minister permits me to say that it will get it.

Mr. BAMFORD.—We need an Australian test, so that explosives may be made here.

Mr. ROBERTS.—We shall take into consideration the advisability of testing all ammunition, whether imported or locally made. With regard to the question asked by the honorable member for Moreton, where a manœuvre area is so situated that railway connexion will facilitate the movement of troops, and the transport of ammunition and other material, making the working of the area more economical, the Government intend to provide it. It has been found that the working of the Western Australian area referred to will be facilitated by the expenditure of £1,200 on a railway siding.

Mr. SINCLAIR.—Has the Government of the State refused to make the siding?

Mr. ROBERTS.—No.

Mr. CANN (Nepean) [10.12].—I wish to know where woollen, clothing, and harness factories are to be established. Have the sites yet been decided?

Mr. FISHER.—The harness and clothing factories are to be in Melbourne; the site of the woollen factory is not yet determined.

Mr. CANN.—Has money been spent on them?

Mr. TUDOR.—Yes, on the harness and clothing factories.

Mr. MCWILLIAMS (Franklin) [10.13].—What is the position in regard to the manœuvre area in Tasmania which the Government took some steps towards purchasing?

Mr. ROBERTS.—I shall inform the honorable member to-morrow morning.

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Mr. GREENE (Richmond) [10.14].—It is proposed to spend £20,000 on the re-armament of the *Protector*, *Gayundah*, and *Paluma*, vessels which, I understand, are obsolete, and for all practical purposes useless. Does the Government hope to make them of service in the event of Naval hostilities, or is it simply proposed to equip them for the training of our men?

Mr. ROBERTS (Adelaide—Honorary Minister) [10.15].—These items are towards refitting two of the boats mentioned with guns for the purpose of training portions of our Navy. The advice of our experts is that if these vessels are re-armed, as proposed, their usefulness for the purpose will be considerably in excess of boats used for a similar purpose in the Imperial Navy. In the circumstances we have no hesitation in asking Parliament to spend the money.

Mr. McWILLIAMS (Franklin) [10.16].—Of course, in such matters, the opinions of the experts must have weight, but after the statement of the Honorary Minister one can only say that the vessels used for similar purposes in the Imperial Navy are far inferior to what many of us believed if they are no better than the boats which the Government propose to re-arm. It is a question whether it is worth our while to spend £20,000 on these old "dugouts." It seems to me like putting new wine into old bottles.

Mr. PAGE.—We must have our men trained with up-to-date guns.

Mr. McWILLIAMS.—Are these boats suitable for the training of our naval cadets?

Mr. FISHER.—Yes; Admiral Henderson says they are.

Mr. McWILLIAMS.—We can accept Admiral Henderson's statement, but it seems to me somewhat absurd to put first-class guns into boats that are more fit for the museum than for any useful purpose. Would it not be possible to put these up-to-date guns into vessels that are not obsolete?

Mr. W. ELLIOT JOHNSON (Lang) [10.19].—I think this money will be absolutely wasted. The vessels on which it is proposed to expend it should have been consigned to the scrap-heap twenty years ago. We should endeavour to train our men on vessels more approximating to the type of those on which they will be expected to serve. Year after year we are called upon to sanction votes for tinkering up these vessels, and the money wasted in that way would have gone far to replace them with vessels more suitable for the purpose required.

Mr. WEBSTER.—Does the honorable member say that these vessels are not seaworthy?

Mr. W. ELLIOT JOHNSON.—They may be, but I should prefer, if I were making a trip to the Old Country, to go by one of the Orient or Peninsular and Oriental Steam Navigation Company's boats, or by the *Powerful*.

Mr. McWILLIAMS.—The *Powerful* is being sent Home to be scrapped.

Mr. W. ELLIOT JOHNSON.—The *Powerful* is certainly an up-to date vessel compared with those upon which this money is to be expended. But even that vessel is considered by the Admiralty to be obsolete, although she has been only fourteen years in commission. I hope that this is the last of such votes that we shall see.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.22].—The most experienced, as well as the youngest amongst us, must accept the advice of experts in a matter of this kind. It is proposed to put modern guns on these vessels in order that our Reserve Forces may be trained in the use of such guns if it should be necessary to transfer them later to fighting ships. The vessels in question are efficient for the purpose required, but they must be armed with up-to-date guns.

Proposed vote agreed to.

Divisions 14 and 15 (*External Affairs*), £29,400.

Mr. GREENE (Richmond) [10.23].—The Prime Minister promised that when this vote came on the Minister of External Affairs would give the Committee a full statement of the policy of the Government with respect to the Northern Territory.

Mr. FISHER.—No; on the Estimates in Chief.

Mr. GREENE.—In view of that statement, I should like to refer the Prime Minister to page 2089 of *Hansard*. He will find that while these Estimates were under discussion he said—

> I have asked the Minister for External Affairs to make a statement of policy during this debate.

Mr. FISHER.—That means the debate on the Estimates in Chief. It is really the same debate.

Mr. GREENE.—Honorable members on this side were looking forward with interest to the promised statement, in order that they might know where they were when they came to discuss the Budget.

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Mr. PAGE (Maranoa) [10.24].—Like the honorable member for Richmond, I am extremely anxious to know the policy of the Government with regard to the Northern Territory, but I did not expect that it would be stated on these Works Estimates. The Prime Minister has promised us that the Minister of External Affairs will give us the Government policy when we come to deal with items affecting the Northern Territory on the General Estimates.

Mr. W. ELLIOT JOHNSON (Lang) [10.25].—The honorable member for Darling Downs drew my attention to the fact that the Prime Minister had made a statement one day last week to the effect that when these votes came up the Government policy with respect to the Northern Territory would be explained. The honorable member for Darling Downs said—

> I wish to know from the right honorable gentleman if a statement of policy is to be made regarding the development of the Northern Territory, where obviously there must be considerable expenditure of public works. . . . We should know what is to be done, what gauge is to be adopted, and whether the line is to be ultimately carried forward to join the Queensland railway system.

To that statement, the Prime Minister replied—

> I have asked the Minister for External Affairs to make a statement of policy during this debate.

That referred to the debate on the Works and Buildings Estimates.

Mr. FISHER.—I had it in my mind that the debate on the whole of the Estimates and on the Budget was practically the same.

Mr. W. ELLIOT JOHNSON.—The honorable member for Darling Downs then said that he would reserve his remarks until a later stage, being clearly of the opinion, like others on this side, that it was the intention of the Prime Minister to have a statement of policy made before this item was passed.

Mr. FISHER.—Does not the honorable member admit that this is practically the same debate as the Budget debate?

Mr. W. ELLIOT JOHNSON.—Practically. If the Prime Minister says he did not mean what the honorable member understood, I am satisfied.

Mr. FISHER.—The Minister of External Affairs could not have made a statement to-night in any case.

Mr. McWILLIAMS (Franklin) [10.27].—I quite understood that the full exposition of the policy and intentions of the Government with regard to the Northern Territory would be made in the debate on the General Estimates, but I take this opportunity of expressing my great disappointment with the official report which has been presented to the House. I never before read such a meagre report from any Department. It would be impossible for any one to take up an equal amount of space and say less in it than is said in that report. If those in charge of expeditions of this character are to furnish such reports, it is time that the Government took action. No Government can ignore the fact that the Northern Territory is a real live question, and a heavy burden on the people of Australia. The subject must be taken in hand and dealt with in a thoroughly practical way, in order that at least some return may be got from the Territory for the enormous amount being spent on it. We all exceedingly regret that the Minister of External Affairs is unable to be in the House this evening, and I hope that before the debate on the Budget proceeds very far he will be able to make the promised statement, so that honorable members can debate the question when debating the Government's Budget proposals generally. I want it to be known that some of us feel that there must be no mark-time policy in connexion with the Northern Territory. It is far too serious and costly an item for us to sit down and allow the expenditure to go on as at present.

Mr. WISE (Gippsland) [10.29].—There is a vote of £2,500 in connexion with the "Port Augusta Railway." We have already passed a vote for the transcontinental railway from Kalgoorlie to Port Augusta. Is this for a different line?

Mr. ROBERTS (Adelaide—Honorary Minister) [10.30].—Under the Northern Territory agreement a certain portion of the railway from Port Augusta north was taken over. It is to that line that the item refers.

Proposed vote agreed to.

Resolutions reported; Standing Orders suspended, and resolutions adopted.

Resolution of Ways and Means covering resolutions of Supply adopted.

APPROPRIATION (WORKS AND BUILDINGS) BILL.

Ordered—

That Mr. Fisher and Mr. Tudor do prepare and bring in a Bill to carry out the foregoing resolution.

Bill presented by Mr. FISHER, and passed through all its stages.

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ADJOURNMENT.

Australian Produce in London.

Mr. FISHER (Wide Bay—Prime Minister and Treasurer) [10.36].—In moving—

That the House do now adjourn,

I wish to say that the Government intend to give the honorable member for Gwydir to-morrow, and, if necessary, the next day, to discuss the recommendations of the Postal Commission.

Mr. PAGE (Maranoa) [10.37].—I wish to draw the attention of the Minister of Trade and Customs to an article which appeared in the Melbourne *Herald*, on Tuesday, 7th November. It is headed—"Australian Meat." "Handling in London." "Ineffective Methods." The paragraphs which I wish to quote read—

> Complaints have frequently been made as to the haphazard manner in which the meat is dealt with, and Mr. Levy is now satisfied that the whole of the trouble arises between the time the meat leaves the steamer and gets into the hands of the consumer. The meat appears to be well looked after in transit from Australia to London; after that, there is ample room for improvement in the methods of its handling.
>
> It was somewhat significant, said Mr. Levy, that at none of the hotels or restaurants at which he made special inquiries could he obtain an admission that either Australian meat or Australian butter was used. He thought that something should be done to bring about the recognition of Australian produce. The quality was alright, and the fact that the meat or the butter was Australian should be loudly proclaimed, not concealed.

I desire to ask the Minister whether it is the intention of the Government to do anything towards bringing our Australian products before the public of Great Britain? It was with amazement that I heard the statement made at a deputation which waited on the Minister of External Affairs, that 75 per cent. of our Australian butter was sold in London either as Danish butter or as butter from other countries. I maintain that our product is equal to that of any other country in the world, and that our producers, both in the meat and butter industries, are anxious that their products should stand upon their own merits. My anxiety is that the Government should do something in that direction, so that Australian products, when they reach Great Britain, should not lose their identity. Is it the intention of the Government to do anything in respect of Australian meat and other products, and if so, when?

Mr. TUDOR (Yarra—Minister of Trade and Customs) [10.40].—The honorable member informed me that it was his intention to bring this matter forwar motion for adjournment. I n once that, at the last Cabine it was decided to call for appli the appointment of an expert to advise us as to how our pro treated there. The applicatio made returnable early in the new

Mr. McWilliams.—For all

Mr. TUDOR.—Yes; but prin meat. We require an expert wh only be able to advise us, but wh be able to advise the High Cor and thus prevent the publicatio of the tales which have been ci the press of Great Britain fro time, to the damage of Australia We desire to get a good man fo tion. Speaking from memory, I think, is to be £600 a year.

Mr. Page.—Will the Gove anything in regard to butter and ducts?

Mr. TUDOR.—The honorab must know that, although the Act was passed in 1907, until twe ago, the export inspection unde was carried on under the supe State officers In other words, a single Commonwealth officer to Since then, we have had one n person of Mr. Preedy, who has work, considering the wide ran jects with which he had to deal.

Mr. Page.—But do the Govern to have a man at Home?

Mr. TUDOR.—Yes. If we man who is familiar with Austr ditions, so much the better. cannot do so, we must get an o after he has seen the conditions tain in Great Britain can come inform us of those conditions.

Mr. Page.—My advice to th ment is to be sure to send an Au

Mr. TUDOR.—The honorabl is not keener upon sending an than I am, but we want to secu vices of the best man available. possible that, on account of the cost of the Commerce Depart shall have to slightly increase ou think that the Department shou way; and I know that the ex meat have said that they are quite to pay something extra in order that justice shall be done. I a fessor Stewart, of the Sydney U while he was in England recently a report on what he saw there on

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the Government. I have not yet seen his report. But he was familiar with Australian conditions, and he is a man who has worked himself from the bottom rung of the ladder up to his present position. I repeat that the Cabinet, at its last meeting, decided to take steps in the direction indicated by the honorable member for Maranoa.

Mr. GREENE (Richmond) [10.44].—Although the Government propose to appoint an expert in regard to meat, it will probably be found impossible to get one man who is expert in every branch of trade. For instance, a person who is an expert in meat, will probably know nothing whatever about butter or fruit.

Mr. WEBSTER.—Is it not possible to get a man who understands both those branches of industry?

Mr. GREENE.—That may be possible, but it is very difficult. If the Minister proposes to make the producer pay the cost——

Mr. TUDOR.—I say that I think we should make the Department pay for itself.

Mr. GREENE.—While there is no doubt a reason for looking after the interest of the meat producers, there are other branches of production that also require safeguarding.

Mr. TUDOR.—That I recognise, but if the honorable member knew as much about the meat industry as I do, he would see the urgent reason.

Mr. GREENE.—I hope that if the Minister finds this step a success, he will not lose sight of the interests of other producers.

Question resolved in the affirmative.

House adjourned at 10.47 p.m.

Senate.

Thursday, 9 November, 1911.

The PRESIDENT took the chair at 2.30 p.m., and read prayers.

PROSECUTION OF CADET.

Senator CHATAWAY.—I desire to know whether the Minister of Defence is in a position to answer the following questions, which I asked on the 19th October:—

1. In the case of the cadet named Clark, at Albury, was it under the instructions of the Defence Department that the prosecution was made under the Victorian Police Offences Act instead of under the Commonwealth Defence Act and Regulations?

2. If so, why?

3. If not, is it the intention of the Government to utilize Commonwealth laws to enforce its own laws, rather than those of the States?

Senator PEARCE.—When the questions were asked I promised to make inquiries. The facts are as follow:—

On the 16th September, the Area Officer, Albury, Lieut. Fitz-Gerald applied for permission to prosecute Cadet Clark. No approval was given, and it was pointed out to the area officer that the offence appeared to be a breach of the Police Offences Act, as the offence alleged was not committed on parade. The area officer apparently took this as an authority to take action under the Police Offences Act, and prosecuted accordingly.

Instructions were issued on the 17th August that no action was to be taken against Cadets in Civil Courts by their commanding officers or adjutants as provided by the Defence Act 110 without the authority of the District Commandant, which in this case was not given.

APPROPRIATION (WORKS AND BUILDINGS) BILL.

Senator MILLEN.—I desire to ask the Minister of Defence a question in order to save a little time later, in view of a proposal which I know he intends to make. Can he during the afternoon have taken out the amount of the re-votes as distinct from the total re-vote in the Appropriation (Works and Buildings) Bill?

Senator PEARCE.—If honorable senators will refer to the Estimates of expenditure which were distributed some time ago, they will find the information which is desired by the honorable senator. But, supplementing that, I propose at a later stage to give the amount of the re-votes and the total. If honorable senators want the particulars, they will find the re-votes stated in connexion with each particular item.

Senator MILLEN.—The point is that it is not totalled.

Senator PEARCE.—I can give the total amount.

Senator MILLEN.—That will do. The total for each division is stated, but the grand total is not given.

Bill received from the House of Representatives and (on motion by Senator PEARCE) read a first time.

Senator PEARCE (Western Australia—Minister of Defence) [2.35].—I understand that the contingent notice of motion to suspend the Standing Orders does not cover this measure. I ask the Senate to suspend them in order to enable it to be dealt with. I do not wish to curtail discussion in any way. No action in that direction will be taken if the debate is confined within

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reasonable limits; but honorable senators will, I am sure, recognise that the year is slipping by, that a large amount of public money is held up, and that the carrying out of public works is delayed pending the authority of Parliament to proceed. As all the items which are covered by the measure have been under the notice of honorable senators for a considerable time in connexion with the Estimates, I suggest that they will only be doing their duty to the country in proceeding at once with its consideration. That will not deprive any honorable senator of his right to freely criticise various items. I appeal to the Senate to accede to my request. I move—

That so much of the Standing Orders be suspended as would prevent the Bill being passed through its remaining stages without delay.

Senator MILLEN (New South Wales) [2.38].—With a great deal of what the Minister has said I am sure honorable senators generally agree, but I trust that, whilst he seeks to suspend the Standing Orders for the purpose of making progress it is not intended to carry the measure right through at one sitting if the discussion should show that honorable senators desire an opportunity to examine the items in greater detail.

Senator PEARCE.—That is so.

Senator MILLEN.—Personally, I am quite willing to agree to the suspension of the Standing Orders for the purpose of making progress, but it must not be assumed that in assenting to the motion, we on this side view with equanimity a suspension of the Standing Orders to carry through all its stages a measure of which we know very little at present.

Senator McCOLL (Victoria) [2.39].—I would remind the Minister that it is not the fault of the Senate that the measure is brought forward at this late period of the year. Parliament was in recess for ten months, and should have been called together months ago, so that the Estimates could have been brought forward. It is straining our patience a little too much to bring in this Bill without previous notice, and ask us to appropriate nearly £3,000,000 without having a moment to examine the various items. At the same time, I think it would be ungracious to refuse our assent to the motion, and so I do not propose to object.

Question resolved in the affirmative.

Senator PEARCE (Western Australia—Minister of Defence) [2.40].—I move—

That this Bill be now read a second time.

In reply to the question raised by the Leader of the Opposition, I promised to supply the Senate with the total amount of the re-votes proposed in this Bill. I find that I am unable to do so at present. I have asked the Treasury officials to let me have the figures the moment they arrive, and if I cannot give the desired information before I conclude my remarks, I shall do so at a later stage of the discussion. The total vote represented by this Bill is £2,791,365. Under the authority of the Act which was passed last year an amount of £1,318,099 was expended, so that the expenditure contemplated under this measure represents an increase of £1,473,266. Taking the Departments in their order, the expenditure which we are asking Parliament to authorize is as follows:—Department of Home Affairs, £824,915; Postmaster-General, £1,300,000; Treasury, £5,150; Defence, £631,900; and Department of External Affairs, £29,400. I am now informed that the total amount represented by re-votes in the sums which I have mentioned is £281,160. There is one item in this Bill to which I desire to direct special attention. It reads, "Division No. 6a, Special Works; No. 1. To pay into Trust Fund, Telegraphs and Telephones Special Works Account, £600,000." That amount is in addition to a vote on account of works for the Post and Telegraph Department of £700,000. Honorable senators are well aware that during the early years of Federation, the Postal Department was undoubtedly starved in its works vote. While the Commonwealth was returning to the States large sums of money in the form of the Federal surpluses, the Post Office, during those years, was not receiving the amount of money which it needed to enable it to keep its works up to date, and to meet public requirements. This vote of £600,000 represents an endeavour on the part of the Government to meet the difficulty that has been created by the failure of this Parliament in past years to provide money for necessary works. Honorable senators know perfectly well that in ordinary circumstances, at the end of June, which marks the close of the financial year, all votes lapse except those which are paid into Trust accounts. The awkwardness of that procedure comes home to those who are in charge of Departments, because after the 30th June of each year, the only works which can be proceeded with are those which can be carried on out of the Treasurer's Advance, and for that expenditure parliamentary sanction has subse-

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quently to be obtained. Naturally, no Government cares to incur extraordinary expenditure out of that fund. As a rule, it is used only to carry out such works as are of an urgent character. Then when the Estimates are passed late in the financial year, an attempt has to be made to rush other works through. The Government propose that this £600,000 shall be paid into a Trust Fund, and that, subsequent to the passing of this measure, a Bill shall be introduced to authorize the establishment of such a fund. The Treasurer has informed the members of another place that when that Bill is submitted it will contain a schedule setting forth the items upon which this money is to be expended. In other words, the measure will resemble an ordinary Works Bill, inasmuch as it will contain a schedule of works, but with this difference, that any money which may be unexpended at the end of the financial year will then be utilized by the Department to continue such works.

Senator MILLEN.—So that the Government intend to circumvent the Audit Act.

Senator PEARCE.—I do not know that that is the proper way to put the position, because the requirements of the Audit Act can be met in another way, as the Leader of the Opposition knows. I am sure that those honorable senators who have had much departmental business to transact must have long ago concluded that the time is rotten-ripe when we should attempt to put the Post Office in an efficient condition, and that can be accomplished only by a large expenditure upon works. The £700,000 represented in the ordinary Estimates of the Postal Department is supplemental to that, and it is proposed to follow that expenditure by another vote of £700,000 next year, as the officials estimate that, to put the Department upon a proper footing, an expenditure of £2,000,000 is necessary. It may be asked, "Why not embody the whole expenditure of £2,000,000 in these Estimates?" The answer is that it would not be possible during the current year to carry out the whole of the works which are necessary. Consequently, I ask honorable senators, in their criticism, to remember that, under the proposal of the Treasurer, the control of Parliament will be amply safeguarded. They will have an opportunity of discussing the items, which will be set out in the schedule of the Trust Bill. If any of those items are eliminated, this money will remain in the Trust Fund; and if, when the works authorized are completed, a balance is available, that balance will be paid into the Consolidated Revenue in the ordinary way. Amongst the main items in this Bill are the following:—Store at Darling Island, Sydney, £35,053; towards the completion of the Military College, £40,000; cost of the establishment of the Federal Capital at Canberra, £100,000; Transcontinental Railway, Kalgoorlie to Port Augusta, £22,500; Naval Barracks, Submarine Depôt, £53,000; New Quarantine Buildings, £32,800; Small Arms Factory, Lithgow, £19,000; Cordite Factory, Maribyrnong, site and works, £16,615; Beerburrum manœuvre area, £13,608; Sydney Parcels Post Office, £25,000; Wireless Telegraph Station, Fremantle, £11,000; Purchase of sites — Post and Telegraph Offices, £50,000; Telegraph and Telephones—ordinary vote for construction, £700,000; Telegraphs and Telephones—special vote for construction, £600,000; Defence—warlike stores, £300,000; cost of providing four batteries Field Artillery, £45,000; rifles for Senior Cadets, £65,000; reserve of gun ammunition, £31,700; armament and stores for fixed defences, £55,650; to replace condemned ammunition, £12,000; raw material for Cordite Factory, £10,000; naval works, dockyards, &c., £20,000; re-armament of the vessels *Protector*, *Gayundah*, and *Paluma*, £20,000; buildings for the Northern Territory, £26,900. The votes for the Home Affairs Department, of course, contain expenditure, not for that Department purely, but for all other Departments. I do not propose in my remarks at the present stage to enter into details concerning those votes, because a more convenient opportunity will arise for making explanations concerning them in Committee. But I think it advisable, as some of these departmental votes are in the nature of policy, that I should make a few remarks now. It will be noticed that there is a vote for new quarantine buildings of £33,280. That has been rendered necessary by the fact that, when the Commonwealth Government took over quarantine from the States, in many cases the buildings that had been used for quarantine purposes were not transferred. This was not a transferred Department in the ordinary sense. Some of the buildings were retained by the States. It has been found necessary, therefore, to provide buildings in a number of the States for quarantine as conducted under the Commonwealth; whilst in other States in which

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buildings were taken over it has been found necessary to renovate and extend. Consequently, we have on these Estimates a pretty substantial vote for that purpose. I think that practically all the items for works under the control of the Postmaster-General's Department are of a detailed character, which can be best dealt with in Committee. The only items which, perhaps, call for comment are those relating to wireless telegraphy stations. Of two wireless stations at present in course of completion, the one at Pennant Hills, Sydney, is in the more forward condition, and only £5,000 is asked for the purpose. But for the purpose of the Fremantle station £11,000 is required.

Senator SAYERS.—Is no vote proposed for wireless telegraphy elsewhere?

Senator PEARCE.—Not under this Bill. There is, of course, provision for wireless telegraphy generally, but not for any specific establishments. That is to say, the Post and Telegraph Department has obtained the services of an expert in Mr. Balsillie, who will recommend where wireless telegraphy should be established. If in Committee honorable senators choose to ask for information on that point, I shall endeavour to find out what stage the expert's reports have reached, and what particular points in the various States have been selected for the establishment of stations. I may mention generally, however, that it is the intention of the Government to proceed with the establishment of wireless telegraphy stations around Australia, apart from the two which I have mentioned, though it is not proposed that they shall be of the same expensive character as the stations at Pennant Hills and Fremantle. In connexion with the Department of External Affairs, a commencement has been made—perhaps on a small scale, but still a commencement—with the problem of the development of the Northern Territory. These Estimates contain votes for various works that will be necessary to commence that development. Obviously, there cannot be a large amount for the purpose at present, because the work that is being done is largely of the nature of inquiry. Scientific and survey expeditions are being sent out to various parts of the Territory, in order that the Government may be able to formulate a developmental policy. Most of the expenditure represented in this Bill is caused by the necessity for inquiry, analyses of soils, establishment of experimental stations, and so order that the Government able to decide on scientific lines nature of the development shall how it shall be carried out. Com Department over which I have t to preside, honorable senators will that a very substantial vote is in this Works and Buildings Bill. siderable portion of the money a however, is for the purpose of w have already been authorized b ment. In that connexion I may the Lithgow Small Arms Fac Cordite Factory, the Military Col struction of rifle ranges, and the of our forts with modern guns with the extension of fortified pla Commonwealth. A new policy nexion with defence is the comm for the first time, of a Works D under the control of the Naval The Government have determined new departure in this respec naval works, so far as they par marine character—that is to say, s as constructing dock-yards, shi and depôts—will be carried out Naval Branch of the Defence D directly, and not through the Hon Department. The construction ings ashore, however, and the a of land, will still pertain to t Affairs Department, even when is done for the Defence Departm Naval Branch has had placed shoulders also the responsibility fo struction of vessels for the Comm I do not refer simply to vessels the Defence Department, but als Department of Trade and Custom are votes in the present Estimate construction of certain Customs v the Naval Branch of the Defence ment. Although it must be admi the Defence votes are large, and senses new, the policy which the tended to promote is not new. T say, these votes are for the purpos policy which Parliament has decid Honorable senators will obse looking through the Works E and general Estimates, that the rifle ranges has mounted up from the actual expenditure last £70,000 in the present year. fence Department has been subj criticism from time to time with r the provision of facilities for ri and rifle shooting. But I ventur

that when honorable senators consider that the expenditure has risen to £70,000 they will admit that the Government are making an honest effort to meet the requirements of the riflemen and of rifle shooting throughout the Commonwealth. In regard to special defence material, honorable senators will know that some four years ago it was decided, on the advice of the Colonial Defence Committee, that the fortifications around Australia, which were then deemed to be of an old type, armed with ancient guns, should be re-armed with the most modern weapons of the same calibre. There were, therefore, votes for the displacement of the old guns by new ones. The policy is being continued this year, and provision is made on the Estimates for placing new guns at the fortifications at Melbourne, Sydney, and Newcastle, and for new additional guns at Thursday Island. One very large vote is represented by the Lithgow Small Arms Factory. There has been considerable delay in the establishment of that factory, and I should like to give a short history of what has occurred. When Sir Thomas Ewing was Minister of Defence, he invited offers from firms throughout the world for the erection of a rifle factory capable of turning out fifty service rifles per day of eight hours. He did not provide plans and specifications, which contractors themselves had to supply with their tenders. When the first Fisher Government came into office they found that tenders had been called for on that basis, and that there were various types of machinery in use in such factories. One practice in the manufacture of rifles was adopted in America, and another in England. The English firms tendered according to the English system, under which, roughly speaking, a separate machine is used for the manufacture of each part of a rifle, and is not adjustable for the manufacture of any other part. Under the American system a lesser number of machines are used, and the cutters and gauges are so adjustable that one machine may be used for the manufacture of several parts of a rifle. Of the two tenders which, in the opinion of the Department, were the cheapest and the best, one was an American tender on the American system, and the other an English tender on the English system. The latter tender represented a very much larger sum of money than the former, but it was argued that the method of construction gave cheaper results.

Senator SAYERS.—What was the difference between the tenders.

Senator PEARCE.—I cannot give the exact amount, but the honorable senator will be able to find what it was by consulting a parliamentary paper which has been published in connexion with the matter.

Senator MILLEN.—There was a very substantial difference.

Senator PEARCE.—Yes; speaking from memory, I think the tender of the American firm was for £60,000, and that of the English firm for about £120,000. Prior to the receipt of the tenders, Sir Thomas Ewing had sent to England Engineer-Lieutenant Clarkson, an officer of repute in the Commonwealth service, to look into and study the business of rifle manufacture. The various tenders were by correspondence referred to Engineer-Lieutenant Clarkson for his report. It became a question of correspondence between the Commonwealth Government, represented first of all by Sir Thomas Ewing, later by myself, and later again by Mr. Cook, and the tendering firms, to find out exactly what they were prepared to supply for the amounts of their tenders. As I have said, no specifications were laid down by the Commonwealth, and I remember that it was an extremely difficult matter to judge as between the two principal tenders which would be most advantageous to the Commonwealth. Eventually the American tender was so supplemented by guarantees, and in other ways, and its advantages were so clearly pointed out, that Commander Clarkson, who had been promoted in the meantime, was satisfied that the American tender would give the best return to the Commonwealth, and he finally recommended that it should be accepted. That recommendation was received, I think, just before the first Fisher Government went out of office; and when Mr. Joseph Cook assumed control of the Defence Department one of the earliest acts of his administration was to accept the tender of the American firm. There are some terms connected with the contract which I cannot at present make public. The tenderers are considerably over the contract time in the supply of the machinery. They asked me, when I became Minister of Defence for the second time, to give them an extension of time for three months. I gave them an extension for one month. They also put forward a claim for compensation, on the ground that specifications supplied by the Royal Enfield Rifle Works of England,

the manufacturers for the British Army, were not correct. We, of course, repudiated any idea of compensation. They asked also that the penalty for delay in the completion of the contract should be waived on account of laxity in regard to the specifications. I said that I would consider the question of waiving the penalty when the contract was completed. We have consulted the Crown Law authorities, and believe we have done the best thing possible throughout in the interests of the Commonwealth, but it would obviously not be in the public interest that I should make public the exact position, nor the exact nature of the claims made by the company. I am giving the Senate this information because I think it will tend to clear up a doubt which seems to exist in some quarters, that since we have not yet exacted the penalty for delay in the completion of the contract we have in some way waived the rights of the Commonwealth.

Senator SAYERS. — That is publicly stated.

Senator PEARCE.—I am aware of that. I point out that the penalty can always be inflicted at the termination of the contract, should we consider it advisable and right to do so. So far as I am aware, we have not waived any of our rights by any action so far taken.

Senator ST. LEDGER.—Is there any threat or imminence of legal proceedings in connexion with the matter?

Senator PEARCE.—There is no threat or imminence of legal proceedings so far from either side. I do not think the position of the Commonwealth in the matter has been jeopardized in any way. I consider that it is a business attitude to take up to insist that the contract must first of all be completed before we decide what we shall do with regard to the infliction of a penalty, or with regard to any claim which the company may press for compensation. The fact is that from whatever cause, the completion of the contract is long overdue.

Senator GIVENS.—It will be nearly two years overdue by the time it is finished.

Senator PEARCE.—No, it is nearly a year overdue.

Senator MILLEN.—Does the honorable senator remember what was the time limit in the two tenders?

Senator PEARCE.—I do not; but the paper to which I have referred will give that information. There was a time limit in each case, and the English tender I know stipulated for a much l than did the American tender. that the difference in time was factors which induced Mr. Jos as Minister of Defence, to ma mind to accept the American te before I left office, with the f Ministry, the departmental o pointed out in connexion with t of time that under one tender w manufacturing rifles during the the other tenderers were manufa machines. The position now is tically all the machinery has bee and is being installed. The bu about completed. The power p was made in Australia, at the Island Dockyard, has also been although it has not yet been offi over. It is being put through tests to satisfy the departmental the specifications have been com

Senator MILLEN.—Was there little trouble in connexion with plant.

Senator PEARCE.—Yes, it that it did not come up to th test, and that is now being adju whole of the factory is approac pletion, and the acting ma forms me that he believes fore the end of the year i in full working order. In reg Cordite Factory, work has been steadily, and a stage has been rea they are making the constituent the manufacture of cordite. A l tity of nitric acid has been man and the manager tells me that to end of the present month he exp turning out cordite from the parts, which have been already tured. I wish to refer briefly t proposed in connexion with the partment. If honorable senators to the Estimates they will see £20,000, put down for dockyards piers, wharfs, surveys, and oth works. We had a report from Henderson as to what, opinion, were the best lines on base the Commonwealth nava In their naval policy the Gover endeavouring to follow these lines, the recommendations made cover diate future. In his report, Adm derson saw fit to refer to a perio covering twenty-one years, which into three periods of seven years far the Government are direct

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attention to the first period of seven years; although, as Admiral Henderson points out, what is done to-day ought to be done with a view to the period ahead, and the development which will follow from the taking of the proposed steps. As regards naval development and naval works, his main recommendation was that there should be a chief eastern naval base and a chief western naval base. At the outset he recommended that Sydney should be the eastern base, and that Fremantle, or a place in its vicinity—Cockburn Sound—should be the western base. He also recommended that round Australia there should be subsidiary bases for various purposes, and he instanced Westernport, in the vicinity of Hobson's Bay, Port Stephens in New South Wales, Port Lincoln in South Australia, Thursday Island, and Port Darwin. The amount which is asked in these Estimates largely represents surveys of the various places which he indicated, with a view to ascertaining whether they comply with the requirements which he laid down. In making his recommendations, he had at his service all the data which had been collected by the State Departments, the various surveys which had been made, and all the knowledge in the possession of the Navigation or Marine Boards. But it was obvious that the data as to some of the sites could not be definite. Take, for instance, Cockburn Sound, in Western Australia. That is not at present what we would call a harbor. The mouths of what is deemed to be the harbor are closed by shoals in one place and by rocks in another. We are asking the State Government to have borings made to see whether it is practicable to blast a passage through the rocks, or cut a passage through the shoals of sand. We are also taking steps ourselves to have surveys made of the land in the vicinity, to plan what should be done there to create a naval base, so that later we shall be armed with all information as to actual cost, and able to tell Parliament exactly what we propose to do, and where we intend to place the work. That we are not able to do to-day, because we have not the data. This vote, although it looks formidable in its wording, is largely required for works of an exploratory character, because what I have said about Port Cockburn also applies to Westernport and Port Stephens. In each of the last two mentioned places we desire to have surveys and trial borings made, in order that we may be able to decide where to place dockyards and naval works of various kinds. Admiral Henderson took it for granted that the Commonwealth was prepared to adopt the recommendation of the Imperial Conference of 1909, that we should establish a fleet unit, providing as it did for three submarine boats. He took into consideration the question as to where the boats should be located, and he recommended that one should be located at Westernport and one at Port Stephens; the former base to be used as the headquarters for the southern coast, and the latter base as the head-quarters for the north-eastern coast. He also recommended that we should take steps to provide for the training of the *personnel*, who would be raised in Australia for the manning of the Fleet Unit. In the Commonwealth service we have a number of old gun-boats which, according to our naval advisers, are perfectly fit for training purposes. I refer to the *Protector*, the *Paluma*, the *Gayundah*, and a couple of torpedo boats. The recommendation of our naval advisers is that, if these boats were each armed with an up-to-date gun, so that gunnery instruction could be given, they would be useful for two purposes. First, for training the Naval Reserve, which will be raised under the Defence Act—that is, youths who are over eighteen and under twenty-five years of age—and have to go to sea for twenty-five days in each year. Not only would the boats be useful for training these lads, and making them a valuable reserve for the Fleet Unit, but they would also be useful as recruiting boats for the *personnel* of the Fleet Unit. At present recruiting is carried on by the Australian Squadron, which is, of course, under the control of the Admiral. Some 400 Australians are being trained there, besides 200 or 300 who were enrolled for the Royal Naval Reserve. Those who joined the Naval Squadron during the last year or eighteen months were told that, in joining, they were practically undertaking to serve in the Australian Fleet Unit, and they signed on with that understanding; so that when the Fleet Unit takes the place of the Australian Squadron, the Australians who were enrolled during that period will pass over to the Australian Government, and will be used to man the Fleet Unit. It is necessary to supplement that number, because we shall require about 800 of the lower ratings for the Fleet Unit. Following Admiral Henderson's recommendation again, it has been decided to establish a Naval

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Barracks at Westernport, and there we shall give gunnery and torpedo instruction to recruits who will be recruited by the gun-boats in various parts of Australia, kept in barracks for some time of the year, and at other times sent to sea. There is also a proposition to do the same thing at Garden Island, in Port Jackson, with the consent of the Imperial authorities.

Senator GIVENS.—Will they retain Garden Island after the Fleet Unit is established?

Senator PEARCE.—No. When the Fleet Unit comes to Australia, they are prepared to hand over to the Commonwealth, free of cost, the whole of the naval establishment in Sydney.

Senator SAYERS.—That is very generous.

Senator PEARCE.—It is very generous indeed. We are asking the Imperial authorities to allow our recruits in the interim to go into the Garden Island establishment, and from there to be drafted on to the drill-ships—the *Pyramus* and the *Psyche*—which are set aside for that purpose. This vote on the Works Estimates is intended for the establishment of Naval Barracks, and a Gunnery and Torpedo School at Westernport, the idea being to get as many Australians as possible, so as to insure that in the Fleet Unit all the lower ratings shall be Australians. The expenditure of another large sum in connexion with the Defence Department is rendered necessary by the universal obligation to train which has been laid upon the youths of Australia. A sum of £65,000 is required for procuring rifles for the Senior Cadets. Orders have already been placed, and the object of this vote is to supplement them, so as to secure the necessary number of rifles. On the military side we have the advice of Lord Kitchener, which was tendered to a previous Government, and which was largely accepted and followed by the present Government. On that advice we are adding to the field batteries of Australia four batteries per year, and the Works Estimates contain an item of £45,000 towards that object. A new item, which also marks a departure and a new policy in defence, is an item of £31,700 to establish a reserve of gun ammunition. When we came to consider the position of our field artillery we found that the reserves of artillery ammunition were dangerously small. When we recall the quantity of ammunition which was expended in a gun during the Japanese-Russian war we can realize how dangerously low our reserves of field gu tion have been in the past. Unle the proposed step we may find at some time in an awkward posi pose that we were cut off from sea for a few weeks, we would great difficulty in providing ammu field artillery. There are no ma of the ammunition in Australia, fore, it became imperative that should be taken. Two courses we us: either to establish a facto manufacture of shells for field g establish a reserve of this class o tion. In time of peace our consu field gun ammunition and ammu the fixed defences is too small to factory during the whole year. sum would have been required t a factory, and when it was estab requirements would have been to keep it economically at work. the Government decided that, consumption of ammunition is o scale, it was imperative to estab serve of this ammunition on whic fall back in time of war, if sup the Mother Country were cut off.

Senator CHATAWAY.—What is of the ammunition expended in a ing peace time?

Senator PEARCE.—I canno value, but I can get it for the senator.

Senator MILLEN.—The real po terest is, by what amount will th vote be in excess of the consum the year?

Senator PEARCE.—This is vote of the kind, and it was co the Chief of Ordnance with a kno our annual consumption of ammu may mention that this reserve w charged shells, because cordite those tricky explosives which kept for any great length of tim the time it is manufactured it deteriorate, especially in a warm

Senator CHATAWAY.—It does more dangerous, like melignite?

Senator PEARCE.—Yes, it the case of all these high explosiv ration means danger, and once point is reached the article has stroyed. Our inspectors are o going round and testing the cor since I have been at the head of th ment we have had to destroy over worth of this explosive. What pose to do, therefore, is not to

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cordite, but to store the metal parts of the cartridges—the shells. Then, having the cordite works, we shall always be in a position to charge the shells in time of war. This reserve, I need scarcely point out, will not deteriorate. The shells will be as good in ten years' time as they are to-day. This is a new departure; but I think honorable senators will agree with me that it is a very necessary one. Then there is an item of £12,000 for replacing condemned ammunition. This does not refer exclusively to cordite which has deteriorated, but to ammunition in store for the old type of 6-in. guns. This ammunition has now become useless, owing to our having mounted more modern guns. Wherever it was possible to do so, we have used this ammunition; but, of course, we have not been able to use the whole of it. There are one or two places, too, where, according to experts, additional steps will need to be taken to make the proposed naval bases which we are establishing safe. That is to say, we shall require to mount guns of a heavier type, and we shall also need to extend the fortifications in those places. It is obvious that, if we have a formidable Fleet—and our Fleet, though small, will be a formidable one—no fleet will attack us unless it is equally formidable, both from the stand-point of the range of its guns, and of their penetration. Therefore, any ships sent down to attack our bases will be vessels carrying guns of a certain calibre. That consideration has caused us to extend our policy by arming our fixed defences. The amount which is set out on these Estimates represents the preliminary expenditure towards that end. I wish now to say a word or two regarding the Government policy in connexion with the factories which have already been established. In those factories, a system of accounts has been instituted by means of which we hope to be able to check the cost of production. We hope that these factories will be able to turn out the goods they are supplying as economically, if not more so, as we have hitherto been purchasing them from the contractors.

Senator CHATAWAY.—They will need to be an improvement on the Post and Telegraph Department.

Senator PEARCE.—We ought to be able to profit by the mistakes of other Departments. I repeat that a system of bookkeeping has been instituted in these factories, so that we shall be able to check the exact cost of materials, of labour, and of production. I do not know that there are any other items in the Bill to which I can direct attention at this moment. Most of them are of an ordinary character, and simply give effect to the policy which has hitherto been adopted. Certainly, we are asking for larger amounts than have previously been voted; but these larger votes do not relate to new items. During the past twelve months we have placed very huge contracts for clothing materials, and these contracts are provided for upon the Estimates now under consideration. Both the production of the cloth and its manufacture into uniforms are being carried out in the Commonwealth. Although there have been some complaints about the non-supply of uniforms to Cadets, honorable senators must recollect that it was only in 1910 that the Bill was passed which authorized the increase of our Defence organization; so that only a little more than twelve months have since elapsed. During that period, we have passed through one of the busiest years Australia has known, our factories have been working up to their full capacity, and we have had to go round and, as the Americans say, "hustle," in order to get our contracts placed, both for the supply of cloth and of uniforms. Though here and there we are slightly behind in the supply of uniforms, in most cases, they have been sent out as soon as the lads have been ready to receive them. In conclusion, I merely wish to say that any information which I can give to honorable senators, either in replying upon the motion for the second reading of the Bill, or in Committee, I shall be only too pleased to supply, because I recognise that Parliament has an undoubted right to the fullest information in respect of any subject which is dealt with in these Estimates. All I ask is that honorable senators will, as expeditiously as possible, pass the Bill, so that the many useful works for which it provides may be commenced, and that the Government may get going with many undertakings for which both Parliament and the people have been clamouring for a long time.

Senator MILLEN (New South Wales) [3.32].—The Minister of Defence has stated the position, from his point of view, very fairly by asking the Senate to make such progress with this measure as it can. In dealing with that aspect of the case, may I point out that he has frequently

expressed the view which is entertained by the Senate that a fairly reasonable opportunity should be given us of considering the finances of the Commonwealth. Seeing that this Chamber is disposed to extend to the Government a great deal of consideration in regard to this Bill, I think it is not unreasonable to ask them to afford us an early opportunity of considering the whole financial position, upon a motion which already appears upon the business-paper. It is only right that the Government should give that debate a little more prominent place upon the business-paper than it occupies at present. To postpone the question until we are on the eve of the prorogation, will be merely to keep the word of promise to the ear and break it to the hope. I quite agree with the Minister that there are matters which he mentioned which can be more advantageously dealt with in Committee, and I propose to follow his suggestion in that connexion. But I would direct attention to the serious practice which is growing up of endeavouring to circumvent the Audit Act. Under that Act, on the 30th June in each year, every sum which is unexpended falls back into the Consolidated Revenue, and has to be re-voted. However desirable a practice that may be in regard to votes for the ordinary annual services, its absurdity is becoming more and more manifest with each Bill that is presented to this Chamber. Nothing could have emphasized its absurdity more eloquently than did the remarks of the Minister of Defence in his attempt to defend it. He pointed out that because it is not possible to expend £600,000 upon telegraphic and telephonic works before the 30th June next, it is intended to establish a Trust Fund; and thus to evade the obligations of the Audit Act. This is not a solitary instance of the kind. I do not know whether the Minister can tell us how many Trust Funds are already in existence. I believe that the amount at present in them represents something like £11,000,000. I cannot better illustrate the position than by saying that on the Senate table there is a bottle of water, and several tumblers. The bottle we will suppose represents the Consolidated Revenue, and just so long as the water remains in it, the Senate exercises control over it. But if the Ministry pour a portion of that water into a tumbler, which I may liken to a Trust Fund, from that moment it passes out of our control. That is the one object underlying the establishment of Trust Funds, and it doubtless explains the strong affection which the Treasury officials have for this mode of procedure. I have no objection to the cash system being adopted in regard to the ordinary annual services, but when we are asked to hypothecate a certain sum of money for the purchase of a specific quantity of material, I say that Parliament, having approved of it, the amount ought to be expended, irrespective of whether or not it can be expended by a certain date. It is the acme of absurdity to say that, if Parliament, in its wisdom, votes £2,000 for the purchase of ammunition, because the money cannot be expended by the 30th June, it must lapse, and the Legislature must be asked to reapprove it. The extent to which this practice is growing is shown in the figures which are before us. Last year, we voted £523,616 in connexion with the Department of Home Affairs, of which only £330,468 was expended. Where is the justification for loading up the Estimates by this procedure, and of asking Parliament to reconsider its decision? This matter becomes more serious when we observe the growth of Trust Funds. Every session we create a fresh Trust Fund? Why? Merely to get away from the disabilities which are imposed by the Audit Act. Would it not be a more business-like procedure to amend that Act, and to say that when we have made an appropriation for the purchase of material, or anything else, it should stand good? When the general Estimates are under consideration, I propose to ask the Senate to consider the sums of money which are being dealt with under cover of these Trust Funds, and which thus pass beyond parliamentary control, notwithstanding that we may have had no information whatever as to the specific purposes to which they are to be applied. The Minister of Defence has assured us that though this £600,000 will be paid into a Trust Fund, not a penny of it will be spent until a Bill has been submitted containing a schedule which will disclose the details of the proposed expenditure. But I would remind him that a similar promise was made to the Senate on a previous occasion, and was not redeemed. I refer to the promise made in respect of the Naval Trust Fund. We were invited to appropriate a certain sum which was to be paid into the Naval Trust Fund, and we were given the solemn assurance by the Government of the day that not a single penny of that money would

Senator Millen.

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be touched until Parliament had been afforded an opportunity of approving or disapproving of the proposed method of expending it. We know that that promise was not redeemed. The fund was rifled, and appropriated without any further reference to Parliament at all. The justification urged was that there had been a change of Government, and that the Ministry of the day were under no obligation to redeem the promise of their predecessors. I refer to this as showing that the Ministerial promises, although under existing circumstances they may be of value, do not in any sense protect the rights of Parliament. If we place this £600,000 in a Trust Fund, there will be nothing to prevent the Government from spending the money as they like, barring their own word; and while I do not doubt that their promise will, in this instance, be rigidly observed, there is no guarantee to Farliament as to how the money will be spent. Parliament practically gives up its right even to inquire, or, at any rate, to control the expenditure, once it gives permission for the money to be passed into the Trust Fund. With regard to wireless telegraphy, I should like to have an assurance from the Government that they are not committing themselves more and more deeply to the Telefunken system, until at least they have had some assurance as to the result of the legal action recently instituted in Great Britain by the Marconi Company. The Telefunken system was very severely criticised elsewhere, and in the Senate, some time ago. Although the departmental view was not disturbed by parliamentary criticism, I think I am correct in saying that grave doubts existed in the minds of some honorable senators as to whether the correct course was being taken. Since then those doubts have been considerably strengthened. If any one wants proof of the assertion that the cheapest tender is not always the best, we have it in the disclosure made to-day by the Minister with reference to the Small Arms Factory. The Government of the day, with regard to both the Small Arms Factory and the wireless installation, felt itself almost compelled to accept the lowest tenders that were offered because of the low figure quoted for each. In both of these cases, an American firm in the one instance, and the local representatives of a German firm in the other, put in tenders very much below the rates quoted by their competitors. In regard to the Small Arms Factory, the Minister has to-day furnished us with particulars as to what has occurred. The successful tenderer had hardly got to work when a claim was put in for compensation, because it was professed to have been discovered that there had been some variation from the original conditions. The same thing occurred with reference to the construction of wireless installation, where the Government paid 50 per cent. increase over the tender price because of some alteration in the conditions, which, I venture to say, was not worth anything like the amount of compensation claimed. We know the subsequent history of this wireless company. It is a marvellous thing to me that, while we insist upon a Commonwealth monopoly with reference to wireless telegraphy, the Government should have consented to pay 50 per cent. in excess of the tender price almost as soon as the tender was accepted. I can only hope that the Government are not going to allow themselves to get further and further involved, so that they will be compelled to go on extending the Telefunken system as new wireless installations are required. I do not say at the present time that the Telefunken system is either the best or the worst system that we could adopt. I do not raise that point at all, nor is it necessary to do so. What I am anxious for is that the Government shall not be compelled, in regard to fresh installations, to deprive itself of the opportunity of adopting any other system which may be considered to be better; and, above all, I am anxious that the Government shall make itself abundantly safe by seeing that all legal difficulties are satisfactorily disposed of before we permit the Telefunken system to be finally installed in Australia. I have one remark to make concerning the Northern Territory. The observations of the Minister concerning the policy of the Government did not seem to promise a very hopeful future for that portion of our responsibilities. The Minister spoke of the amount set down on the Estimates for experimental farms, and said that it was intended to experiment in order to acquire that knowledge which would enable the Government to determine on lines of development.

Senator W. RUSSELL.—Hear, hear!

Senator MILLEN.—Are we to wait until those experiments have been concluded before we attempt to develop the Northern Territory?

Senator W. RUSSELL.—We do not want to spend thousands of pounds before we know how to spend it.

Senator MILLEN.—Are we to wait until scientific research has demonstrated

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how best we can develop the Northern Territory before we make any attempt to develop it?

Senator PEARCE.—No; but we think it advisable to ascertain what particular kind of development is likely to be successful.

Senator MILLEN.—I have quoted the Minister's words, as far as I could take them down. I understood him to say that these experiments were necessary to enable the Government to decide on lines of development. I take it, from the Minister's interjection, however, that he did not mean that remark to be construed too literally.

Senator PEARCE.—Hear, hear!

Senator MILLEN.—I understand that we are not to wait for the result of the experiments before we attempt to develop, but that developmental works will go on side by side with the experiments which will enable us, from time to time, to readjust our developmental policy. If that be the meaning, I quite approve of what is being done. The policy pursued is satisfactory, so far as it goes; but I should have liked to have had a more definite statement as to what is intended with regard to the Northern Territory. For myself, I am not free from apprehensions concerning it. First of all, I recognise that this is perhaps the biggest responsibility that we have yet shouldered.

Senator FINDLEY.—It is certainly a very big contract.

Senator MILLEN.—It is; and I will add—and I say this with a full sense of responsibility, and with seriousness—that I regret the Government have not obtained the services of a better adviser with regard to agricultural development. I urge the Government not to tie themselves absolutely to the advice which they will receive from those to whom apparently they are looking for guidance at the present time. There are persons in Australia whose capacity is beyond question, and who have had some practical experience—and I lay a great deal of stress upon practical experience—of tropical agriculture. The advice of these people is available to the Government if they seek it. They will do well to avail themselves of such advice before they proceed further. At any rate, I trust that they will not lay too much stress upon the reports which have been presented to them by their own [illegible]. Before I sit down, I may draw [illegible] to one little matter regarding t[illegible] the Bill. We might as well [illegible] The Bill professes to vote mo[illegible] purpose of "Additions, New W[illegible] Buildings, &c." That title find[illegible] on to the face of the Bill becau[illegible] the title of the first Works [illegible] troduced into this Parliame[illegible] the Minister will see that [illegible] sure is quite dissimilar fr[illegible] It contains large votes for def[illegible] poses, for the purchase of ma[illegible] military stores, for armaments, [illegible] tion, the establishment of an avia[illegible] the re-armament of vessels, and [illegible] These items of expenditure can ha[illegible] under the denomination of "[illegible] New Works, and Buildings." I [illegible] the point is not important, but I su[illegible] it is about time for the Governme[illegible] this stereotyped heading in orde[illegible] the title conform to the purpos[illegible] measure itself.

Senator ST. LEDGER (Q[illegible] [3.50].—The Minister of Defence[illegible] an appeal to the Senate to pass[illegible] without delay. He does not, [illegible] expect that there will be no crit[illegible] he has requested that there will [illegible] in the nature of obstruction. T[illegible] nation given, however, touches [illegible] ters of policy to such an extent [illegible] amount of criticism must be ex[illegible] this stage. I take the opportuni[illegible] ing a few words with regard to [illegible] of the more important subjects [illegible] in the measure which are not [illegible] being so well dealt with in Comm[illegible] will first refer to a point to whi[illegible] alluded on several other occas[illegible] are taking an enormous sum of [illegible] of revenue in order to provide f[illegible] nent works. Take one item alon[illegible] tablishment of a Trust Fund fo[illegible] poses of a Post and Telegraph[illegible] ment. An amount of over £[illegible] being taken out of the current [illegible] venue for that purpose.

Senator DE LARGIE.—Would [illegible] able senator prefer to borrow the [illegible]

Senator ST. LEDGER.—I an[illegible] honorable senator sees the point[illegible] Not a single member of the Go[illegible] from the Treasurer downwards, [illegible] disputed the proposition that the[illegible] Telegraph Department is not a [illegible] tive agency in the full sense of th[illegible]

Senator DE LARGIE.—It is re[illegible] to a very large extent.

[illegible]DGER.—It ou[illegible] [illegible]alth develops[illegible] [illegible]ome entirely [illegible] [illegible]ble to susta[illegible]

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expenditure. But at present the Department absorbs a very large amount of revenue. Notwithstanding the fact that these permanent works which will be built out of this Trust Fund money will be permanent assets of the Commonwealth, it is proposed to charge the whole cost upon current revenue. Why so?

Senator DE LARGIE.—Because we believe in paying as we go.

Senator ST. LEDGER.—I have said over and over again that this system amounts to sweating the taxpayer for the benefit of posterity, which, as a celebrated Irishman said, "has done nothing for us." I do not believe that there is a precedent for this kind of thing to be found in any public or private business the world over.

Senator DE LARGIE.—Nonsense!

Senator ST. LEDGER.—Of what use is it for the honorable senator to say "Nonsense?" Let him reply.

Senator DE LARGIE.—There is an easy reply to that.

Senator ST. LEDGER.—Then I hope we shall hear it from the honorable senator. Is it fair to charge one year's revenue the whole cost of permanent works which may be reproductive for the next thirty or forty years?

Senator DE LARGIE.—These amounts do not represent the whole cost of the proposed works.

Senator ST. LEDGER.—So much the worse for the honorable member's contention. There is not a member of the Senate who is not aware that twice or three times £600,000 will be required to place the Post and Telegraph Department on a sound footing in the matter of permanent works. Senator de Largie must have forgotten what the Minister of Defence said in introducing this Bill. The amount referred to is only an instalment of an amount representing over £2,000,000 required by that Department.

Senator DE LARGIE.—Spread over how many years?

Senator ST. LEDGER.—Spread over as many as honorable senators please.

Senator DE LARGIE.—This amount is this year's portion.

Senator ST. LEDGER.—There is to be another vote of about £700,000 next year, and a further vote a year after that. I have no hesitation in characterizing this as frenzied finance. There is no precedent for it.

Senator DE LARGIE.—It is honest finance, anyhow.

Senator ST. LEDGER.—Senator de Largie, with his knowledge of the requirements of the Post and Telegraph Department, should be acquainted with the conditions of the Postal Department of the United Kingdom. If he is he will know that no less than eighteen months ago, when by an Act of the Imperial Parliament it was provided that when the rights of the different telephone companies expired they should be taken over by the Imperial Government, a minute was sent down from the Postmaster-General's Department to the Treasury in anticipation of the requirement of £6,000,000 or £7,000,000 for the purpose, and it was accompanied by a statement that the cost of the transaction would be met by the Post and Telegraph Department by a system of terminable annuities. When the Postmaster-General of England warned the Imperial Parliament that it would be necessary to find £6,000,000 or £7,000,000 for the purpose mentioned, it never occurred to him to suggest that it should be taken out of revenue.

Senator DE LARGIE.—But it is taken out of revenue all the same.

Senator ST. LEDGER.—Not all. The honorable member cannot be cognisant of the matter.

Senator DE LARGIE.—I can assure the honorable senator that the Postal Department in the Old Country is a source of profit year after year.

Senator ST. LEDGER.—That has not the slightest bearing on the question I am discussing.

Senator CHATAWAY.—The Postal Department of the United Kingdom borrows from the Imperial Treasurer.

Senator DE LARGIE.—It was only borrowed on this occasion to pay back.

Senator ST. LEDGER.—The more the honorable senator interrupts the more it seems to me he appears still to be a schoolboy in finance. He must know, as Senator Chataway has said, that the British Postmaster-General has been for years borrowing from the Imperial Treasurer on debentures which are met by a system of terminable annuities.

Senator DE LARGIE.—The honorable senator would not make any provision for paying back at all.

Senator ST. LEDGER.—It would be the business of any Treasurer who instituted a rational and proper method of borrowing for reproductive works to see that the Departments for which the money was

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borrowed should establish sinking funds to meet the cost of works constructed from loan expenditure.

Senator DE LARGIE.—That is what ought to be done, but what the honorable senator's party have never done.

Senator ST. LEDGER.—Ever since I have been a member of the Senate, I have been complaining that that has not been done. When we find that the Postmaster-General's Department of the United Kingdom, with its 40,000,000 of probably the wealthiest people on earth, never thinks of charging to current revenue the whole cost of developmental and reproductive works, it should be patent to every one that a somewhat similar system should be applied to the construction of such works in Australia. What is the reason for the adoption of the Government policy in this matter? It is due to a financial shibboleth on the other side—"Don't borrow."

Senator DE LARGIE.—Hear, hear; unless you are compelled to do so.

Senator ST. LEDGER.—It is no more than a shibboleth, and we shall find that the Government will borrow all the same. What is the practice of private financiers in matters of this kind? The telephones in the United States are largely run by private enterprise.

Senator DE LARGIE.—And very badly too.

Senator ST. LEDGER.—There may be some room for dispute on that point. But if the service is better than ours, the obvious reason is that it would be almost impossible to find on earth a worse service than that in operation in Australia.

Senator W. RUSSELL.—My experience is that the Australian service is a very good one.

Senator FINDLEY.—Senator St. Ledger's view is not shared by visitors to Australia from America and Great Britain. They say that ours is the best system they have ever seen.

Senator ST. LEDGER.—The Minister would do well to bear in mind that very often our visitors successfully practice the art of "leg-pulling." The fact remains that private telephone companies, in extending the area of their operations, do not take the cost of permanent reproductive works out of capital. They spread it over a number of years, and from each year's revenue set aside a certain amount to cover the cost. It is so with every private enterprise. If a company is formed to carry on reproductive operations, it does not charge the whole cost of permane to the capital raised straight awa meet it depend to a very larg upon the profits derived. I this matter, because any one wh through the sparsely-populated of Australia must know that s is retarded because the Gov time and again, in answer to dem extensions, say, "There is no They might easily get the money especially for the Post and Teleg partment, but I regret to say tha Bill, proposing such immense ex on new works and buildings, the the slightest indication that the Go intend to adopt the financial policy everywhere else. In this connexio refer to a matter which probably will regard as proving that their a sound one. The previous Gov after careful deliberation, inte establish in connexion with the co of reproductive works for the Telegraph Department, something principle upon which the Post Offi United Kingdom is carried on, by ing to pay for those works by a s terminable annuities. I think th sound proposition. I have risen refer to this matter of financial po so long as I remain a member of th I shall protest against the Governm tem of charging the whole cost ductive works to current revenue.

Senator McCOLL.—I think w have a quorum while we are discu important matter. [*Quorum form*

Senator ST. LEDGER.—Until system of finance is adopted, espe connexion with the Post and T Department, the reasonable require the people for telephonic and te facilities will not be met. I do to blame the present Government this matter, because preceding Ad tions followed much the same line. is this difference, however, to sidered: That the last Government to abandon the policy of looking year's revenue to meet the whole new reproductive works. Such must in the end break down. T proposes the expenditure o £2,000,000 upon new works and b From the somewhat sketchy, but formative, remarks of the Ministe fence in introducing the Bill, it that we are committed to million penditure on works which will be p

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and reproductive. How are the Government, as our population increases, to meet out of revenue the expenditure which will be necessary upon the public works to which we are already committed? Senator de Largie suggested, by interjection, that I am the apostle for the loan business. But in a certain sense honorable senators opposite are the apostles for a loan policy. There are items in this Bill associated with the development of the Northern Territory, and with possible schemes of development in Western Australia, and the shibboleth of the Government party—no borrowing—is utterly impossible of application to these schemes of development. The Government cannot face the problem of connecting Port Darwin with Adelaide, and Port Augusta with Kalgoorlie, out of current revenue.

Senator READY.—We are building the Navy out of current revenue.

Senator ST. LEDGER.—The honorable senator is at liberty to take what consolation he likes from that. But when we come to consider the Government policy, we shall find that they depend upon proceeds of the land tax to meet expenditure on the Navy.

Senator MILLEN.—That is their great satisfaction—not that they are building a Navy, but that they are taxing somebody else.

Senator ST. LEDGER.—If I were to pursue this matter, I should be led into the discussion of matters of policy, and I think we might defer to the Minister's request not to trench too largely on matters of that kind in dealing with this Bill. Still, I say that if we are going to build the railways to which I have referred, we must borrow somewhere. If we are going to conduct the Post and Telegraph Department as it should be conducted, in order to give reasonable facilities to the people of Australia, we must borrow. When we get some idea of the financial policy of the Government, we shall find either that the development of the country by railways north and south is mere pretence and humbug of the electors, or, if there is sincerity behind it, that these reproductive works can only be carried out by the Commonwealth going to the loan market somewhere.

Senator GIVENS.—Do you not think that it is wise to borrow as little as possible if you must borrow?

Senator ST. LEDGER.—Certainly not. That is what I may be pardoned for calling schoolboy finance. If I had only a pound in my pocket, and I knew of a tract of country out of which I could take gold to the value of a million and a half, need I be deterred because I had not a million pounds? The more that honorable senators, on the other side, interject, the more do they reveal their ignorance of finance. And the more this matter is inquired into, the more clearly it is shown to be a preposterous piece of financial humbug.

Senator W. RUSSELL (South Australia) [4.11].—I was rather astonished at the statement of Senator St. Ledger, and at the warmth which he displayed. I have always been under the impression that "he who goes a borrowing, goes a sorrowing." I agree with the Government that, if possible, we ought by all means to pay our way as we go.

Senator ST. LEDGER.—But what if we cannot pay our way?

Senator W. RUSSELL.—I think that the warning applies there, too. When the time comes that we may have to borrow we can face the matter.

Senator WALKER.—How about the Northern Territory?

Senator W. RUSSELL.—That question will be dealt with by the Government by-and-by. I cannot forget that, during last session, we repealed the Naval Loan Act which had been passed at the instance of the previous Government to sanction a loan of £3,500,000 for establishing a navy. But the greater portion of the money required for that purpose has been found out of revenue. For the Defence Department, as well as the Postmaster-General's Department, money is required, and the Government's policy of last session is still in force, although it was denounced by the last speaker, and his colleagues, as one of the worst things which possibly could happen. It was described then as unjust, unfair robbery, scandalous robbery, and in other ways, but we do not hear much about the policy now. The result of its adoption has been that, instead of borrowing, we have found £3,500,000, practically out of revenue, and the much-denounced tax of last session has produced for the Commonwealth about £1,400,000. Those who hold large valuable properties are now called upon to pay their just and fair quota of the taxation. Surely they ought to find the means for protecting their estates.

Senator ST. LEDGER.—That does not touch the question of permanent reproductive works.

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Senator W. RUSSELL.—I would be very sorry, indeed, to deliver such a speech as the honorable senator has just made.

Senator CHATAWAY.—You could not.

Senator W. RUSSELL.—I do not think that I could, because, when I speak, I know what I mean, and I think that honorable senators on the other side know, too. I have not risen to kill time. I am glad that the Government are taking the stand which they do. I am proud that, while Labour is at the helm, we, as a Federal Parliament, are determined to pay our way as we go, and not to heap up burdens for those who have to come after us.

Senator ST. LEDGER.—How shall we build that railway in the Northern Territory?

Senator W. RUSSELL.—At the present time we do not need to borrow. Thank God for the change of politicians. Thank God, also, that the Fusion Government, which wanted to borrow money and put the Commonwealth in a wrong position, is no more, and that justice is being done.

Senator SAYERS (Queensland) [4.17].—I should like to have from the Government a promise that if this measure is passed with ordinary expedition, but, of course, after some discussion we shall have an opportunity to debate at length their financial policy. In fact, that opportunity should have been provided before this Bill was introduced. We are practically working in the dark, but if the Minister can give the assurance I desire, it will facilitate the passage of the Bill. We are asked to vote a large sum to carry out the works policy of the Government for the current year. A considerable portion of the amount represents votes which have lapsed, and have to be re-voted. I dare say that a large part of the sum which we are now asked to vote will also lapse, because I do not think that the Government will have the time, even if they had the will, to spend all this money on useful works during the next six or seven months. It is over twelve months since they promised that wireless telegraphy would be installed with expedition in Australia, but there has been only delay in this matter. A station was to be established at Thursday Island or Cooktown. According to the Minister of the day it did not need to be equipped in anything like the same way as the station at Fremantle or Sydney. When a ship goes Home it is installed with wireless telegraphy in about three weeks. I think that four or five months was ample time for the Government to fulfil their
We hear nothing from them nov
subject, except that the erection
tion is being proceeded with at
Hills and at Fremantle. What
being taken with regard to othe
which were to be established in
parts of the Commonwealth—for
one in Tasmania, and one in North
land? No money is asked on th
mates to carry out this necessary
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ought to proceed with the works w
promised to undertake. Althoug
has been done during the la
months, yet the Government co
now and tell us that for another
thing is to be done. That is n
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constructing railways and establi
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Capital is not so urgent as the in
of wireless telegraphy. It is e
all over the world, but Australia
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In my opinion, the Government
condemned for their inaction.
heard a lot about the Governme
ing out works with revenue, and
only. How are they going to pa
railways out of revenue unless the
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know what is their policy in tha
We are practically asked to vote
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titled to know when the Govern
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the Northern Territory? I have
a word from the Minister to-day
development of the Territory o
Surely it is intended to do someth

Senator PEARCE.—That will co
the general Estimates.

Senator SAYERS.—There is n
this Bill for the Territory of P

Senator PEARCE.—No.

Senator CHATAWAY.—There is
of £29,000 for the Northern
though.

Senator SAYERS.—Since it w
over the Northern Territory has
a loss at the rate of £316
nually, which, of course, the
have to make good. We
that the Government are makin
ments there. They had the
of the various experiments which
made by South Australia; and
fore they decided to take over the

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they should have had an idea of how they intended to develop its resources, and not ask the taxpayers to cover a deficiency of over £300,000 a year, merely telling us that something will be done there by-and-by. That is not a good business proposition. I do not think that any one else would take over a Territory without being prepared to develop it. Nor have we heard how the Government intend to populate the Northern Territory, or, indeed, what course they propose to take. Everything is to be left in abeyance. There is no prospect of this Parliament having an opportunity to efficiently deal with the Territory, and when we appeal to the electors we shall be told that the Government intend to take some action in the future. In the meantime, the Territory is to be a millstone round the necks of the taxpayers. It was the duty of the Government to outline what they intend to do as regards its development. There is also a large loss every week on the railway from Port Augusta to Oodnadatta, but we have not heard a word from the Government as to how they propose to reduce the loss. Apparently it is to be allowed to continue, and we shall have to vote money to make good the deficiency. The Senate was entitled to an explanation from the Government, but we are left completely in the dark. I do not cavil at the proposed votes for defence, because I think it is necessary, but some of the items appear to me to be very large. Upon these Estimates an amount of £4,000 is provided for the purpose of making a road in the Maribyrnong district. I desire to know whether or not that road is within Commonwealth Territory. If it be within Commonwealth Territory, I have no objection to the expenditure; but otherwise I entertain the very strongest objection to it. I observe, too, that in the Bill large amounts are set apart for the establishment of rifle ranges. Strange to say, no sum has been provided for any rifle range north of Mackay, in Queensland, notwithstanding that some of the largest rifle meetings in Australia have been held in that locality. From my own experience, expenditure in that direction is very necessary. We have been assured by Ministerial supporters that the Commonwealth is not going to embark upon a borrowing policy. I may, perhaps, be permitted to tell honorable senators that I know a very wealthy man who refuses to own a single house, on the ground that he can rent one cheaper, and thus make better use of his capital. If we can borrow money and expend it to advantage in the Northern Territory, why should we not do so? Why should we be compelled to do everything out of revenue for the benefit of future generations? Let us shoulder our share of the burden and let posterity shoulder its share.

Senator W. RUSSELL.—We are not going to borrow.

Senator SAYERS.—Only the other day the honorable senator affirmed that he was opposed to the land tax until the Labour party adopted an exemption of £5,000 unimproved value.

Senator W. RUSSELL.—I was always in favour of that exemption. I like to see justice done to the farmer.

Senator SAYERS.—What is wrong in a man borrowing money, so long as he can make good use of it and pay interest upon it? Is it wrong for the Commonwealth to borrow money for reproductive public works which will belong to future generations? All authorities lay it down that to borrow for reproductive public works is good financing. If I owned Senator W. Russell's farm, and I saw that, by mortgaging it for £2,000 or £3,000, I could make a profit of 2 or 3 per cent., I would adopt that course without hesitation. It would be good business to do so. But the honorable senator is so conservative that he cannot see beyond the nose on his face. To borrow money for the purpose of developing our resources is good business, so long as the Government have faith in those resources. In the absence of further taxation, I would like to know where the money is to come from which we shall be asked to vote upon the Estimates-in-Chief. We have embarked upon a defence scheme which is based upon the reports of Admiral Henderson and Lord Kitchener. Admiral Henderson's scheme alone represents an outlay of £80,000,000.

Senator PEARCE.—By charging up the cost of maintenance each year.

Senator SAYERS.—Where are we to raise that money during the next twenty years? Are we going to ask the people of Australia to be taxed off the face of the earth, in order to permit of effect being given to that scheme?

Senator DE LARGIE.—We are not going to put Australia in pawn.

Senator SAYERS.—We shall have to borrow money to carry it out. What is the good of the Government attempting to mislead the people by bringing Admiral Henderson and Lord Kitchener to Australia, at a great deal of expense, if their

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recommendations are not to be adopted? To-day the Minister of Defence spoke of certain gun-boats of which use is to be made —gun-boats which were obsolete twenty years ago. Hitherto, we have had a Defence scheme in existence which has been a farce from beginning to end. I should like to know how many millions sterling were wasted upon that scheme. According to the interjections of two honorable senators the Commonwealth is not to be put in pawn.

Senator W. RUSSELL.—Not so long as we can avoid it.

Senator SAYERS.—Are honorable senators prepared to say that they will further tax the people of the Commonwealth in order that our Defence scheme may be financed out of revenue? If so, I do not think the electors will submit to it very long. Before these Estimates were submitted we should have had from the Minister some intimation of the Government's policy. I do not want them, at the last moment of the session, to put their policy before us, because we shall then be denied an opportunity to consider it. If they intend to further tax the people, I shall oppose their proposals. I say that, at the present time, our people are taxed up to the hilt.

Senator GIVENS.—We are not expending as much per head upon our Navy as the people of Great Britain are spending on the Imperial Navy.

Senator SAYERS.—I am quite aware of that. But the people of Great Britain are wealthier as a whole.

Senator GIVENS.—They are not.

Senator SAYERS.—They have to maintain a Navy which is far more powerful than any other Navy in the world. I do not suggest that the people of Australia will complain of fair taxation; but it is impossible to construct, out of revenue, all the works by which future generations will profit. Let us borrow judiciously. If the Northern Territory is the great country which it has been pictured to be, why not borrow money for its development? Let us ease the taxpayer in that way, and then more revenue will be available for the purposes of defence. I admit that a Defence policy should be paid for out of revenue. But, upon these Estimates, I see dozens of works which are to be paid for out of revenue, and which will principally benefit future generations. I wish now to refer to the establishment of the Cordite Factory. I hold in my hand a copy of the correspondence which took plac ence to that factory, and I con little puzzling to me. I have that only two tenders were recei erection, whereas the correspon closes that four tenders were fo These were:—The Birmingha Arms Company, £150,231, tim a half years; Archdale and Birmingham, £100,438, time, t Greenwood and Batley, Leeds, time, two years, less fiv Pratt and Whitney, United America, £68,144, time, one y weeks, which was subsequently one year. Commander Clarkso Collins, and various other ge pointed out that there was not n ence between the tenders of t that the difference was princip spect of the time which would in establishing the factory. not weary the Senate by q whole of the letters relatin matter. I shall confine mysel On page 2 appears the follo sage:—

If Birmingham Small Arms amou excessive, Clarkson considers there choose between Greenwood and Batl Whitney except time of delivery.

This cute Yankee company un work on certain terms. I do whether they got hold of any cials, but they must have thorou stood that they would not be pr

Senator PEARCE.—Does the senator mean to say that Mr. J gave the company an undertakin would not be pressed?

Senator SAYERS.—I do n Mr. Joseph Cook or any othe did so.

Senator MILLEN.—The hono tor's statement had reference not to the Minister.

Senator PEARCE.—Does the senator mean to say that any o such an undertaking?

Senator SAYERS.—I do not

Senator PEARCE.—Why insinu

Senator SAYERS.—If the wants to know why I insinuate, after a certain official had been he came back with different opi gether. Why should those opi been altered in the way they we

Senator PEARCE.—What did him to America for?

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Senator SAYERS.—To get an opinion.

Senator PEARCE.—To make inquiries.

Senator SAYERS.—What was the use of sending the official to America if this state of things was to result? What good came of the inquiries? Commander Clarkson considered that there was little to choose between the two manufacturers "except time of delivery." Have we secured any advantage in respect of time of delivery? The Government knew that they were letting the contract to people at a distance, and that they might never carry it out. The Minister has acknowledged today that he does not know exactly when the business will be settled. He added that there were certain matters that it would not be advisable to state to the Senate. I quite agree with him, and shall not attempt to press him to say more than he thinks judicious. But I hope that the honorable senator will see that contractors who put in a tender which is accepted carry out their job, and are not allowed to play ducks and drakes with the Commonwealth. I have always found in private business that if one had a contract to let the best course to pursue was to let it to a reliable man who would carry it through according to the conditions as to time and quality laid down in the specifications. An unreliable contractor will generally take longer over the job, and put in bad work unless he is watched very carefully—and watching costs a good deal of money.

Senator DE LARGIE.—Sir John Quick is the man responsible for letting this contract.

Senator SAYERS.—I say nothing about Sir John Quick. I do not know whether he was responsible or not. He can answer for himself. The fact that I have to deal with is that the present Government have been in office long enough to see this job carried through. They came into office eighteen months ago, and the time specified in this contract was one year and eleven weeks. The present Government, therefore, and not Sir John Quick, are responsible for the non-fulfilment of the conditions of contract.

Senator DE LARGIE.—But Sir John Quick let the contract.

Senator SAYERS.—If I let a contract and afterwards formally turn the work over to some one else, that person is responsible. If Senator de Largie has any charges to make against Sir John Quick let him make them openly on the floor of the Senate, and not by way of interjection. A cablegram from Captain Collins, dated 5th April, 1909, informed the Department that—

Greenwood and Pratt ask to supply information sought.

Captain Collins was cabled to by the Government on the 22nd June, 1909, in the following terms:—

Is Clarkson satisfied Pratt can produce the better rifle simultaneously with service rifle, or if pattern changed could machinery be easily adapted? What does Clarkson estimate cost of buildings and motive power Birmingham and Pratt machines respectively? Minister desire War Office consulted and advice sought whole matter in view of knowledge gained America.

The War Office advised the Government to do exactly the opposite of what they did. One has only to visit the Enfield Small Arms Factory, about 18 miles from London, to realize that a factory suitable to supply the Commonwealth could easily have been built within the time since this contract was let. We ought to have had the whole thing in working order by this time. On page 4 of the paper from which I am quoting, there is a cablegram from Captain Collins—

War Office has been consulted. Like Birmingham offer. Consider cost prohibitive compared other tenders.

It seems that the Government regarded cheapness as the principal consideration; but we should have been making rifles in Australia long ago if we had accepted the other tender. Another portion of the document states, "American machinery will not stand wear," or words to that effect.

Senator PEARCE.—Where is that stated?

Senator SAYERS.—I cannot find it at the moment; but I have read it in this paper.

Senator PEARCE.—Is the honorable senator referring to the passage where it is stated—

American machinery more highly developed than English.

Senator SAYERS.—No; that is not it. I do not make statements of this kind without being able to prove them; and I believe that the Minister himself knows exactly where the passage to which I have referred is to be found in the report. As head of the Department, he must have read the whole of these papers. Captain Collins' cablegram also stated—

Clarkson considers War Office objections to American machinery not applicable Pratt, as War Office not aware of recent development in small arms machinery in America.

Senator PEARCE.—Pratt's is the American firm.

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Senator SAYERS.—We have yet to have proof of the superiority of the American machinery, and we cannot obtain proof until the factory is in working order. If it proves to be satisfactory, the Minister will be able to twit me afterwards by proving that the machinery is up to the best standard. In Committee, we shall be able to deal with this subject item by item; and by that time I shall be able to find the statement in these papers with regard to the unreliableness of the American machinery.

Senator McCOLL (Victoria) [4.54].—Many important points have been raised in the course of the debate, which, no doubt, will be more fully discussed when the Bill gets into Committee. I should like to ask the Minister to arrange to have the general debate on the Budget-papers as early as possible. Very large and important questions have to be discussed, and it is not fair that they should be thrown back until we approach the end of the session. A good deal has been said with regard to the policy of borrowing or not borrowing. In my opinion, we should not make a fetish of either policy. It is purely a question of what pays best—whether it pays the country better to take out of the pockets of the taxpayers money for reproductive works, or to borrow at 3½ per cent., and allow the taxpayers to invest their money at perhaps 5 or 6 per cent. It is purely a matter of business. I do not think that Senator St. Ledger intended to argue that borrowing should be adopted as a policy in all cases.

Senator DE LARGIE.—Does the honorable senator think that Customs duties ought to be reduced?

Senator McCOLL.—That has nothing to do with the question, except to the extent that our revenue comes out of Customs duties.

Senator DE LARGIE.—How would the honorable senator reduce taxation in order to leave money in the pockets of the people?

Senator McCOLL.—I am not talking of reducing taxation, but of the policy which pays best. Senator St. Ledger was fiercely attacked, by way of interjection, by Senator de Largie, who failed to realize that this is purely a business question, to be looked at wholly in a business aspect.

Senator NEEDHAM.—Is powder and shot reproductive?

Senator McCOLL.—I would not borrow for anything that was not reproductive. Senator de Largie also charged Sir John Quick with some default in conn the Small Arms Factory. That unfair. Surely the present Gov responsible for carrying out th They cannot shake off their re by making charges against an a who cannot stand up for hims Senate, and who certainly is n sible for the failure to complet tract. It seems to me that it is of whether the specifications w or not. From the little we l this afternoon, I am disposed to it may be a difficult matter f vernment to recover penalties, been hinted, there has been so made in the specifications.

Senator LONG.—Who entere contract?

Senator McCOLL.—Sir Jo but it fell to the present Gov see it carried out. There are m which it will be necessary to di the Budget debate is resumed, one rather delicate matter of to which I think I should refer are asked by this Bill to app expenditure of £2,791,365, a we should know whether th ment intend to apply the p preference to unionists, and to discrimination as to the men an be employed in connexion with diture of this money. If it i tion of the Government in the of these new works and buildi effect to the principle of pr unionists, we should have a ward statement on the subject. statement is not made we may there will be no discrimination i tion of men and women to be e connexion with this expenditure they will be selected because of city, and not because they belon belong to a particular body.

Senator CHATAWAY. — An might raise the question.

Senator McCOLL.—I do n move an amendment, but I th fairness to the country the ma be referred to by the Minist should be informed of the in the Government. The money these works will come out of of the whole of the people. woman, and child in Australia, Tariff, or in some other way, bute to this expenditure. If it

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that the work for which this Bill will provide is to be set apart for a mere moiety of the people, we shall know where we stand. I trust that the Minister of Defence will make some reference to this important matter in his reply to the debate.

Senator DE LARGIE (Western Australia) [4.57].—Most of the criticisms we have heard from honorable senators opposite this afternoon have been directed at their colleagues in another place. The contracts in connexion with the Defence and the Postal Departments to which they have referred were entered into by their colleagues in another place when they were in office, but one would imagine from their criticism that the present Government were responsible for the delays which have taken place. The delay in the completion of the contracts referred to has been due to the fact that those who entered into them lacked sufficient business capacity to see that proper contracts were made, and with reputable firms. Therefore, my references by interjection to the Postmaster-General and the Minister of Defence of the previous Administration were deserved. It is rather amusing to hear honorable senators opposite criticising the financial policy of the present Government. They must either have forgotten already the result of the last general elections, or they are unable to learn anything from it. They appear to have forgotten that the country kicked their party out of office because of the scandalous financial policy they were pursuing. If there was anything in connexion with the opposite party which the electors resented more than another it was the notorious Naval Loan Act passed by the late Government. The policy of the present Government is plain to every one. Senator St. Ledger has referred to it as "schoolboy finance." Apparently, the only kind of finance known to Senator St. Ledger's type of politician is one of "borrow and burst." Their policy is to borrow, whether they require the money or not. We never had in Australia as much money, collectively or individually, as we have to-day. The Government are collecting more money now than has ever before been collected in Australia, and because in a commonsense fashion we are proposing to pay our way and provide from revenue for new works, we are told by honorable senators opposite that we should borrow.

Senator ST. LEDGER.—I said distinctly for reproductive works.

Senator DE LARGIE.—Surely the works in connexion with the Post and Telegraph Department, for which we are proposing to find money, will be reproductive.

Senator ST. LEDGER.—Certainly.

Senator DE LARGIE.—Then why find fault with the Government for providing the money to carry them out. Does the honorable senator desire that the present Government should do the stupid things which past Governments have done? Does he think that they ought not to provide money in any shape or form for new works, but should pay away all surplus revenue to the States, and starve the public works of the Commonwealth.

Senator ST. LEDGER.—Queensland got very little back, anyhow.

Senator DE LARGIE.—Queensland got her share, and that is all she was entitled to.

Senator ST. LEDGER.—The honorable senator will raise these questions of policy when we do not wish to enter into them.

Senator DE LARGIE.—Because it does not suit honorable senators opposite.

Senator ST. LEDGER.—Does the honorable senator desire that the discussion should be prolonged?

Senator DE LARGIE.—Honorable senators opposite know that their policy will not stand examination, and, consequently, they wish to keep away from it as much as they can. We have Senator McColl finding fault with the amount of revenue derived by the Commonwealth, and talking about taxing people to find funds for the construction of new works instead of borrowing money for the purpose. What sense would there be in such a policy as that?

Senator WALKER.—The Government are taxing one section of the community by the land tax.

Senator DE LARGIE.—All sections of the community are being taxed. Is not the bulk of the revenue derived from the general community?

Senator LONG.—Who pays the increased rents?

Senator DE LARGIE.—Yes, who does? There can be no misunderstanding in the matter. The bulk of our revenue is derived through the Customs, and we know who pays that taxation. After all is said and done, what is a miserable £1,250,000 from a land tax? It is only a first instalment. The present Government will not be satisfied until a great deal more of our revenue is derived from direct, and a great

deal less from indirect, taxation. No matter how the revenue is derived, we, on this side, are determined that we shall pay our way while we can do so, instead of borrowing money when it is not required. Why should we borrow money when Australia is more prosperous than she has ever before been in her history? Still, we have the stupid Tory party on the other side——

The PRESIDENT.—Order!

Senator DE LARGIE.—Am I not in order in saying that?

The PRESIDENT.—The honorable senator applied his observations distinctly to the party on the other side of the chamber.

Senator DE LARGIE.—I applied the term "stupid Tory party" to my political opponents, and they are honorable senators opposite. Surely it is no breach of the Standing Orders to apply that term to them.

Senator WALKER.—I have always objected to being called a Tory, and I take the same exception as the President to the honorable senator's remarks.

The PRESIDENT.—It is not a question of Senator Walker being called a Tory. I rose because I understood Senator de Largie to apply the term "stupid" to honorable members of the Opposition. I think that is out of order.

Senator DE LARGIE.—The term I used was applied to the party opposite. I said that they were the stupid Tory party. I now learn that one of them is a Whig, and I call him a member of the stupid Whig party.

Senator CHATAWAY.—Is the honorable senator in order in repeating what he said before, and what you called him to order for saying?

The PRESIDENT.—If Senator de Largie applied the term to honorable members of the Opposition, he was out of order. If he applies it to the party in the country represented by honorable senators of the Opposition, it is a different matter. I understood the term to be applied distinctly to honorable senators on the Opposition side, and if the word "stupid" is applied to honorable members of the Senate, it is out of order, and should be withdrawn.

Senator DE LARGIE.—If you rule that I cannot apply the word "stupid" to a party, I can assure you that that is a new ruling in the Senat
heard before.

The PRESIDENT.—If S
Largie intended the term "stu
applied to honorable senators o
sition side, he was distinctly ou
I interfered because I consider
offensive, and I think it shoul
drawn.

Senator DE LARGIE.—Then
agree with your ruling. I have
remarks to my political oppo
rally. I hold that that is not o
and I dispute your ruling.

The PRESIDENT.—Senato
dissents from my ruling. I d
that he has exactly quoted it i
of dissent. He says—

I beg to dissent from the ru
President that it is a breach of
Orders to apply "stupid Tory p
Opposition party.

What I asked Senator de Larg
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Senator DE LARGIE.—To the

The PRESIDENT.—I poi
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motion, because it is not in acc
the reason why I asked him to
words.

Senator DE LARGIE.—May
mitted to make an explanatio

The PRESIDENT.—Yes.

Senator DE LARGIE.—It is
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The PRESIDENT.—If Senator de Largie meant to imply by his remark that the policy which was pursued by honorable senators opposite was a stupid policy, he was perfectly in order; but what I understood him to convey was that they were a stupid party.

Senator CHATAWAY.—He said, "The stupid Tory members on the other side."

Senator WALKER.—"The stupid Tories on the other side."

The PRESIDENT.—I ask Senator de Largie, if the contention which I raise is right, to alter the terms of his motion of dissent.

Senator DE LARGIE.—I cannot alter the remarks which I made, sir.

Senator ST. LEDGER.—I was listening very attentively to the remarks of Senator de Largie, because they were largely directed to some remarks I had made. My impression is distinctly that he said, "The stupid Tory members on the other side."

Senator DE LARGIE.—"The stupid Tory party."

Senator CHATAWAY.—No; you used the word "members."

Senator MILLEN.—I would like a ruling from the Chair. I understand that a certain event transpired, that you, sir, gave a ruling, and that a notice of dissent therefrom has been handed in. It appears to me that the discussion is being revived on the matters which led up to the ruling. Are we discussing the ruling now or the original matter?

The PRESIDENT.—I pointed out that the written statement of dissent did not accord with the reason why I stopped Senator de Largie and asked him to withdraw certain words. I asked if he would alter the terms of his dissent, and he desired permission to make an explanation, which he did; but said that he could not alter the terms of his dissent. The question before the Senate is—

That the ruling of the President, that it is a breach of the Standing Orders to apply "stupid Tory party" to the Opposition party, be dissented from.

But I would point out that, under standing order 424, when a motion is seconded "it shall be proposed to the Senate and the debate thereon forthwith adjourned to the next sitting day." Is the motion seconded?

Senator NEEDHAM.—I second the motion.

The PRESIDENT.—The standing order continues—

unless the Senate decides on motion, without debate, that the question requires immediate determination.

Senator PEARCE.—Does that mean, sir, that the business before the Senate will be interrupted?

The PRESIDENT.—Yes.

Senator PEARCE.—If that is so, I desire to move that the question requires immediate determination.

Senator MILLEN.—One moment! There is a ruling on that point, I think.

Senator PEARCE.—I think it is the motion of dissent from the ruling, and not the business before the Senate, which is postponed to a future day.

Senator MILLEN.—I cannot quite recall the circumstances, sir; but, on one occasion, the point was raised as to whether the standing order meant the adjournment of the business under consideration or the adjournment of the question raised by the dissenting motion, and a decision was given.

Senator PEARCE.—The decision was that the debate on the question raised by the dissenting motion had to be adjourned.

Senator GIVENS.—No; the whole business was adjourned.

Senator PEARCE.—The question raised by Senator de Largie appears to me to be so trivial that I think it ought to be dealt with straight away. Therefore, I move—

That the question requires immediate determination.

Motion agreed to.

Senator NEEDHAM.—I think that some misapprehension has arisen in the minds of honorable senators. I was listening to the speech of Senator de Largie, and I do not think his remark was intended in an offensive sense. He applied the word "stupid," not to honorable senators opposite, but to the policy pursued by the party to which they belong.

Senator ST. LEDGER.—To "the members of the stupid Tory party opposite."

Senator NEEDHAM.—I listened attentively to the utterance of Senator de Largie, and I can say that he did not direct his remark at all to any honorable senator opposite. It should be remembered that when an honorable senator is addressing the Chair, and discussing a question of policy, he has in his mind the policy pursued by the party opposite. If we are to be tied down in these matters, it will rather narrow the margin. If the word "stupid" is applied to any honorable member of the Senate, certainly it may be considered offensive; but if it is applied to the policy

pursued by the party which honorable senators opposite represent, I do not think it can be considered offensive.

Senator GIVENS.—It would be true; and that is where the sting would lie.

Senator NEEDHAM.—It is a question of the intention of Senator de Largie. It was the policy which he was discussing, and not a member of a party, or even the party. In my opinion, his application of the remark was quite correct, and, therefore, I support his motion of dissent from the ruling.

Senator PEARCE.—I regret that this motion has been moved, because I do not think it was worth while to object to the ruling. What we are called upon to deal with is the ruling itself, and we must assume that the President has correctly stated what Senator de Largie did say. The President distinctly asked the honorable senator whether he applied the term personally to honorable senators on the other side. If the honorable senator had risen then and assured the President that he had not, that would have cleared up the whole matter.

Senator DE LARGIE.—I rose as soon as I got an opportunity, and repeated what I had said.

Senator PEARCE.—If the honorable senator will excuse me for saying so, I think that what he said on the second occasion was not what he said on the first occasion. In the first instance, I took the same view as the President, namely, that the remark was open to the construction that Senator de Largie was alluding to honorable senators opposite as being a "stupid Tory party." I think it was perfectly reasonable for the President to regard the remark in that light. He took that view, and asked for a withdrawal of the words. I think that the honorable senator will be well-advised if he withdraws the motion and states that, if his words were understood in that sense, he is prepared to withdraw them, or assure honorable senators opposite and the President that he did not intend them to be so understood.

Senator MILLEN.—Is that question involved, now that the President has given a ruling?

Senator PEARCE.—We have to decide whether the ruling is correct or not. The President has stated that he gave the ruling believing that Senator de Largie had used the words in the sense I have suggested. If a vote is taken, I must support the ruling, because it seems to me that it is a correct one. The question now ther the honorable senator did use the words. The President h he did use the words, that he if he used the words in that se not get the assurance which he

Senator DE LARGIE.—I repe had said, and that was sufficie

Senator PEARCE.—I wou to my honorable friend that he leave to withdraw his motion, President the assurance which h but did not get, and resume his such an assurance is given, th will probably tell the Senate t not regard the remark as being Otherwise I shall have to vote motion.

Senator SAYERS.—I do to discuss the merits or demc matter, sir, but to remin an incident which occurred day. When Senator Vardon some words, you ruled that if senator thought them offensive be withdrawn. Senator Varc first that he would not withdra but he did so on your ruling honorable senator considered words were offensive, they wc be withdrawn.

Senator CHATAWAY.—I dc to discuss the merits of or to dissent very much ruling; but, on general lin that Senator de Largie had a to say what he did. If he honorable senators on this s Tory members," he has the ri

Senator DE LARGIE.—I " stupid Tory members."

Senator CHATAWAY.—I supporting my honorable frien stand that he denies that he "stupid Tory members." thought he said that members position were a "stupid T But to me it does not matter w so long as he was not persona I have a perfect right to call Largie a stupid Labour man equally at liberty to designate Tory, or a stupid Liberal, or a so long as his remarks are c political sense. It might be if we were permitted a little in our choice of language th hitherto been allowed. It that we must not describe the of certain members to a Royal

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as a scandal, neither must we call an honorable senator "stupid," or a "Tory." Upon the whole, I think we are getting too much into a Sunday-school atmosphere. I agree with Senator de Largie, and if he chooses to use strong language in reference to myself, he is perfectly at liberty to do so.

Senator MILLEN.—I was absent from the chamber when certain words were used by Senator de Largie. It seems to me immaterial what they were. The President has entered judgment upon them, and we are now asked to say whether his ruling is right or wrong. It appears to me that what may be held to be right or wrong is very much a matter of opinion, and will vary with different Presidents, just as much as it will with honorable senators. But the point is that we have a President, and, unless his decision is hopelessly wrong, we are under an obligation to support it. Having said so much, I join with the Minister of Defence in asking Senator de Largie, not only for his own credit, but for that of the Senate, to terminate this incident, especially as, according to his interjection, he evidently meant one thing, whereas the President thought that he meant another.

Senator STORY.—Like Senator Millen, I did not hear the remark to which exception has been taken; but the position seems to be that you, sir, have ruled that certain words, which Senator de Largie denies having used, should be withdrawn. In these circumstances, I am bound to support your ruling. I am sorry that an honorable senator upon the Ministerial side of the chamber, has taken up a similar attitude to that adopted by an honorable senator upon the other side of the chamber only last week. So long as I have been a member of this branch of the Legislature, it has been customary for any remark made by any honorable senator, which was regarded as offensive by another, to be immediately withdrawn. I regret that Senator de Largie, who is Whip of the Government party, and who ought to save the valuable time of the Senate instead of wasting it, should have taken up this obstinate attitude, and should have refused to adopt the gentlemanly course which has hitherto obtained, of withdrawing what is regarded as an offensive expression.

Senator W. RUSSELL.—Sitting, as I do, so near to Senator de Largie, and being possessed of a fairly good memory, I am entirely with him in this matter; and I am surprised that the Opposition should take so much objection to the words which he used. Senator Chataway is in a somewhat different vein—he evidently wishes to extract a little fun out of the position. I have often heard it said that we upon this side of the Senate call ourselves Labour members. How often are we called Socialists, and something even worse—a term which some of us may not care to have applied to us. Senator de Largie has expressed himself in the way that I would have expressed myself. Speaking in all soberness, I say that the Opposition are an extremely Tory party. With very great reluctance, I shall vote against the President's ruling, and in opposition to the Government. I shall support Senator de Largie, because I think he is in the right.

Senator DE LARGIE.—I am somewhat sorry that this matter is to be settled immediately, because, if it were postponed until to-morrow, when we shall have the *Hansard* report before us, we would then be able to see exactly the terms which I used.

Senator MILLEN.—Revised or unrevised?

Senator DE LARGIE.—We should have the *Hansard* report without it ever having been touched by me. We all know the accuracy of our *Hansard* reports, and I am quite prepared to stand by them.

Senator W. RUSSELL.—They are almost infallible.

Senator DE LARGIE.—I am not a wholesale reviser of the remarks which I make in this Chamber. I am somewhat surprised at the members of the Opposition rushing into this matter in the way that they have done, because they have most to lose by any curtailment of our privileges. Senator Chataway is the only honorable senator opposite who has taken a proper view of this question. If the right of honorable senators to express their views in every-day language be curtailed, they will suffer. If, for example, it be wrong for me to apply the word "stupid" to honorable senators opposite, it is equally wrong for them to apply the word "intelligent" to their policy. If it be wrong for me to condemn them because of the stupidity of their policy, it is equally wrong for them to claim that that policy is an intelligent one.

Senator WALKER.—One is a complimentary word, and the other a condemnatory one.

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Senator DE LARGIE.—If it be wrong to condemn their policy, it must be equally wrong to praise it. Senator Story has introduced the personal element into this debate. Had he been present at the time he would have known that when my remarks were called into question I was not dealing with any individual member of the Opposition. Had I been doing so, I would at once have recognised the propriety of withdrawing the words to which exception was taken. But I was dealing with the Opposition in a party sense, and I cannot for the life of me see how there could be any misunderstanding of my meaning. I was dealing with the policy of the late Government, and there are members of that Government who are politically dead. They are not here. There are many men outside of this Parliament who were members of the Fusion party. I was speaking only in a party sense, and I fail to understand how there could be any misconception as to my meaning.

Senator ST. LEDGER.—Why did not the honorable senator clear the matter up?

Senator DE LARGIE.—I did. I repeated the words which I actually used, namely, "stupid Tory party." I was referring at the time to the result of the last election, when the Fusion party was nearly wiped out of existence. The Minister of Defence is entirely wrong, and I hold that the President did not hear my remarks, otherwise he would not have ruled as he did.

Senator MILLEN.—The President has ruled against the honorable senator on that point.

Senator DE LARGIE.—If the President has placed himself in a wrong position, I am not responsible. As soon as I had an opportunity, I rose in my place, and repeated the words which I had used. If honorable senators vote against my motion of dissent from the ruling of the President, they will vote to curtail their own liberty to use every-day language in this Chamber.

Senator LONG.—Why does not the honorable senator adhere to the words that he did use? Why does he vacillate? Why not be honest?

Senator DE LARGIE.—I am adhering to the words that I used. I know precisely what I said.

Senator LONG.—The honorable senator said, "the stupid members of the Tory party opposite."

Senator DE LARGIE.—I said "opposite," certainly. I have already pointed out that it was impossible, owing to the train of thought which I was following to have applied to any individual opposite the words to which objection had been taken. I went on to say "the stupid Tory party" apparently to learn or forget.

Senator LONG.—"The stupid members of the Tory party opposite."

Senator DE LARGIE.—If the honorable senator wishes to argue the matter, I wish that he had done so before I address myself to it. I can only speak as to the words which I actually used, because I know what I said. I was at the time dealing with the policy of the party opposite when they were in power. I was referring to the manner in which they passed through Parliament. I said that "apparently the Tory party"——

Senator LONG.—"Opposite."

Senator DE LARGIE.—Does it matter whether the members of that party are "opposite," or on the roof of Parliament? Some of them are in the other branch of the Legislature; others are dead. I know my position in this matter, and Senator Long does not know his, and I am not going to back down when I am wrong.

Senator LONG.—The honorable senator must not imagine himself an authority. He has water on the brain.

Senator DE LARGIE.—I imagine I am as good as is the honorable senator. He may be big, but he is not a giant. I have already pointed out that it was impossible for me to have applied the words to honorable senators on the opposite side of the chamber the words which were used, because I was speaking of a party which has to a considerable extent been wiped up. Many of its members have disappeared from the political arena. There are circumstances that should appeal to members of the Senate. Consequently I must stand by my motion.

The PRESIDENT.—In regard to the question, I wish to state that the motion does not contain the words which the honorable stood Senator de Largie to withdraw, which I took exception. Points out that honorable senators on the other side referred to "Members of the stupid Tory party opposite." I immediately rose, and asked the honorable senator to withdraw the expression, because I considered it unparliamentary. He admitted that he had used the words which I had understood him to use. I pointed out to him that he had applied the term "stupid" to the

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a party it would be quite in order, but as I understood the words to have been used concerning honorable senators opposite to him they were out of order. I may add that a ruling of a former President lays it down that "it is not proper to impute to a senator stupidity."

Senator DE LARGIE.—Neither did I.

The PRESIDENT.—I certainly understood the honorable senator to apply the term to members of the Senate. I have already stated that if the phrase had been used concerning the policy of a party it would have been strictly in order.

Question—That the ruling of the President, that it is a breach of the Standing Orders to apply the term "stupid Tory party" to the Opposition party, be dissented from—put. The Senate divided.

Ayes	...	...	7
Noes	...	...	12
Majority	...	...	5

AYES.

Barker, S.	Lynch, P. J.
Chataway, T. D.	Russell, W.
de Largie, H.	*Teller:*
Guthrie, R. S.	Needham, E.

NOES.

Buzacott, R.	Pearce, G. F.
Findley, E.	Sayers, R. J.
Givens, T.	Story, W. H.
Keating, J. H.	Walker, J. T.
Long, J. J.	
McColl, J. H.	*Teller:*
Millen, E. D.	St. Ledger, A. J.

Question so resolved in the negative.

Senator DE LARGIE.—If any words of mine can remove any feeling of soreness on the part of honorable senators opposite, I wish to state at once that the term to which exception was taken by the President was not intended by me to be applied to them personally. I can now, I trust, resume the discussion of the financial question. Comparisons have been made between the telephone service in Australia and in other parts of the world. I have inquired into this matter, taking special note of the rates charged and the wages paid in similar services elsewhere. If we take the telephone rates of the United States, Canada, and South Africa, we shall find that in some instances they are 200 and 300 per cent. higher than they are in Australia. If we compare telephone charges in the United Kingdom with those in Australia, we shall find that our own people have very little to complain about. When people in a large and sparsely-settled country like Australia obtain their telephone services actually for less than do people in a densely-settled country like the United Kingdom, it will be seen at a glance that we have a condition of things upon which we may reasonably congratulate ourselves. In Australia, a person can obtain a telephone for £4 per annum, paying an additional halfpenny per call. In the United Kingdom the charge is £5 per annum, with an additional charge of one penny per call. It is therefore evident that our business men are obtaining an exceedingly satisfactory service at a very low rate. The comparison in respect of wages is also in favour of the Commonwealth. Our wages are nearly 100 per cent. higher than are those in the United Kingdom. According to published statements collected by the Postal Commission, of which I was a member, wages in the telephone service in the United Kingdom are something like £67 per annum as compared with £110 per annum in the Commonwealth. Moreover, the telephone attendants in the United Kingdom work over fifty hours per week, whilst our attendants work only thirty-six hours. Linesmen in the United Kingdom receive a minimum salary of £65 per annum, with a maximum of £122. In the Commonwealth the minimum salary is £126 and the maximum £180. These comparisons are sufficient to show that our telephone system is in a very satisfactory position indeed. As to new works, the Postal Commission recommended that, a considerable amount of capital being required, the expenditure might very well be spread over a number of years. The Commission did not recommend that the Commonwealth should borrow. That is a matter of policy for the Government of the day to determine. But we did point out the amount of money that was required to make the service efficient. The present Government, finding itself possessed of an overflowing revenue, determined to provide for the works without borrowing. Surely that was a wise determination. If the Government had resolved to borrow under such circumstances, they would have laid themselves open to serious charges. Senator St. Ledger has referred to what he calls "schoolboy finance." I wonder what kind of finance he was advocating. I am precluded from applying the term "stupid" to his policy, but I could not, on any account, call it intelligent finance. The policy adopted by the Government is the only one that would have been justifiable under present circumstances. If ever the day should come when the Commonwealth will find it imperative to borrow, I shall regret that

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step, and shall never agree to it smilingly. Under Senator St. Ledger's "schoolboy finance," we should borrow whether we require the money or not. In my opinion, it will be time enough for us to borrow money when we cannot meet our liabilities with the money we have.

Senator ST. LEDGER.—That will be about next week.

Senator DE LARGIE.—I think that day will be very much further off than next week. It will be soon enough to borrow when the necessity for borrowing arises. At present there is no such necessity, and we should compliment ourselves on the fact that we do not need to borrow. However, our friends opposite appear to take so much pleasure in borrowing that they would rush in and borrow whether they needed the money or not.

Senator PEARCE (Western Australia—Minister of Defence) [5.59].—Senator Chataway asked for information as to the value of the heavy gun ammunition expended during last year. The value was £16,531; so that the sum provided for in this Bill—£31,700—represents nearly two years' consumption, on a peace footing. I am able to give the Senate details of the proposed expenditure of the special vote of £600,000 from the Trust Fund for the Post and Telegraph Department. They are as follows—

NEW SOUTH WALES.

	£
Construction and extension of telegraph lines, instruments, and materials ...	77,850
Construction and extension of telephone lines, instruments, and material, including construction of conduits and placing wires underground	160,750
New trunk lines	11,400
Metallic circuits and other expenditure	16,600
Total for New South Wales ...	266,600

VICTORIA.

	£
Construction and extension of telegraph lines, &c.	9,000
Construction and extension of telephone lines, &c.	36,000
New trunk lines	2,000
Metallic circuits and other expenditure	131,000
Total for Victoria	178,000

QUEENSLAND.

	£
Construction and extension of telegraph lines, &c.	10,200
Construction and extension of telephone lines, &c.	16,200
New trunk lines	2,000
Total for Queensland	28,400

SOUTH AUSTRALIA.

Construction and extension of telegr lines, &c.	
Construction and extension of teleph lines, &c.	
New trunk line	
Metallic circuits	
New switchboards and extensions	
Total for South Australia	

WESTERN AUSTRALIA.

Construction and extension of telegr lines, &c.	
Construction and extension of teleph lines, &c.	
New trunk lines	
Total for Western Australia	

TASMANIA.

Construction and extension of telegr lines, &c.	
Construction and extension of teleph lines, &c.	
Total for Tasmania ...	

There were one or two criticism I wish to reply. First of all, to Senator Millen's criticism Funds, it seems to me very pec while the honorable senator conc Trust Fund for the Post and Department, as such, he actuall that the whole of the Consolidate should be treated as one giga Fund. He asked, for instance, Parliament has voted a sum of a particular purpose, we should, of each financial year, allow t lapse, and have the money re-v next year. That is exactly wh Fund is intended to avoid. The makes the lapsing and re-voting priations necessary, and in th stances, the only way in which sions can be complied with, is to Trust Fund and pay money in the purpose for which it was est accomplished.

Senator ST. LEDGER.—Senat suggested an alteration of the A

Senator PEARCE.—I doubt whether Parliament would be p pay the whole of the money vo Trust Fund, and let it remain it is exhausted, without having control over it.

Senator CHATAWAY.—Balance current revenue are carried int year, and Senator Millen's ide

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the Government might carry balances of what might be called allocated Trust Funds into the next year also.

Senator PEARCE.—There must be an annual balancing on the 30th of June in each year. Senator St. Ledger objects to large amounts of revenue being expended on these works, and prefers that they should be provided for under a system of debentures or a loan. I repeat, what I said before, that if in the earlier years of the Federation, when we had money to spare, a fair amount had each year been spent on the Post and Telegraph Department, we should not now need to ask for such huge sums. At present, I know of no reason why the Post and Telegraph Department should not continue to provide for capital expenditure out of revenue. Of course, there will arise works which we will not be able to finance out of revenue. When the time arrives for those works to be dealt with, the Government will not hesitate to adopt a loan policy, if the circumstances warrant it. I say that, for the works provided for in this Bill, a loan policy is not warranted. I think that Senator Millen asked that a reasonable time should be given honorable senators to discuss the Budget. The Vice-President of the Executive Council, in laying the Budget-papers on the table of the Senate, undertook that a reasonable time would be given for the discussion of the Budget; and I have no reason to doubt that he will keep that promise. I might say that, in this matter, honorable senators are in the same position as are honorable members in another place, where, because of the pressure of other business, it has been impossible to resume the discussion of the Budget. Senator Sayers endeavoured to make a little capital out of a slight misunderstanding that arose in another place regarding a certain road at Maribyrnong, because one Minister was under the impression that it was a shire road, and the Government were proposing to make a grant in aid of its maintenance. That was a proposition put forward, but not finally adopted in the Estimates. The road for which money is provided in the Bill is entirely within Commonwealth property. It is not a road in the ordinary sense of the term. We are simply making a road from a landing we have on the Saltwater river to one portion of the Cordite Factory. It will not be open, or accessible to, the public; and it is intended to make it possible to land material from the river, and take it up through the Cordite Factory on our own land. Referring to the Small Arms Factory, I wish to say that Senator Sayers' criticism was not entirely fair. If he had read the parliamentary-paper to which I referred him, he would have seen that, during the time I was Minister of Defence in the first Fisher Government, I went into the matter exhaustively. It was a very difficult matter with which to deal at this end of the world, especially in view of the fact that we had no officers who had had any experience of small arms factories. But at the time we left office, it was open to Mr. Joseph Cook, if he thought Pratt-Whitney's tender was not a good one, or as good as the other, to accept the other tender. No tender had been finally accepted when we left office. If Senator Sayers will refer to page 4 of the parliamentary-paper mentioned, he will find a foot-note to the following effect—

> In all the circumstances and after submitting the matter to the Cabinet I approve the acceptance of Messrs. Pratt-Whitney's tender with the requisite guarantee.
>
> (Signed) J. COOK.
>
> 17th July, 1909.

This shows that Mr. Joseph Cook dealt with the matter, and considered it of sufficient importance to get the opinion of the whole of the Cabinet on it. The Government of which he was a member must, therefore, take the responsibility of having entered into the contract. We have to accept the responsibility of carrying it out.

Senator CHATAWAY.—Was not the complaint that the present Government had not carried it out?

Senator PEARCE.—Senator Sayers has yet to learn whether they have or not. The contract is not yet completed. The contractors have not supplied the machinery up to time, and there may or may not be good reasons for that. This has yet to be determined; and when the whole business is completed, it will be time enough to say whether, on the facts, the present Government have done their duty in connexion with the contract or not. I do not think that there were any other matters raised during the debate on which I was asked for a reply.

Original question resolved in the affirmative.

Bill read a second time.

In Committee:

Clause 1 agreed to.

Clause 2 postponed.

Clause 3 agreed to.

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The Schedule—

STORAGE AND SEASONING OF TIMBER—KALGOORLIE TO PORT AUGUSTA RAILWAY—LONDON OFFICES.

Senator KEATING (Tasmania) [6.12].—I desire to call attention to the item of £146 for a timber storage shed in New South Wales, and the item of £700 for a similar shed in Victoria. The former item includes £46 for a re-vote, and £100 for new service, while the latter item includes £156 for a re-vote, and £544 for new service. I desire to ascertain the present position regarding the storage and seasoning of timber. A few years ago it was decided to initiate a system of storing timbers for use in Commonwealth works, and a substantial sum was voted on the Estimates for acquiring, during the financial year, a quantity of timber representative of the descriptions available in the forests of the different States. It was proposed to store the timber and season it in a way which private firms could not be expected to do, so that its capabilities would be demonstrated to the utmost. It was anticipated that, by pursuing this policy, we would have in our public works evidence of the suitability of our timber for different purposes in the future. The vote to which I refer does not seem to have been availed of by the Government to the full extent, or, indeed, to any large extent. I should like the Minister to state the purpose for which the items on these Estimates are required, to what extent the policy laid down in a previous session has been followed, and with what measure of success so far.

Senator LYNCH (Western Australia) [6.15].—I desire to know whether any attention has yet been directed to the State which supplies, I suppose, the best class of hard-wood to be found in the Commonwealth. I do not know whether a fair quantity of the jarrah of Western Australia has been stored for the purpose of being used in connexion with the public works of the Commonwealth. It is about time, I think, that the Commonwealth obtained from Queensland or Western Australia, or perhaps from New South Wales, a piece of timber country, from which it could draw whatever supplies of timber it needed for public purposes. Owing to the increased cost of the timber required by the Government of Western Australia, they have had to take up a piece of country, and set up machinery, in order to obtain cheaper timber than they could get through the employment of private contractors. The time has arrived, I think, when the wealth might well follow that Both in Queensland and in We tralia there are areas of timb where timber could be obtaine cost, and so avoid the payme high prices which are at presen We have a number of commitm consequently, the prospect of a quantity of timber being requi near future. In my opinion, it is depend upon contractors to s article. I suggest to the Gove necessity of not only collecting ber which is of proved quality obtaining from some of the S timber areas, in order to supply of the Commonwealth in hard soft woods, or even in both. T sity has been forced upon at leas Government, and there is no r the Commonwealth should de longer upon private contractors f ply of timbers, when it could eff saving by acquiring a sufficie timbered country.

Senator PEARCE (Western A Minister of Defence) [6.18].—I that when Senator Keating was Home Affairs he found some d getting supplies of seasoned timb Department, and initiated the storing timber to be seasoned. I that policy, last year two sums each were voted for New South Victoria, for the purpose of erec in which timber could be stored Bill we are asked to vote £146 respectively to complete the shed case of Victoria, an extension o ginal plan was found necessary accounts for the Committee being vote, for new service in Victoria, against £100 under the headin South Wales. The Departm thoroughly satisfied with the res have been gained by the adopti policy; so much so, that there is the Federal Capital site £5,000 timber, which has been purch which is to be added to from tim I hardly think, however, that th arrived for the Commonwealth to ambitious proposal of Senator Ly tainly in the Federal Capital Te in the Northern Territory, we may thing in that direction. I agree honorable friend as to the necessi taining cheaper timber for public but I think that it is a matter wh

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within the activities of the State Parliaments rather than of this Parliament.

Senator McDOUGALL (New South Wales) [6.20].—Referring to the suggestion of Senator Lynch, that the Government should secure timber reserves in Australia, I would like to say that, in Papua the Commonwealth has any quantity of first class timbers of every description. During our recent visit we saw hard woods and soft woods ready to be taken away. We were told that the ring of timber merchants in Sydney and Melbourne made it impossible for any person to cut the timber and send it down to Sydney. One resident offered Messrs. Burns, Philp, and Company a full cargo for Sydney; but the firm would not accept the offer because of the difficulty of placing the timber on the market in Australia. Difficulty was placed in the way of storing timber in Sydney and selling it. If the Commonwealth Government were to get their supplies of timber from Papua, they would not only supply their own wants, but also open up splendid country. If the time for adopting this policy is not ripe, as the Minister says, I do not think it is very far from that stage. I hope that the matter will be taken in hand On my return from Papua I suggested to the Minister of External Affairs that the Government should experiment with its woods in the manufacture of gun stocks in the factory at Lithgow. I do not know whether they intend to carry out my suggestion, but I honestly believe that Papua can provide timbers which are fit for that purpose; in fact, for almost anything.

Senator MILLEN (New South Wales) [6.22].—There is an item which strikes me as being rather curiously placed in this schedule. I refer to the item of £22,500 towards the cost of constructing the railway from Kalgoorlie to Port Augusta.

Senator DE LARGIE.—That is a very cheap railway, I should think.

Senator MILLEN.—Some persons think that it is a very dear one. On the notice-paper there is a Bill to ascertain whether or not the Senate is favorable to the construction of this railway, but before the Bill is passed we are asked to vote £22,500 towards the construction of the line. I do not wish to discuss the railway proposal now, but it does seem a little curious that, before we are asked to consent to its construction, we should be asked to vote this sum of £22,500.

Senator PEARCE.—I give my honorable friend this definite assurance, that if the Bill is rejected by the Senate, not a penny of this vote will be spent.

Senator WALKER (New South Wales) [6.23].—I desire to ask the Minister of Defence whether any agreement has been made with regard to the erection of Commonwealth offices in London? We are asked to vote £1,000 towards the cost of their erection. Surely that is a very small amount to have to pay for that purpose. Has it been decided to get a site in the Strand, or elsewhere?

Senator PEARCE (Western Australia—Minister of Defence) [6.24].—When the late Minister of External Affairs was in London, he went into this matter with the officials of the London County Council, and also with the High Commissioner, and viewed one or two sites, whereupon certain negotiations were opened up. This vote is required to pay the cost of preparing plans and deeds, should those negotiations be successful. In another place, the Prime Minister gave an undertaking, which I now repeat, that before the Commonwealth is committed to any definite sum Parliament will be taken into the confidence of the Government and asked to approve of the site selected.

Progress reported.

Sitting suspended from 6.27 to 8 p.m.

REPORT OF ROYAL COMMISSION ON POSTAL SERVICES.

Motion (by Senator DE LARGIE) proposed—

That Order of the Day No. 1, private business, be postponed, and stand an Order of the Day for this day week.

Senator CHATAWAY.—On a point of order, I desire to ask whether Senator de Largie, having already spoken to the motion, is entitled to submit this motion.

The PRESIDENT.—It is the honorable senator's own motion.

Senator CHATAWAY.—I thought that it was now in charge of the Senate.

The PRESIDENT.—But an honorable senator always has the right to fix the date upon which he desires his motion to be considered. The Senate can either accept or reject his proposal.

Question resolved in the affirmative.

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POSTAL VOTING.

Senator WALKER (New South Wales) [8.5].—I have been requested by Senator McColl to propose the motion standing in his name with the exception of paragraph 5, which reads—

> The names of the persons who obtained such postal voting papers and did not return them, and the divisions and polling places for which they were enrolled.

I ask leave, sir, to delete that paragraph.

Leave granted.

Senator WALKER.—I now move—

> That a return be laid before this House showing—
>
> 1. The number of postal voting papers issued in each State at the general election in April, 1910.
>
> 2. The number of postal voting papers returned to the various returning officers and used, in which the franchise was exercised.
>
> 3. The number of postal voting papers not returned to the returning officers.
>
> 4. The name of the State, electoral district, and polling place to which postal voting papers were not returned.
>
> 5. The names and ordinary occupations of the returning and deputy returning officers for such divisions.
>
> 6. The steps taken, or inquiries made, to trace such unreturned voting papers, and the results of such action.

Senator PEARCE (Western Australia—Minister of Defence) [8.6].—The reason why this motion was objected to as a formal one was because the Department reported that it was both inadvisable and almost impracticable to comply with the request contained in paragraph 5. Otherwise the Government have no objection to obtaining all the information that is sought.

Question resolved in the affirmative.

APPROPRIATION (WORKS AND BUILDINGS) BILL.

In Committee (Consideration resumed from page 2403):

The Schedule.

FEDERAL CAPITAL—STORAGE AND SEASONING OF TIMBER—KALGOORLIE TO PORT AUGUSTA RAILWAY—SYDNEY CUSTOMS HOUSE—TRAWLER LAUNCH—QUARANTINE STATIONS—RIFLE RANGES—SMALL ARMS FACTORY—BEERBURRUM MANŒUVRE AREA—LETTER BOXES—SYDNEY PARCELS POST OFFICE—POST OFFICES: DUPLICATION OF NAMES — WIRELESS TELEGRAPHY—TELEGRAPHS AND TELEPHONES: METALLIC CIRCUITS—GOVERNMENT PRINTING OFFICE—AUSTRALIAN SQUADRON—NORTHERN TERRITORY.

Senator ST. LEDGER (Queensland) [8.7].—I wish to refer to the item "Federal Capital, at Canberra," towards the cost of establishing which we are £33,957 is a re-vote, and £66,0 quired for new service, thus a total of £100,000. It time ago—I do not like how long—since we determined t the permanent Seat of Governme my memory serves me accurately on more than one occasion voted works in connexion with that site to ask the Government when they we shall get to the Federal Cap vote money in this fashion year is either a political intrigue or m of a political farce.

Senator CHATAWAY.—The senator is out of order.

Senator ST. LEDGER.—I accusing any honorable senator o political intriguer. But the wh seems to be a sort of political fa Parliament is committed to the Capital site at Canberra. It ha into a compact with the New So Government, and the money already been expended upon that not have been voted but for the we were to establish ourselves soon as possible. Honorable sen hail from Queensland, which is distant State, are the most disint this matter. Seeing that the bu the Federal Capital site are unde trol of the most brilliant genius he ought surely to be able to i colleagues of the approximate we may expect to get to the futu Government.

Senator CHATAWAY.—Does the senator consider Josiah Thomas t genius on earth?

Senator ST. LEDGER.—I know that there was a member o istry who disputed that title with ister of Home Affairs I rememb some time ago in the newspapers tain gentleman was going to bu of Sydney on behalf of the Comm When he was brought to book matter he told those who res action, that they knew nothing knew everything. It is about were supplied with information whether the Government are sinc gard to this vote. Inasmuch as are being controlled by the grea on earth, surely Ministers will give us a definite statement as to Capital is likely to be finished,

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Parliament will be able to sit there. The vote is mounting up year by year, but it does not appear to me that the Government are determined that the Seat of Government shall be removed within a measurable distance of time. When Parliament selected Yass-Canberra, that choice was made with the idea that we should soon be able to sit in the Capital city. But we know what has been going on in the meantime. Neither Sydney nor Melbourne has yet abandoned the hope that the Federal Capital may be permanently located in one or other of those cities. Pressure is being brought to bear through the newspapers and other public channels with a view of securing a reconsideration of the question. Owing to political wire-pulling, the whole matter may be reopened. If that is to be done, let us know at once. I do not know that there is a subject more likely to give rise to political intrigue—for which the Government are largely responsible—than this.

Senator W. RUSSELL.—Intrigue where?

Senator ST. LEDGER.—All over Australia.

Senator NEEDHAM.—I rise to order. Is Senator St. Ledger in order in using the word "intrigue" concerning the Government? That word is significant of log-rolling. The word "stupid" has been ruled out of order, and I think that "intrigue" is equally objectionable.

The CHAIRMAN.—Senator St. Ledger has not said anything that was out of order.

Senator ST. LEDGER.—Cannot the Government give us any idea as to when we are likely to go to Yass-Canberra?

Senator PEARCE.—We tried to get the honorable senator to go there last Saturday, but were unsuccessful.

Senator ST. LEDGER.—When I go to the Capital, I hope that Parliament will be located there permanently. We have acquired that territory from the New South Wales Government, and have voted large sums of money, but apparently we are no nearer to a definite settlement than we were years ago.

Senator PEARCE (Western Australia —Minister of Defence) [8.21].—I hope to be able to satisfy Senator St. Ledger, who seems to be thirsting for information concerning the Federal Capital. I do not think the honorable senator can fairly say, however many sins he may lay to the charge of the present Government, that we have adopted other than a straightforward course in connexion with this question. Any one who looks back over the history of the Federal Capital contest must, if he does us justice, admit that we have gone straight concerning it. As to when the Federal Parliament will be able to sit at Yass-Canberra, that event must, of course, be a few years ahead. There is a method by which we could sit there within twelve months—namely, by erecting temporary buildings and offices. But that would be a costly and unsatisfactory method of procedure. It would be costly in the sense that these temporary buildings would only be used while permanent buildings were in course of construction, and consequently the money spent upon them would be thrown away. It would be costly in another sense, because wherever the temporary buildings were put they would in all probability interfere with the carrying out of the plans for the erection of the permanent Capital. The Department of Home Affairs has proceeded about this business in an orderly fashion. During the past year the Department has been engaged in the preparation of projects, and in the execution of many necessary works. If we are to have a city worthy of the name, we must necessarily lay our plans carefully. Accordingly, competition has been invited, as a result of which we hope to get the aid of some of the best minds in the world to assist us in laying out the city. In the meantime, a considerable proportion of the present vote is to enable preparations to be made for the erection of the necessary public buildings whenever the laid out city is completed. The money is also for the purpose of making tunnels for a proper sewerage system, because it is the intention of the Government, acting upon expert advice, to lay down a sewerage system forthwith, so that we may not be compelled to rip up the streets after the city has been built. I have before me a list of the works in contemplation, showing what is proposed to be spent.

The following are the initial major works which are awaiting preliminary votes by Parliament before they can be put in hand during 1911-12 (subject to land acquisition).

The approximate estimates of total costs are given for works; the larger items will extend over two or more years. The amount which can be expended on each item before 30th June, 1912, will in some cases depend on acquisition of land and other factors.

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	Total cost approximately.
	£
Power plant, accessory buildings and works	20,000
Brick works, buildings and accessory works	30,000
Weir, Cotter River	30,000
Rising main, pipe-head and service reservoirs, pipe tracks pumping stations and pumps	140,000
Pipe bridge over Murrumbidgee River, including pump suction tunnel and head-works ...	40,000
Railway to Queanbeyan	25,000
Further road-making and deviations to existing roads during 1911-12	10,000
Further expenditure on offices at "Acton," Afforestation area, &c., during 1911-12	13,000
Further expenditure on joinery timbers during 1911-12	5,000
Total	313,000

The foregoing is for works only; it does not include lands, surveys, or other administrative expenditure.

The works that will be gone on with include roads, timber storage, power plant, water supply, gauging of the Cotter, Molonglo, and Queanbeyan Rivers, brickworks, Observatory, Administration offices, and a bridge over the Molonglo River. I have a statement here setting out in detail all that is to be done in connexion with these various items, but it is unnecessary that I should read it to honorable senators. From what I have said it will be seen that the Government are in earnest in their desire to press on with the building of the Federal Capital. To spend money on actual buildings, until we have the plans of the city before us, would be to put the cart before the horse. We are doing, and propose to continue to do, all essential preparatory work in order that necessary materials may be available when we are ready to begin the actual building of the city.

Senator GIVENS.—When are the competitive designs to be sent in?

Senator PEARCE.—They will be due next year. I have shewn that the Government are doing all that can be done prior to the actual building of the Capital. As soon as the plans of the city are adopted we shall have brickworks, water supply, and power supply so far advanced that a real start can be made with the building of the Capital.

Senator WALKER.—Has any date been fixed for the receipt of the plans?

Senator PEARCE.—Yes; January, 1912.

Senator DE LARGIE.—Can th inform the Committee whether tects' strike has been declared

Senator PEARCE.—I think t all right. Senator Chataway r statement that the plans must January, 1912, with derisive la I do not know why he should so.

Senator CHATAWAY.—When w vernment decide to build?

Senator PEARCE.—Immedi plans are available, and there is to anticipate that there will b treme delay in the matter.

Senator MILLEN (New Sou [8.30].—There is one aspect of tion to which I again desire to d tion. I personally accepted the statement with a good deal of pl I point out that we are making tions for the building of a city which, at present, we do not ow viously directed attention to anomalous position. Surely, the we ought to do is to devise a the resumption of such land as to acquire? It was always und the early days of the discussi matter that in the Federal Ter was to be but one landlord—the wealth. Have we all aband idea?

Senator FINDLEY.—Not at all.

Senator MILLEN.—Senator speaking evidently with authority that idea has not been abandone so, is it not time an attempt wa realize it? Are we to wait, pe two or three years more before the land we require, and, in the construct sewerage works, and considerable sums to which the M Defence referred, on other peo perty? I suggest that the G should immediately attempt to gra this problem. They should a might be regarded as a bold land resumption, unless it is inte we should drift into the positi around us in all the capital cit States. The Government should the area to be acquired for and as much more as they Commonwealth should have rights over. That will probably very considerable financial un The land is there, and is going t an added value. I have no hes saying that if the matter is

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handled we can, from the incremental value which will be given to the land, obtain a sum which will go a long way towards the building of the city itself.

Senator GIVENS.—It ought to defray the whole cost.

Senator MILLEN.—I think I speak with moderation when I say that in any big city in the world, it would be possible to form a syndicate that would be only too glad to take this job off the hands of the Commonwealth Government, if it were given the same opportunities of profiting from the increment of value which will be added to the land on which the Federal Capital is to be built. The question arises, how are the resumptions to be carried out? At present, the innocent and modest resumptions which are being effected are carried out by officials of the Home Affairs Department, acting under Ministerial authority, but no one will contend that the best way in which to carry out the resumption of big areas of land involving an expenditure of hundreds of thousands of pounds is by private bargaining in anybody's office. The undertaking is too big for anything of that kind, and I suggest for the consideration of the Government the creation of some tribunal to which, in the light of day, the owners of land which we shall require to resume will be able to present their claims, as is done in the case of Land Boards in at least two of the States. Before such a tribunal every matter could be inquired into, and evidence given by the owners of the land and experts of the Commonwealth Department.

Senator PEARCE.—We have practically got all that machinery under the Lands Acquisition Act.

Senator MILLEN.—The Minister will pardon me, we have not. The Bill now before the Committee contains votes for the payment for lands resumed, and there is no indication of an intention to appoint a tribunal to deal with these resumptions.

Senator PEARCE.—They would come before a tribunal under the Lands Acquisition Act if the amount were disputed.

Senator MILLEN.—I am looking for a much more simple procedure. The best illustration I can give the Minister of what I desire is the appointment of such a Board as is now in operation in New South Wales, where estates are resumed for closer settlement. These matters are referred to an open tribunal specially constituted to determine the value of the estates in question. In the Federal Territory we shall be dealing with a much larger area, embracing the estates of several individuals, and we should afford every opportunity to the owners to make good their claims, and the departmental officials to present their views as to the fair value of the land to be resumed. If these resumptions on an enormous scale were carried out in the way I suggest, they would be entirely free from any possibility of suspicion, and it would be in the interest of the Government, and of the owners of the land, to deal with them in that way. Another matter in connexion with this seems to me to call very loudly for prompt action. In the Act we passed dealing with the Federal Capital a provision was inserted that land resumed should be acquired on a basis of its value in 1908. When are these resumptions to take place? Every year they are delayed will make it only more and more difficult to demonstrate the value of the land in 1908. I have no doubt that since the passing of the Act to which I refer in the Federal Territory and outside of it, there has been a considerable advance in land values. The owners of land will probably not be very particular about the date at which the increment of value accrues. How will the Commonwealth Department prove the value in 1908, especially if the resumptions are to be delayed for another four or five years? I am advancing this as a business reason why we should carry out the resumptions as early as possible. Another argument might fairly be advanced in this connexion. Is it quite fair to the owners of these lands to place them in such a position? They will be told the Government intend to take their lands. They will not be told when, but that when they are taken it will be at their value a long period since. These people should be told that their land is to be resumed or that it is not. It is unfair to them that they should be left between Heaven and earth, unable to sell or do anything with their land, doubtful if they will improve them, and in considerable doubt as to what they will receive for them if they are resumed. I am sure the Minister of Defence will admit that it is a business proposition that the Government should, at an early date, determine the area to be resumed and the policy of resumption. In fairness to the land-owners concerned, the intention of the Act to which I have referred should be given effect, or it should be amended.

Senator SAYERS (Queensland) [8.35].—I notice certain sums put down for the storage of timber.

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Senator PEARCE.—I explained that.

Senator SAYERS.—I heard the honorable senator's explanation, but it seems strange to me that timber is to be stored only in New South Wales and Victoria. The Government will require a lot of timber in the other States. I believe that Queensland possesses the best supply of pine and other timbers, and supplies a great deal of timber to Victoria and New South Wales. We might, in the circumstances, reasonably expect that some provision will be made for the storage of timber in that State. There is a lapsed vote for Victoria of £156, and a new vote of £554, making a total of £700. For New South Wales there is a lapsed vote of £46, and a new vote of £100. That will not put up much of a shed for the storage of timber.

Senator PEARCE. — Some money was spent during the last year; the honorable senator has not the total vote before him.

Senator SAYERS.—That is so, and that is how we are misled to a great extent.

Senator PEARCE.—If the honorable senator will look at the Estimates he will see the total amount.

Senator SAYERS.—I have not some one behind me, as the Minister has, to give me information.

Senator PEARCE.—I am not referring to any one behind me, but to the Estimates before me.

Senator SAYERS.—When the Minister is asked for information he can refer to the departmental officers behind him, but we are not all in that happy position. We have to hunt up the information for ourselves. In view of the fact that Queensland supplies New South Wales and Victoria with a very large quantity of pine, cedar, and other timbers, I would like to know why the Government propose to make no provision for storage sheds for the seasoning of timbers in that State. With regard to the vote for the Federal Capital, I was one of those who voted for the selection of Yass-Canberra as a site, but I never imagined for a moment that the scheme would be allowed to hang so long in the stays before anything was done. We are told that money is wanted. Of the sum which was voted for this purpose last year £33,957 was not spent, and has to be re-voted, and, in addition, we are asked to vote £66,043. I want to know why the Government ask us to vote large sums which the Department knows it cannot spend within the financial year. We have heard that these Estimates have to be passed in order to allow the works to be with; but in this schedule, we to re-vote about £250,000, which on the last Estimates for various That is not a businesslike method cedure.

Senator LONG.—The honoral means that they ought to get money anyhow.

Senator SAYERS.—No. Wh is that the Department ought whether it will need £ £100,000 for the year. The connexion with the Federal Capi returnable until next January. ister of Home Affairs has state Department is going to get of the best talent in the world. know whether it is true or not, read in the press that eminent in America, Great Britain, and have refused to submit plans whom they believe to be incompe press an opinion on them.

Senator KEATING.—It is mor for engineers than for architec

Senator SAYERS.—The func engineer is to plan a system of and to lay out the streets of th the function of the architect is plans for the buildings to be er on the 1st January, no plans ha ceived the whole matter will back for a year.

Senator HENDERSON.—Why?

Senator SAYERS.—Because necessary to call for fresh te other words, we shall be in e same position then as we were months before. I feel satisfied the end of next year, no plan adopted. The business will be as long as possible. Whatever i at work I do not know, but m sion is that there is no real intent ceed. Otherwise the Governm have appointed well-known ar select the best plan. In nearly stance where plans are invited ister does not select the best plan in experts, who decide upon the p should receive the prize offered instance, however, the Minister cide. Suppose that plans are re next January. In what position be? The Commonwealth will no quired the land for laying ou Surely we cannot enter upon pr before it is purchased and lay

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A portion of this vote is required for sewerage purposes. Is it intended to start that work before the land is acquired? The whole thing is, to my mind, a farce. It is not intended to deal with the plans, or to spend the money which we are asked to vote, and next year another re-vote will be proposed, or, perhaps, the Government may decide to pass money into a trust fund until they have accumulated a sufficient amount to spend.

Senator HENDERSON.—What harm will that do?

Senator SAYERS.—I do not see why we should be asked to vote sums which it is not intended to spend. Of the amount which was voted last year, how much did the Government spend? As nearly as I can make out, they spent between £60,000 and £80,000. We are also asked to vote £22,500 towards the cost of constructing a transcontinental railway from Kalgoorlie to Port Augusta. Is it usual for the Government to ask Parliament to vote money for the construction of a railway before plans and specifications have been prepared and submitted? I have seen a good many railway proposals submitted, but the plans and specifications were always laid upon the table by the Government before a vote for construction was asked. This vote of £22,500 is required, not for the preparation of plans and specifications for the proposed railway, but towards its construction. Is the Senate prepared to vote the money without caring whether plans and specifications, or estimates of cost, are submitted? Apparently it is prepared to vote the money "on the blind."

Senator HENDERSON.—An estimate of the cost of construction has been before the honorable senator for many years.

Senator SAYERS.—I have never seen an estimate of the cost of constructing this railway, nor has the honorable senator, to my knowledge. We have voted a sum for the purpose of surveying a route for the railway.

Senator HENDERSON.—I mean an estimate of the cost of construction.

Senator SAYERS.—We have passed a Bill to survey the route of a railway from Port Augusta to Kalgoorlie; but I have not seen any estimate of the cost of construction. I have heard various sums mentioned as likely to be required, but I have not seen any plans and specifications, or any estimate of the cost. It is not disclosed in these Estimates whether the railway is to be built on any plan, or what is the gauge on which it is to be constructed. Why should we be asked to vote £22,500 unless the Government are prepared to submit plans and specifications and an estimate of the cost, and seek parliamentary authority to construct the line? I have never known the construction of a railway to be initiated in this manner, although I have seen twenty or thirty railway proposals put through Parliament. No other Parliament would agree to vote a sum towards the construction of a railway, no matter what the amount was, in the circumstances which I have pointed out. Here we are asked to re-vote £3,526 and to vote £18,974, making a total of £22,500, without one tittle of a plan or any estimate of cost being submitted We have had brought before our notice various imaginary estimates; but these have been reduced or increased. One engineer has said that the line will cost £4,000,000; another engineer has estimated the cost at £3,700,000; in fact, various sums have been mentioned in this way. Surely before the Government ask the representatives of the people to vote this money they should submit for our approval plans and specifications of the proposed railway. They have adopted a most extraordinary method of procedure. The Senate seems to me to be satisfied to pass the item without any information as regards total cost, or without any reference to plans and specifications. The line may involve an expenditure of £4,000,000, or £5,000,000, or £6,000,000. At the present moment the Minister cannot give us any idea, either as to the plans and specifications, or as to the total cost of the work. All that he has in his possession are the estimates of some engineers which vary. There are no plans to show how much the railway will cost per mile, or how much each section will cost. In short, we are asked to tax the people to build a line without a tittle of proper information. I do not suppose that anything I could say would affect the decision of the Committee. It seems that any proposal which the Government may submit, whether wise or foolish, is sure to pass. I, for one, enter a protest against this money being voted in the absence of plans and specifications of the proposed railway.

Senator MILLEN (New South Wales) [8.54].—I desire to ask the Minister a question regarding a small item of £250 for alterations and additions to the Sydney Customs House. I desire to know whether

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this building was one of the transferred properties or not. I understand that, although it is in the occupation of the Federal Government, the State Government demurred to the transfer of the building, and that it remains in joint occupation. I desire to know whether we are asked to spend money on a property belonging to the State Government, or whether an arrangement has been made for the transfer of the building to the Commonwealth.

Senator PEARCE (Western Australia—Minister of Defence) [8.55].—This vote is required to provide a long room and lift accommodation in the building, which is a transferred property.

Senator MILLEN (New South Wales) [8.55].—I note that we are asked to re-vote the whole amount of the expenditure we authorized last year in connexion with the purchase of a launch for the trawler. Is there any difficulty in securing a launch, or why is it that nothing has been done to give effect to the decision of Parliament?

Senator PEARCE (Western Australia—Minister of Defence) [8.56].—The item in question is merely for the payment of the account. The launch has already been provided.

Senator SAYERS.—Does the same remark apply to the item "Laboratory, £164"?

Senator PEARCE.—Yes.

Senator SAYERS (Queensland) [8.57].—It seems strange that in connexion with new quarantine buildings in New South Wales we should be asked to vote £6,200 and to re-vote £6,536, the expenditure of which was authorized last year.

Senator PEARCE (Western Australia—Minister of Defence) [8.58].—The departmental explanation of this matter reads—

> While it has been considered desirable to make careful inquiry before embarking upon any extensive provision of new quarantine stations and new buildings at existing stations, still a certain amount of expenditure is necessary in order to maintain existing stations in good repair and efficient working order. Provision has been made for some necessary works of water supply, sanitation, and for the disinfection of infected articles, and for the transport of persons and supplies to and from quarantine stations.

That applies to some of the minor items. In regard to the major items, I explained on the motion for the second reading of the Bill, that the Commonwealth is providing new quarantine stations where they have been found to be necessary. In some of the States, when we did take over quarantine buildings. The re-vote is caused tracts being let, but not completed the financial year.

Senator SAYERS (Queensland —In connexion with rifle ranges South Wales, I note that there is of £1,296. I know that some of ranges in Queensland are in a state indeed.

Senator PEARCE.—We are not with them at the present time.

Senator SAYERS.—I recogni and shall, therefore, reserve my upon the subject till a later stage.

Senator MILLEN (New South [9.0].—I would direct attention to "Lithgow—Small Arms Factory, ing fittings and erection of m £19,000." This includes a re £3,588. I desire to know whe amount, the expenditure of which now asked to authorize, represents payment in respect of the und covered in this paragraph. Appa deals only with buildings and the of machinery, not with the mach self. At any rate, that is the wa it. I am also anxious to ascertain to be the total cost of this underta

Senator PEARCE (Western Au Minister of Defence) [9.1].—The question covers buildings and m supplied by the Department of Affairs, but not the machinery sup Pratt and Whitney. The machi the making of rifles is the subject o tract entered into by the Defence ment. I presume that the am which the honorable senator has attention will represent the final on account of the machinery supp the Department of Home Affairs.

Senator MILLEN.—Can the Mini us the amount of the previous pay

Senator PEARCE.—It was for the year 1910-11.

Senator MILLEN.—That is £54,0 gether?

Senator PEARCE.—There is under the heading of "New Special Provision," which reads "Small Ar tory, £6,000." There was also an priation last year of £11,800 in t nexion, and an expenditure of £ That amount was expended by the Department. It is separate from penditure upon machinery to be s by Pratt and Whitney, althoug

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contingent on that supply. This amount must, therefore, be added to the sum to which I previously referred.

Senator WALKER (New South Wales) [9.4].—I should like to know the area of land that we have at Maribyrnong.

Senator PEARCE.—There are 241 acres.

Senator SAYERS (Queensland) [9.5].—I see in these Estimates a vote for "Rifle range and accessories for proof of small-arm ammunition." During the debate this afternoon I stated that Captain Collins had affirmed that American machinery was less durable than British, and was, therefore, more expensive.

Senator PEARCE.—Does the honorable senator still hold that Captain Collins said that?

Senator SAYERS.—When I made that statement I could not for the moment find my authority for it. But I have since discovered that it is contained in the *précis* of proceedings in connexion with tenders for machinery for the Small Arms Factory, which was ordered to be printed on 5th August, 1909. I merely wish to give the Minister the source of my information.

Senator PEARCE.—Will the honorable senator correct his statement that Commander Clarkson affirmed that American machinery was less durable?

Senator SAYERS.—Yes. I will read an extract from the document to which I referred. It is as follows—

War Office has been consulted. Like Birmingham offer. Consider cost prohibitive compared other tenders. American machinery less durable, therefore more expensive.

I wish the Committee to understand that I would not make a statement in this Chamber unless I had some authority for so doing.

Senator PEARCE.—The honorable senator stated that Commander Clarkson had said that American machinery was less durable.

Senator SAYERS.—I have withdrawn that statement.

Senator PEARCE.—The honorable senator now points out that it was the War Office which made the statement. If he had read on he would have found the following—

Clarkson considers War Office objections to American machinery not applicable Pratt, as War Office not aware of recent development in small arms machinery in America.

Senator WALKER (New South Wales) [9.8].—I should like to know the area of the Beerburrum manœuvre area, for which £13,608 is provided.

Senator PEARCE.—It is, roughly, 55,000 acres.

Senator SAYERS (Queensland) [9.9].—I wish to know why the sum of £788 has to be re-voted in connexion with the Bundaberg rifle range? I also desire similar information in regard to the Mackay rifle range, upon which we are asked to re-vote £330. I know that the works were required, and should like to know why the money was not spent.

Senator PEARCE (Western Australia—Minister of Defence) [9.10].—Until we secured parliamentary approval for these votes, we could not do anything. As soon as parliamentary approval was obtained, the works were taken in hand; but they had not been completed before the end of the financial year. Works have not been suspended, however, but we now require Parliament to re-vote the money, which will be spent during the current financial year.

Senator MILLEN (New South Wales) [9.14].—I wish to direct the attention of the Minister representing the Postmaster-General to a matter which I should not have mentioned, except that there appears to be a possibility of the practice to which I allude being extended. I understand that, outside the post-office at Croydon, a suburb of Sydney, the Department is erecting an iron letter receiving-box. Surely that is a waste of money. But I believe that this is not an isolated instance. It seems extravagant expenditure, because receiving-boxes are not necessary in such situations.

Senator FINDLEY.—I will take the earliest opportunity of bringing the matter under the notice of the Postmaster-General.

Senator WALKER (New South Wales) [9.16].—I notice an item of £25,000 towards cost of the Sydney Parcels Post Office. What will the total cost be, and where is the Parcels Post Office to be situated?

Senator FINDLEY.—The total cost will probably be £50,000. The work is now in progress. It is adjacent to the Redfern Railway Station.

Senator MILLEN (New South Wales) [9.18].—Running through the list of post-offices for which money is appropriated, I notice a difference in the wording. We have, for instance, Auburn Post-office, "towards cost"; whereas those words do not appear after Blackheath Post-office. Does the variation represent different kinds of expenditure? Otherwise, the words "towards cost" are unnecessary.

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Senator FINDLEY.—Where the words "towards cost" appear, works are in progress. In the other cases, the amount set down is a final payment.

Senator SAYERS (Queensland) [9.19].—I observe that in various parts of the Commonwealth there are post-offices bearing the same name. For instance, there is more than one Woodstock Post-office. There is also a Croydon in New South Wales, in Queensland, and in Victoria. This duplication of names frequently leads to difficulty. Some time ago, I sent a telegram to Bowen. For the last forty years, there has been a large and important post-office at Bowen, Queensland, which is the receiving station for the New Caledonia Cable. I did not know, however, that there was another Bowen in Victoria, and my telegram was sent to the wrong place. I afterwards found that I ought to have put the word "Queensland" upon the address. I am afraid that letters and telegrams often go astray through such a duplication; and I think the Government should, as far as possible, put an end to it. I am not blaming the Department for the error that occurred in connexion with my own telegram; but I hope that the Minister will bring the confusion under the notice of the Postmaster-General, and see whether means cannot be devised for avoiding it.

Senator FINDLEY (Victoria—Honorary Minister) [9.21].—When there are two places bearing the same name in different parts of the Commonwealth, and it is possible to bring about a change, changes are being made as expeditiously as possible. But, of course, the Commonwealth Government cannot change the names of places at its own sweet will. We have power to alter the names of post-offices; but it would never do to alter the name of a post-office without altering the name of the place where the office was situated. Whenever the Department can induce local people to change a name in order to avoid duplication, that is done.

Senator SAYERS (Queensland) [9.23].—I did not blame the Department, but drew attention to the confusion that arises from this cause; because, if I had not done so, and on any future occasion I mentioned a mistake that had occurred, it would have been said to me, "Why did you not bring the matter forward when the Estimates were under consideration?"

Senator W. RUSSELL (South A
[9.24].—I take the opportunity o
tulating the Government on the pr
of this list of votes. I observe
many instances, money is to be
country towns. We have heard
deal of what ought to be done
country.

Senator MILLEN.—Is Sydney a
town?

Senator W. RUSSELL.—I a
ring to South Australia. I see
here to Balaclava, Bordertown,
and Crystal Brook. I was deligh
I saw these votes. We have
people stating that the farmers'
are being entirely ignored by this
Government, and when I saw thi
heart leapt with joy. Honorable
opposite seize, with pleasure, eve
tunity to denounce the Governmer
think it is right, when the op
offers, to do the opposite thing,
the Government credit when cred
to them. As a farmers' represent
though belonging to the Labour
am delighted to find that the Go
have done this. I am sure that
vernment of which Senator Mille
member, never did anything of t

Senator WALKER (New Sout
[9.27].—I notice a vote of £1
a wireless station at Fremantle.
be glad to know if the work is app
completion. While on the subject
ister might inform the Committ
wireless communication will be es
between Thursday Island and Pa

Senator SAYERS (Queensland
—On the second reading of the
drew attention to the fact that th
vote proposed for the establishment
less communication between eithe
town or Thursday Island and Pa
is more than a year since I had
view the Department about the ma
I was then assured that the work
proceeded with at once. I am u
congratulate the Government in thi
During the last eighteen months t
been urgent need for wireless con
tion between North Queensland and
Not long ago the Administrator
Territory was lost, and we were
anxious to know what had become
We could get news from Papua
steamer, or steam launch. We k
wrecks sometimes take place on the
Reef, and, as many vessels are n

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with wireless telegraphy, it might be possible to save many lives in case of a marine disaster if there were some place on the coast of North Queensland with which vessels could communicate. Though a promise was made to me last year that the work to which I refer would be proceeded with, nothing has yet been done. I hope it will not be hung up as the establishment of the Federal Capital has been. I have constant inquiries from people in the north as to when the Government intends to proceed with the work, and I hope the Minister will be able to inform the Committee that it is the intention of the Government to do so very shortly.

Senator FINDLEY (Victoria—Honary Minister) [9.30].—The whole question of wireless telegraphy is to-day being inquired into by a Government expert.

Senator SAYERS.—We were told that last year.

Senator FINDLEY.—The gentleman to whom I refer was not in Australia last year. He is now actively engaged in the preparation of a report which we hope will soon be completed. His recommendations will, in all probability, be acted upon, and ample provision is made in the Postmaster-General's Estimates for the work to be proceeded with. The Committee may rest assured that there will be no unnecessary delay.

Senator WALKER.—Are any particular stations to be reported on?

Senator FINDLEY.—We have asked for a comprehensive report on the whole question, and also with respect to suitable sites for wireless stations. Some sites have already been decided upon and the Minister of Defence has already referred to the Pennant Hills and Fremantle stations. The sites chosen for other stations around Australia will depend very largely on the report of the expert.

Senator SAYERS (Queensland) [9.32].—Last year it was understood that a wireless station was to be erected at Thursday Island or Cooktown, to provide communication with a station to be erected in Papua. For military reasons it was subsequently decided that the Queensland station should be established at Thursday Island. Surely it should not take twelve months to put up a wireless station at Thursday Island when vessels can leave Australia for the Old Country and in three weeks be fitted with wireless telegraphic apparatus. We are now told that an expert has been procured to select sites.

Senator STORY.—That is perfectly true.

Senator SAYERS.—If it has taken twelve months to get an expert it will probably take twelve years to have this work done. I say that the people of North Queensland were misled by the statements made on this subject last year.

Senator PEARCE.—Money was provided on the Estimates for the work.

Senator SAYERS.—Then it must be necessary now to re-vote it, because there is no vote on the present Works and Buildings Estimates for the purpose. I do not wish to be continually worried by people writing to me for information, and I hope the Minister will tell me whether a vote for this purpose will appear on the Supplementary Estimates.

Senator FINDLEY.—There is £20,000 on these Works Estimates.

Senator SAYERS.—I see that there is a vote of £20,000 put down for wireless telegraphy generally, but no statement is made as to where that money is to be spent. A separate vote is provided for the stations at Pennant Hills and Fremantle, but there is no separate vote for a station at Thursday Island or Papua. It is only misleading me or the Committee to say that there is £20,000 for this purpose on the Estimates when I ask what amount is put down for the promised station at Thursday Island.

Senator PEARCE.—The honorable senator was told by the Minister that the wireless telegraphy expert is to recommend the sites on which this £20,000 is to be spent.

Senator SAYERS.—Can the Minister of Defence tell me how many stations this amount will cover?

Senator PEARCE.—Quite a large number.

Senator MILLEN (New South Wales) [9.37].—The Minister has mentioned that a wireless telegraphy expert is now engaged in making a report on the whole question. Am I right in assuming that the Government will be largely guided by his advice both as to the extension of wireless stations and the system to be adopted. If we have a wireless telegraphy expert, it is right that his advice should weigh very considerably with the Government. Assuming that his advice will be sought on the question as to which system should be adopted in future, I should like to know whether the Government are aware that the gentleman who has been employed was not long since engaged in a legal controversy with the representatives of the Marconi Company.

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Senator PEARCE.—He ought to know the law on the subject.

Senator MILLEN.—Yes, but in the course of that controversy he may have become quite unconsciously prejudiced in a certain way, and it would be as well if we were informed on this point also.

Senator SAYERS (Queensland) [9.38].—We have heard from time to time a great deal of what a Government can do as compared with private enterprise, but private enterprise has established several wireless stations in Australia since the Government promised the establishment of a station at Thursday Island. The stations established by private enterprise may not be as well equipped as those at Pennant Hills and Fremantle, but they are powerful enough to do the work we require to have done. Senator Millen now informs us that the wireless telegraphy expert has been engaged in a controversy with the Marconi company, and, reading between the lines, it may be suggested that he would favour the adoption of a particular system. We shall not prejudge him, however, and will assume that he has an open mind on the subject. But I would impress upon the Government that they have the money, and should not allow private persons to act in advance of themselves, and put up wireless stations. The people on Thursday Island look to the Government to undertake this work. A promise was made that it would be proceeded with, but it has not been kept. I believe that the Government could have done the work if they had so wished. What has been the cause of the delay I do not know, but to-morrow I shall have to tell the people of Thursday Island that, although private persons have been able to erect wireless stations within the year, the Government have, for some reason or other, been unable to do so.

Senator FINDLEY (Victoria—Honorary Minister) [9.41].—Senator Millen has drawn the attention of the Committee to the fact that Mr. Balsillie, who is the Government expert in regard to wireless telegraphy, has been interested or concerned in the recent case in the Old Country between the Marconi Company and another wireless telegraph company. He has asked whether the Government would be guided by that gentleman in respect to methods. Undoubtedly the Government will be very largely guided by his recommendations. That is the reason why he was appointed. With regard to any law points which may arise, the Government have their own officers.

Senator MILLEN.—It is not a m law points.

Senator FINDLEY.—Questions have arisen in regard to wirele graphy and the systems in opera different parts of the world. I ence to methods, location, and p the stations, the Government will be largely and mainly by their expert to any matters of law which ma from time to time, the Governme consult their own officers.

Senator MILLEN (New South [9.43].—It was not a question which was raised, but a question of when the Government seek expert they will obtain that advice from is quite free from prejudice. I Committee whether a gentleman been engaged in a lawsuit with th coni Company is quite the disin person whose advice the Government seek when the claims of that comp being weighed in the balance again of a rival company? That is put position I hope with sufficient defi To bring in the question of law likely to obscure the issue. It evident that this gentleman is not pert lawyer in the matter, or he wo have been defeated in the case i he was interested.

Senator SAYERS.—He may run vernment into another lawsuit.

Senator MILLEN.—Yes. It w idle for the Minister to talk ab points, as I did not raise any.

Senator PEARCE.—The question adoption of a system at once rais tions of law, because there have be decisions on the question of systems

Senator MILLEN.—I am not with the question of patent rights, the question of calling in an ex show which system is the better on position is that the Government are in to advise them as to which of t tems is the better a man to judge his successful competitor. I s quite willing to retract any stat have made if I find that I have act wrong or insufficient information, understand Mr. Balsillie was inter a company, and I think that claimed some patentee's rights. rate, he was involved in a laws the Marconi Company, and th triumphed; and now he is called i Government of the Commonwealt in judgment on his successful ri

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in a lawsuit, but in the world of invention—and to say whether he regards his rival's system, or some other system, as the superior one. There is only one man in a thousand who can quite shake off the prejudices which such an experience is likely to create. We are all human; even wireless experts are human. I feel that I have not exceeded my duty in directing attention to what, to my mind, is unquestionably a weakness in the officer who has been chosen for this particular work.

Senator FINDLEY.—On law points we shall be guided by our own officers.

Senator MILLEN.—On page 27, I notice an item of £50,000 towards the purchase of sites for "post and telegraphs." Are these sites required for the post-offices with which we have dealt, or is this an estimate of the amount which is likely to be required; a sort of advance in anticipation of the possible resumption of land?

Senator PEARCE (Western Australia—Minister of Defence) [9.46].—I understand that this item covers the additions to the post-office in Bourke-street, Melbourne, the extension of the post-office in Brisbane, and the sites for the new post-offices included in these Estimates.

Senator MILLEN (New South Wales) [9.47].—I desire to ask the Minister a question, and I do not want any one to think that I am moved by a feeling of jealousy. I am merely seeking information. I direct attention to the very great discrepancy in the votes asked under the heads of New South Wales and Victoria for "metallic circuits in existing single wire networks," namely, £16,900 and £126,500. I take it that it is intended to adopt the metallic circuit pretty generally. I take no exception to the amount required for the improvement of the Victorian system, but it would seem to me to suggest either that they are very much behindhand in New South Wales, or that for some reason it is not intended to carry out the work there as expeditiously as in Victoria. There is such a marked discrepancy between the two votes that it arrested my attention at once, and I would like the Minister to explain the matter.

Senator FINDLEY (Victoria—Honorary Minister) [9.49].—Much of the tunnelling work which is being done in Melbourne, and which has been done during the last few months, was done in Sydney years ago—I believe before Federation—at a cost of many thousands of pounds. The amount which is asked for the work in Melbourne is much larger than the amount required for the work which is being carried on in Sydney. The tunnelling work which was done in the latter city anterior to Federation saved such a considerable sum to the Department that it explains the disparity between the two votes on these Estimates.

Senator MILLEN.—There is a big difference between undergrounding the wires and metallic circuits.

Senator PEARCE.—The work is being taken up in Melbourne at the stage which was reached in Sydney some years ago.

Senator MILLEN (New South Wales) [9.50].—I wish to ask for the information of Senator W. Russell, of South Australia, whether the items under the head of that State, on page 29, are proposed in connexion with farming districts, or where it is proposed to spend the total vote of £53,400 for telegraphs and telephones? I do so because, in all friendliness to the Government, I warn them that if it is expected that the various sums are to be spent outside some hay-sheds, they are likely to have serious trouble.

Senator SAYERS (Queensland) [9.51].—Although Brisbane is a fairly large city, only £2,000 is proposed for metallic circuits in existing single wire networks. It seems wonderful that while £2,000 will meet the requirements there, £126,500 is required for Melbourne, and £16,900 for Sydney. I think that Brisbane is pretty well on the same footing as Sydney, but only £2,000 is to be voted.

Senator WALKER.—And £3,000 for Adelaide.

Senator SAYERS.—That is hardly fair. I know that in Adelaide the wires are all overhead, and that much tunnelling has not been done, as in Sydney. Adelaide is pretty much in the same state as is Melbourne. Yet, for the latter city, £126,500 has been voted, and only a vote of £2,000 is proposed for Brisbane. There must be some explanation for this marked disparity between the amounts, and I hope that the Minister can give me some information.

Senator FINDLEY (Victoria—Honorary Minister) [9.52].—The explanation is that in Brisbane they have had metallic circuits for a considerable period. In fact, they are more advanced in this regard than is Adelaide.

Senator MILLEN.—I suspected that.

Senator FINDLEY.—There is not the slightest doubt that that section of a party which is ever watchful in regard to the interests of the farmers, and those residing

in distant parts, has had some influence in regard to the amount to be expended on telephone works in South Australia.

Senator MILLEN (New South Wales) [9.53].—For the first time since the present Ministry was formed, I feel inclined to regret that Senator Findley was included in its ranks, because we all remember with what great delight we used to listen to his annual attack on the items in connexion with the Government Printing Office. It seems that we are deprived of the very valuable assistance which he used to lend to the Chamber in this regard.

Senator PEARCE.—It is under better management, and he is satisfied.

Senator MILLEN.—Senator Findley appears to me to be satisfied, but the question is whether the Committee is satisfied. I desire to know what is being done in regard to the printing plant. I understand that we are still getting the bulk of our printing done with the plant owned by the State authorities, under an arrangement which I have every reason to think is satisfactory. But it seems that each year we are purchasing plant, and installing it, I assume, in a building under the control of the State authorities.

Senator DE LARGIE.—And the State is getting work done with our plant.

Senator MILLEN.—I take it that there is some arrangement for the mutual use of the machines. At the same time, it almost seems to me that we are reaching a period when some other arrangement will have to be made. I cannot conceive that the present arrangement can continue to be satisfactory. The mere installation of plant costs money. If we decide to erect a printing office, the plant will have to be dismantled, and transferred to another place. If we are going to have our printing work done by another office, let us take it to an office which has a plant capable of doing it. It seems to me that we may well consider whether we should be better served if we equipped an office of our own.

Senator PEARCE (Western Australia—Minister of Defence) [9.55].—The Government Printing Office is now being conducted on the same lines as it was previously conducted, and the Commonwealth plant is being used on State printing, just as the State plant is being used on Commonwealth printing. The officials say that this arrangement works fairly satisfactorily, and that we are getting a square deal from the State, whilst giving it a square deal in return. Short of the establishment of a Commonwealth printing office, it me that it is the only system und we can work.

Senator MILLEN (New Sout [9.56].—I understand that if the wealth gets a job done at the Go Printing Office, it has to pay for i I wish to know is, whether the Victoria makes a specific cash allo us for the use of our machines?

Senator PEARCE (Western A Minister of Defence) [9.57].—I to the Leader of the Opposition I that an account is kept of the tir which men are employed upon wealth work, and that we are ch that time. The accounts are balan month. Under these circumstanc not pay for the running of our chines. We merely pay for the la is employed upon them.

Senator MILLEN (New Sout [9.58].—I merely wish to point what may have been a good syst years ago, when Commonwealth small, and when our plant was tively insignificant, is not neces best system to-day, when we are our plant.

Senator WALKER (New Sout [9.59].—I wish to direct attentio sion No. 12, "Naval Works a ment." I desire to know H.M.A.S. *Protector*, *Gayund Paluma*, are likely to be of mu case of war, or whether they are to be kept merely for social pur Ministers?

Senator PEARCE (Western A Minister of Defence) [10.1].—I Walker has any doubt upon the q to whether these vessels are to be social purposes for Ministers, the to dispel it is for him to undertake outside the Heads in the *Protecto*

Senator WALKER.—Of what ea are they?

Senator PEARCE.—Each of sels has been docked and certai have been effected, so that they a long life before them. They good enough for use for the traini Naval Reserve. Of course, we that their guns are obsolete. The fighting ships of a modern type. are putting an up-to-date gun on them, so that they will be qu enough for training the Naval The amount which we propose to that purpose does not represent of the cost of a second class

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cruiser if we had to buy one for training purposes. As these vessels can enter all our coastal ports, pick up youths there, and give them their training, they will perform a useful work.

Senator MILLEN.—From what the Minister says, the men who have been trained on these vessels will be good sailors.

Senator PEARCE.—No doubt. They will have an opportunity of proving their seafaring qualities. Apart from the Naval Reserve, we want these ships for recruiting purposes. On her last visit to Launceston the *Protector* remained there only a day or two, but during that period she took on board no less than twenty recruits, all of whom were of a very fine type. These vessels will bring recruits here, where they will be turned into the Naval Barracks and put through a course of drill.

Senator WALKER.—Are recruiting and enlisting the same thing?

Senator PEARCE.—Yes.

Senator WALKER.—Does the Department give them the shilling?

Senator PEARCE.—No; it merely gives them their pay.

Senator MILLEN (New South Wales) [10.4].—I notice here a proposal in regard to the Northern Territory. Some accusations of extravagance in finance have been made against the Government; but when I look at the items which are grouped under the heading of "Northern Territory," I fail to see how any such charge can be justified. For instance, for "artesian water bores, also wells and dams on overland route on Macdonnell Ranges and Tanamai gold-fields, and opening up stock routes," the Government have screwed up their courage to ask for a vote of £2,000. This, it must be remembered, is in a country where labour is dear. I do not know what will be the cost of an artesian well in the Northern Territory; but I do know that when these wells were first put down in New South Wales and water was obtainable within a reasonable distance of the surface, £2,000 used to be regarded as a fair amount. Of course, I am aware that since then the operation of boring has been very much cheapened, but I venture to say that the average cost of an artesian well is £1,000. I do urge upon the Government that they should be a little more lavish in their efforts to open up the Northern Territory. Certainly, if they intend to develop that territory, they will have to proceed much more boldly than they propose to proceed in the light of these figures.

Senator PEARCE (Western Australia—Minister of Defence) [10.6].—The Leader of the Opposition has been somewhat facetious at the expense of the Government. But I do not think there is room for him to be facetious if he will look at the facts of the case. Up to the present the Government have not been authorized to spend a single penny in the Northern Territory. This vote, when it is agreed to, will empower us to incur expenditure there. But anybody who looks at the facts will recognise that very little money can be spent there before the close of the present financial year. However, when once the authority has been given to commence work there, it will probably be found that the vote upon next year's Estimates will be ten or twelve times the amount which appears upon these Estimates.

Senator WALKER (New South Wales) [10.7].—I am very glad to hear the explanation of the Minister, and I am also pleased to see that it is intended to spend money upon experimental farms. Seeing that we have a railway from Port Augusta to Oodnadatta, and also from Port Darwin to Pine Creek, I should think that the time has arrived for the establishment of a railway department, and the appointment of a railway commissioner. What are the intentions of the Government in this respect?

Senator PEARCE (Western Australia—Minister of Defence) [10.8].—It is rather premature to talk about appointing a railway commissioner yet, seeing that, upon the Port Augusta to Oodnadatta line, a train is run only once a fortnight. The suggestion reminds me of the alleged American army which was composed mostly of colonels.

Senator MILLEN.—Could not the railway commissioner drive the engine?

Senator PEARCE.—That is a suggestion which is well worthy of consideration. When we have constructed the railway to Western Australia, and the line from Oodnadatta to Pine Creek, the suggestion of Senator Walker will come within the region of practical politics. At present, the railway from Port Augusta to Oodnadatta is being run under the supervision of a railway superintendent.

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Senator MILLEN (New South Wales) [10.9].—I take it that the Minister considers that the Commonwealth is already losing enough upon the Port Augusta to Oodnadatta railway, and that he does not desire to increase that loss. Turning again to the Northern Territory Estimates I think that, in regard to the item of £8,000 for experimental farms, he should take steps to inform us of what the Government propose. I do not think that the Committee will grudge the expenditure of £8,000 in this connexion, provided that the money be judiciously expended. I think that we ought to have some information as to what is to be done with this amount. I scarcely expect the Minister to give us a detailed statement to-night, but I do invite him to circulate, by memorandum, or otherwise, the information which is desired. I also observe that there is a vote of £2,000 for a horse-breeding establishment in the Northern Territory. Is that also an experimental farm, or is it an off-shoot of the horse-breeding scheme of the Defence Department? If it be an experimental farm, it is not needed, because we had the assurance of Senator Story when the Northern Territory transfer was being dealt with —given with that solemnity which characterizes the honorable senator—that the country was especially well suited for horse breeding. If that be the case, we do not need to experiment to demonstrate an established fact.

Senator STORY.—Some parts of the Territory are better than others.

Senator MILLEN.—If, however, the Minister is putting into force the power given to him to start horse breeding for military purposes, the vote should not be debited to the Northern Territory at all, but should be set down as Defence expenditure.

Senator PEARCE (Western Australia—Minister of Defence) [10.12].—With regard to the item of £8,000, I have given instructions that Senator Millen's remarks shall be brought under the notice of the Minister of External Affairs, who, I have no doubt, will be glad to circulate information showing how the money is proposed to be spent. As to the £2,000 for horse breeding, I have to assure Senator Millen that it has no reference to the scheme for breeding horses for military purposes. Neither is this an experimental horse-breeding farm. It is simply proposed to carry on a horse-breeding establi already exists in connexion wi land telegraph line. The stat in existence for some years. carried on by the South Austra ment; and we took it over with the Northern Territory.

Senator MILLEN (New S [10.13].—It appears, from th explanation, that we are c Northern Territory with the horse-breeding establishment, t which goes to the Post and T partment. Unless there be entry somewhere of which I ha ledge, the Northern Territo placed in an unfair position. it be charged with the cost horses for the Post and Teleg ment?

Senator PEARCE.—The hor for the police, and for other

Senator MILLEN.—If the not there, the Post and Teleg ment would have to buy its ho cost would be charged agains vote. It ought to be so charg as when any Department rend to another Department it gets

Senator PEARCE.—Not in a The Defence Department is vessels for the Trade and C partment, but does not get cr ing so.

Senator MILLEN.—Surely, fence Department is to cons for the quarantine service, the left against the Defence vote.

Senator PEARCE.—Yes; as Bill is concerned; although th a book entry in the Treasury.

Senator MILLEN.—As a simplifying accounts, expend does not concern the Departme it, ought not to be charged Department. The Northern going to require, on its own ac pound we can spare for it. I do see its accounts loaded up w which are primarily for the ben Departments. Let the Post an Department carry its own sins for its own expenditure. He

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a vote charged against the Northern Territory for a service which is not for the benefit of the whole of Australia.

Schedule agreed to.

Postponed clause 2 agreed to.

Title agreed to.

Bill reported without amendment; report adopted.

Bill read a third time.

PAPERS.

Senator PEARCE laid upon the table the following papers:—

Electoral Offences: Return showing the number of prosecutions in respect of the General Elections and Referenda 1906 and 1910, and the Referenda 1911.

Disaster to French Battleship *Liberté*: Copy of message of sympathy from Commonwealth Government, and despatch from the British Ambassador at Paris conveying the thanks of the French Government.

ADJOURNMENT.

CONCILIATION AND ARBITRATION BILL.

Senator PEARCE (Western Australia—Minister of Defence) [10.20].—In moving—

That the Senate do now adjourn,

I desire to intimate that it is the wish of the Government to deal with the Conciliation and Arbitration Bill as the first business to-morrow.

Senator MILLEN (New South Wales) [10.21].—The announcement of the Minister takes me by surprise. I understood that the Conciliation and Arbitration Bill was in the charge of the Vice-President of the Executive Council, and that it would not be dealt with until he returned to Melbourne. Of course, the Government has a right to take business as it likes; but I submit that, unless there is a strong reason for the change, it is advisable to adhere to the understanding arrived at. The announcement was that the Electoral Bill would be proceeded with, in order that the other House might obtain possession of it, and an assurance was given to me that the Conciliation and Arbitration Bill would not be taken until the Vice-President of the Executive Council returned. I admit at once that the Bill has been upon the paper for some time; but all that I can find time to do is to keep myself posted in regard to business that I think is immediately ahead of me. I can only envy those who, more fortunate than I am, are able to master business that does not seem likely to be brought under consideration for some time. Quite a number of honorable senators, who are not here now, are under the impression that a certain order of business was to be pursued. Unless there is strong reason to the contrary, I ask the Minister to adhere to the arrangement originally made.

Senator PEARCE (Western Australia—Minister of Defence) [10.22].—The Government have become impressed with the necessity of proceeding with the Conciliation and Arbitration Bill as rapidly as possible. We do not wish to inconvenience anybody. I feel sure that Senator Millen will be in a position to proceed with the Bill to-morrow. The Vice-President of the Executive Council will not be present; but, before we get into Committee, he will probably be able to reply to any criticisms which may require an answer. I can assure the Senate that certain facts have come under our notice which have made it necessary that this Bill should be pressed forward.

Question resolved in the affirmative.

Senate adjourned at 10.23 p.m.

House of Representatives.

Thursday, 9 November, 1911.

Mr. SPEAKER took the chair at 2.30 p.m., and read prayers.

ELECTORAL ADMINISTRATION.

ADELAIDE IRREGULARITIES—REDISTRIBUTION OF SEATS.

Mr. PALMER.—It is stated in to-day's *Argus* in a telegram from Adelaide, under the heading "Roll Stuffing, Labour Officials Charged"—

The final report of the Select Committee appointed to inquire concerning certain alleged irregularities in electoral claims was brought up by Mr. Moulden (Chairman) and read. It stated that the evidence was of a startling nature. . . . The evidence disclosed a method of unlawfully placing names of alleged electors upon the electoral rolls, which might, if unchecked, become a serious menace to one of the fundamental principles of electoral law and representative government.

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I ask whether any of the persons mentioned in the Committee's recommendations have been acting in any capacity for the Commonwealth Electoral Department?

Mr. KING O'MALLEY.—I have given instructions to have careful inquiries made as to whether any of the persons implicated by the Committee's report are in any way connected with the Federal electoral administration. The Department of Home Affairs is most anxious that the character of officials acting in that capacity shall be clean.

Mr. BAMFORD. — Has the Minister taken steps to provide for the redistribution of seats, where necessary, in accordance with the census returns? If so, have Commissioners been appointed, and is he at liberty to disclose their names?

Mr. KING O'MALLEY.—I have taken action, and appointments have been made in one or two of the States. I shall give the honorable member the names to-morrow.

TELEPHONE AND TELEGRAPH EXPENDITURE.

Mr. GROOM.—Will the Prime Minister cause to be prepared and laid on the table a detailed list of the telephone and telegraph works on which it is proposed to spend £2,000,000 during this and next year?

Mr. FISHER.—The request is unusual. The Estimates gave the general headings, and the expenditure must be in accordance with the items. To ask for a detailed statement is unreasonable, and to lay such a statement on the table would be to set a bad precedent, but Ministers will give to honorable members or the House any particular information which may be desired.

Mr. GROOM.—On the Estimates the sum of £104,000 is set down for the construction and extension of telephone works in New South Wales, and the Prime Minister mentioned another amount last night. I ask for a statement which will give honorable members information regarding the works on which it is proposed to spend the special appropriation of £600,000. I do not ask for any information beyond what it is usual to give when Estimates are under discussion. My suggestion is made with a view to assisting the Prime Minister.

Mr. FISHER.—I am glad
sistance from the honorable me
practice in dealing with the
for the Treasurer or other Mini
nish information as it is asked
lar items.

Mr. GROOM.—The £600,0
I have referred is part of
which is to be spent during th
year. Last night the Goverr
posals were subjected to critic
because so little expenditure
place in Queensland. I wi
how the money is to be spent?

Mr. FISHER.—Detailed
has been given regarding the
placed on the Estimates for th
is intended to place another
the Estimates for next year.
amounts, with the sum of £
ferred to, make up the £2
which the honorable member
All information asked for will

TURKO-ITALIAN W

Dr. CARTY SALMON.—
the horrible and awful reports
from authoritative sources,
been published regarding the
the belligerents in the war
place between Italy and Turk
Prime Minister consider the ac
urging the Home Government
presentations to them, and, fa
factory reply, to the othe
Powers, in order that there m
national intervention, so that w
grace to our civilization may b
to?

Mr. HIGGS.—They might l
record of South Africa.

Mr. DEAKIN.—If they did,
be nothing to fear on our side.

Mr. FISHER.—The honor
has asked a question upon a
subject. I feel that I shall
the dignity of this Dominion
the example of the Prime
Great Britain, who, when a
was asked in the House of C
plied that he thought that at
the discussion of unofficial rep
advisable in our own interests
of civilization. I have read v
peared in the newspapers, and
appear to be those of indep
trustworthy correspondents. W
that atrocities such as thos
should take place, and I ver

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that both sides deplore them, but I do not think that any action we might take at present would have any but a disadvantageous result.

DANGER TO NAVIGATION.

Mr. ARCHIBALD.—I wish to ask the Minister of Trade and Customs if he can see his way to have a search made for the derelict which has been sighted in the Great Australian Bight.

Mr. TUDOR.—Although the Commonwealth has not taken over the control of navigation, I think that we are bound to do all in our power to provide for the safety of shipping on the coast, and I have approved of the trawler *Endeavour* being sent to search for the derelict, taking with her a man competent to use explosives, for the purpose of destroying her.

Mr. HEDGES.—Does not the Minister think that a reward of £400 or £500 should be offered for the destruction of the derelict, which is floating in the track of the steamers trading between Western and South Australia?

Mr. TUDOR.—I think that the action we are taking is the best in the circumstances.

SALARIES OF DEPARTMENTAL HEADS.

Sir WILLIAM LYNE (for Mr. AUSTIN CHAPMAN) asked the Prime Minister, *upon notice*—

1. Does he not consider that the work entailed in creating and running new Departments is quite equal to that of keeping old-established Departments going?
2. Are there any good reasons why the Permanent Head of each of the Commonwealth Departments should not be paid £1,000 per annum, the same as the Under-Secretaries in New South Wales. If so, what are the reasons?
3. Will he say why the salaries voted last year for the Assistant Secretaries in the Postal and Treasury Departments were not paid?
4. If there is any legal objection, will he take steps to remove it?
5. Will he take uniform action in regard to officers receiving the maximum salary of the Clerical Division who have been recommended for promotion?

Mr. FISHER.—The answers to the honorable member's questions are—

1. It may or may not be.
2. Yes, or they would not be as they are.
3. (*a*) The salary of the Assistant Secretary to the Postal Department was paid until that officer received promotion as Permanent Head, since when it has been decided it is unnecessary to fill the position. (*b*) The salary voted for the Assistant Secretary to the Treasury being in excess of that prescribed by the Public Service Act, the increase could not legally be paid.
4. Consideration is being given to the question of amending the law to provide for a higher maximum in the First Class of the Clerical Division in cases where the importance of the duties justifies increased remuneration.
5. See reply to 4.

TARIFF ANOMALIES.

Sir WILLIAM LYNE asked the Minister of Trade and Customs, *upon notice*—

With reference to the reply given by the Minister on the 20th October last as to the rectification of Tariff anomalies—

1. Whether the Government intend to deal with anomalies in the Tariff this session?
2. Whether the Minister has had any replies to his circular to manufacturers on the subject; and, if so, what number?

Mr. TUDOR. — The answers to the honorable member's questions are as follow—

1. The question of dealing with the Tariff anomalies this session depends upon the progress of the business at present before the Parliament.
2. Yes, 101.

PAPERS.

MINISTERS laid upon the table the following papers:—

Papua—Ordinances of 1911—Coroners.
Bankers' Books Evidence.
Disaster to French warship *Liberté*—Telegram of sympathy from Commonwealth Government and Despatch from British Ambassador at Paris conveying the thanks of the French Government.
Summary of the Final Report of the British Royal Commission on Tuberculosis.
Department of Home Affairs—
Schedule No. 5, containing Information in regard to Sites, Principal Works, and other Matters throughout the different States of the Commonwealth dealt with by the Department of Home Affairs, compiled from the Minister's "General Digests." (31 Oct., 1911.)

BANKING COMPANIES RESERVE LIABILITIES BILL.

In Committee (Consideration resumed from 19th October, *vide* page 1645):

Clause 3—

"Net profits" means the profit made after full and due provision for current expenditure has been made, and does not include the proceeds from the realization of assets or the conversion of reserves or any portion of reserves.

Upon which Mr. GREENE had moved—

That all the words after the word "means," line 1, be left out, with a view to insert in lieu thereof the words "profits which may be lawfully distributed as dividends."

Mr. GREENE (Richmond) [2.43].—I do not think it is necessary for me to say much more in recommending this Bill to the Committee. I have already pointed

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out that it will be of considerable benefit to shareholders of banks, and also of great benefit to the public, if shareholders in banks from time to time take advantage of its provisions. I do not wish to occupy more time than is absolutely necessary in discussing the measure because I am anxious that it shall, if possible, be passed through its remaining stages this afternoon. I hope that the Committee will agree to the amendment and reserve any criticism they may have to offer until we reach clause 4 which practically contains the kernel of the Bill.

Mr. HIGGS.—How much are the trustees to be paid?

Mr. GREENE.—I do not know that there would be any payment; in all probability there would be none. If any payment were made to the trustees I should imagine it would be a very small sum, and it would be paid out of the actual amount raised under the terms of clause 7. Very little trouble would be involved in working this particular scheme.

Mr. HIGGS (Capricornia) [2.47].—I cannot understand why, having regard to the extraordinary degree of intellectual capacity centred in the promoters of this measure, it has been necessary for the honorable member in charge of the Bill to propose this amendment at the present stage. It will be noticed that the clause as it stands provides that—

> "Net profits" means the profit made after full and due provision for current expenditure has been made, and does not include the proceeds from the realization of assets or the conversion of reserves or any portion of reserves.

Why was such a provision necessary? Is it the habit of banking companies to regard as net profits money obtained by the realization of assets?

Mr. GREENE.—No, and that is why these words have been introduced. They cannot lawfully distribute their assets as dividends.

Mr. HIGGS.—I was wondering how the words came to be introduced. Senator Walker who introduced this measure in another place is a director of the Bank of New South Wales, and I was anxious to know what was the practice of the banks which he had in his mind.

Mr. GREENE. — He did not draft the clause.

Mr. HIGGS.—The honora
has not told us whether the
any demand for this Bill oth
desire of the very amiable sen
troduced it. I have tried to dis
the idea originated. The
covery I have been able
is that at the time of
smashes in 1893, when some o
holders were called upon to p
uncalled liabilities, somebody
would have been an excellen
measure of this kind had been
to provide a reserve liability
is the only instance I know of
body, with the exception
Walker, has expressed a desire
sage of a Bill of this kind.
honorable member for Richmo
any meeting of shareholders or
being held to consider the Bil

Mr. GREENE.—I have a grea
authorities of different sorts,
honorable member could hav
year in *Hansard*.

Mr. HIGGS.—I read last
sard, but all I saw in that r
few letters sent to Senator Wa
ing belief in the Bill. The s
ever, quoted no high authorit
the directors of the principa
Bank of New South Wales, fo
expressed an opinion on the s
not the Bank of Australasia,
Bank, or the Queensland Na
any opinion on the measure?
Bill was in Committee previou
orable member for Richmond

> In most cases the shares of th
> originally subscribed by men of s
> could have met their liabilities h
> called on to do so. But, as tim
> the shares have got largely into
> small investors. Bank shares have
> as a first-class security, and now,
> stances, are held by persons wh
> sole income from their dividends
> able member (for Maribyrnong)
> prised, if he went through a bank
> see how many women figure as
> In many cases their whole living,
> able part of it, is derived from
> But the point I am making is tha
> shareholders are persons of no su
> only small means.

What are we to infer from t
is the object of the Bill? Or
cording to the honorable m
people who held bank shares
substance. They got in on
floor, so to speak, and whe

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managed to work up the bank business to dividends of 10 or 20 per cent., their shares, for which about £20 each was paid, were sold on the market at £40. It is a well-known fact that when shares returning 10 per cent. on the paid-up capital are put on the market, they will bring double their paid-up price. Later on I shall quote instances of shares paid up to £20 being worth £40 on the market today. Where the dividend is 10 per cent. on the paid-up capital the return to the investor in that case is only 5 per cent. Here we get at the real meaning of Senator Walker's benevolent proposal. According to the honorable member for Richmond the people who have bought these shares from the men of substance are small investors who derive their sole income from the dividends. Can the Committee imagine a philanthropist bringing forward a Bill which, if it is going to do anything, will deprive those small investors of part of their sole income? Take the case of a bank paying a 10 per cent. dividend per annum. Imagine a husband saying to his wife, "We have saved £1,000. I shall invest that in a bank, because bank shares are a very sound security. The dividend is 10 per cent. on the paid-up capital, but we shall get only 5 per cent. on our investment. Instead of getting £100 per annum we shall get £50, so that if anything happens to me you will have £50 per annum for the rest of your life." But Senator Walker comes along and says "No, we are going to take £5 of that." His proposal is to take at least 1 per cent., and he might take 2 per cent.

Mr. GREENE.—No; he does not say so.

Mr. HIGGS.—I am very much obliged to my courteous friend for giving me the lie direct, but I have here a table which Senator Walker read in another place. I suggest that the honorable member for Richmond should read it before venturing again into this House to mislead honorable members.

Mr. GREENE.—The honorable member mistakes altogether the meaning of my interjection.

Mr. HIGGS.—It is of no use for the honorable member to try to shuffle out of his direct contradiction. Senator Walker has very kindly furnished me with three or four copies of his various speeches He asked a well-known actuary to work out the period within which it would be possible to build up a reserve fund, assuming that 1 per cent. or 2 per cent. of the dividends per annum was set aside. That shows the whole object of the measure.

Mr. GREENE.—In how many years?

Mr. HIGGS.—The honorable member just told me that Senator Walker did not propose anything of the kind. If he does not know his subject he must give notice of any further questions. He might take the advice which he tendered to me, and read *Hansard*.

Mr. MAHON.—Would it not be a good thing for a shareholder, if it made his investment more secure, to put aside a few pounds per annum for that purpose?

Mr. HIGGS.—I shall deal with that aspect of the question. First, let me ask, what is the reason for these uncalled liabilities? For example, there is £40 of uncalled capital in connexion with the shares of one bank, £12 10s. in another, £15 in another, £20 in another, and so on. The Bank of Australasia has a reserve liability of £40 per share; the City Bank, £10; the English, Scottish and Australian Bank, £12 10s., and I ask, What is the reason for this? I take it that the banks were given a charter providing for a reserve liability, because it was believed that this would act as a check or control on the directors, and restrain them from entering upon any risky speculation. I can well believe that bank directors, knowing that they are voted to their position by the shareholders, and that, if they make any mistake, ruin may be brought on their institution, are more likely to adopt sound banking with a reserve liability than would otherwise be the case. In the absence of any reserve liability, directors might be induced to take risks, and advance £200,000 to a person who already had an overdraft of £100,000, or take upon themselves to finance gold, copper, or tin mining ventures, feeling that, as the funds were all paid up, no harm could be done. That is the view I offer to the honorable member for Coolgardie as one reason why we should not do away with the reserve liability.

Mr. MAHON.—I never suggested doing away with the uncalled liability.

Mr. GREENE.—The Bill is to make sure that the money is there.

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Mr. HIGGS.—I do not wish to get away from the main point that Senator Walker, in introducing this Bill, is attacking the widow and the orphan—the small investor whose sole income is derived from the bank dividends. Not only is there a reserve liability in some cases, but there is also an unpaid portion of the capital which may be called up at any time. Let us take the case of the unfortunate widow with two or three children, who receives £100 per annum in bank dividends as her sole income. Senator Walker proposes that that income should be reduced to £90, and it is possible that a widow with a house of her own might not be able to face the situation and provide for her two or three children with that amount.

The CHAIRMAN.—I must ask the honorable member to confine himself to the Bill, and not to discuss Senator Walker.

Mr. HIGGS.—I merely desire to point out what may happen to people of small means under this Bill. A widow under such circumstances as I have indicated, might be inclined, in a weak moment, to mortgage her house in order to make up the loss incurred. Does the honorable member for Richmond recollect the Gospel according to St. Matthew, chap. 23, verse 14?—

> Woe unto you, scribes and Pharisees, hypocrites! for ye devour widows' houses, and for a pretence make long prayer: therefore ye shall receive the greater damnation.

Did the honorable member for Richmond, or Senator Walker, think, when they introduced this measure, that it was possible the widow might have her house taken from her? There is another aspect of the case. There are people who are not of small means, and who do not derive their sole income from bank dividends. Is a shareholder, who has his wits about him, going to hand over his 10 per cent. dividend to trustees? The honorable member for Richmond said that it is not very likely that these trustees or directors will be paid; but I believe not only in the payment of members but in payment of directors and of all who do good and efficient service for the community. There is no doubt that if trustees do this work they will expect to be paid, and I suppose they will receive about £1,000 per annum. Is it likely that shareholders will allow their dividends to be retained by the bank for all time? Are they not much more likely to take the view that they can use the money themselves to much better advantage, and to full dividend? I suppose that of a sound character, outsi ment securities, return about One can hardly imagine a shar ing to the directors of a bank that my dividends amount to £ cannot trust myself with so m please put £10 into a fund to bility," which, according to th member for Richmond, is not li to be met, the banks being so prove what I have stated about of the banks, I wish to make from the share list of Mes Palmer and Sons, stock and s of 96 Pitt-street, Sydney. Th table is of interest:—

Company.	Market P		
	12 Months ago.	1 Month ago.	B
Banks—			£
Australian Bank of Commerce ..	16/-	14/1½	0
Australasia ..	117	124	120
City ..)	79/-	5½	5
,, New Issue)	74/-	5½	5
Commercial of Sydney	32	32½	32
Commercial of Australia	12/6	14/9	0
Commercial of Australia, Preferential	£5/19/-	5½	5
English, Scottish, & Australian ..	14	15½	15
London of Australia	6½	6¾	6
London of Australia, Preference 5½ % Cumulative ..	11½	12½	12
National of Australasia	£5/4/-	5¾	5
National of Australasia, Preferential	12½	13	12
New South Wales	46½	45½	46
New Zealand ..	10¾	12¼	
New Zealand, Guaranteed, 4 per cent.			
New Zealand, Pref. issue to Crown			
North Queensland	40/-	40/6	2
Queensland National	29/6	38/-	1
Royal of Queensland	5½	5½	5
Royal of Queensland, Preference ..	..	10½	10
Union	65½	65½	65
Western Australian	31	34½	34

I have a second table, giving, in other particulars, the yearly div returns on investments. Hono bers will notice that, although may be paying 20 per cent. in an investor in its shares does n thing like that return. For in Colonial Sugar Refining Compa profit of 10 per cent., but as

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shares of £20 are worth about £45, the investor to-day gets less than 5 per cent. Then, although the dividends declared range from 2½ to 20 per cent., the return from investments ranges only from 3½ to 6 per cent.

Company.	Rate of Return on Investment.	Dividend. When Due.	Dividend. Rate per cent. per annum of last.	Liability on each Share.	Shares. Number.	Shares. Amount.	Shares. Paid-up.	Capital Paid Up.	Reserves and Undivided Profits.
Banks—	%			£ s. d.		£	£	£	£
Australian Bank of Commerce	3½	Jan. & July	2½	nothing	1,198,344	1	1	1,198,344	3,953
Australasia	5½	April & Oct.	16	40 0 0	40,000	40	40	1,600,000	1,825,725
City	5½	Jan. & July	4	10 0 0	30,000	8	8	400,000	18,789
,, New Issue ..	6½			12 0 0	20,000	10	8		
Commercial of Sydney ..	3½	,,	10	12 10 0	120,000	25	12/10/-	1,500,000	1,500,659
Commercial of Australia ..	..	Feb. & Aug.	None	nothing	191,238	10/-	10/-	2,212,969	6,511
Commercial of Australia, Preferential	5	..	3	nothing	211,735	10	10		
English, Scottish, and Australian	5	November	7	12 10 0	43,155	25	12/10/-	539,437	230,761
London of Australia ..	6	June	5	15 0 0	49,103	22½	7/10/-	548,152	104,951
London of Australia, Preference, 5½% Cumulative ..	5½	June	7	nothing	17,193	10	10		
National of Australasia ..	5½	April & Oct.	6	3 0 0	238,488	8	5	1,498,220	253,482
National of Australasia, Preferential	4½	,,	6	nothing	30,578	10	10		
New South Wales ..	4½	May & Nov.	10	20 0 0	150,000	20	20	3,000,000	2,012,112
New Zealand	4	Jan. & July	15	3 6 8	150,000	6/13/4	3/6/8	500,000	
New Zealand, Guaranteed, 4 per cent.	..	..	4	..	Stock	..	..	1,000,000	1,034,405
New Zealand, Pref. issue to Crown	..	..	10	..	..	..	..	500,000	
North Queensland ..	5	Jan. & July	5	5 0 0	50,000	7	2	100,000	23,775
Queensland National ..	..	,,	None	2 0 0	160,000	5	3	413,494	100,000
Royal of Queensland ..	5½	April & Oct.	5	2 10 0	69,999	9	6½	513,632	77,989
,, ,, Preference ..	..	..	..	nothing	4,609	10	10		
Union	5½	Jan. & July	14	50 0 0	60,000	75	25	1,500,000	1,349,927
Western Australian ..	6	May & Nov.	20	10 0 0	25,000	10	10	250,000	578,398

The Column headed "Rate of Return on Investment" shows the interest which each stock will pay on the market price calculated on the dividend last declared.

The reserves that I have read out represent on paper some millions of money, but the eminent King's Counsel, the honorable member for Flinders, told the House when he spoke on this measure a little while ago that these reserves are most misleading. He told us that a "reserve"—

> Does not point to any goods, or any sovereigns or to anything in particular. It merely means that there is an amount—not represented by any appropriated assets of the company—which has not been distributed in dividends. The word "reserve" is extremely misleading to many people, generally conveying to a large section of the public an idea that there are some moneys or funds put aside. That is not the case.

I have read out amounts running from tens of thousands to millions of pounds which are set forth to-day in the balance-sheets of the various banks as representing reserve funds. But the honorable member for Flinders, with all the responsibility which his position imposes upon him, says that they represent no goods or sovereigns, or anything in particular. That brings me to the great danger that we shall run in passing this clause. It will rest with the directors to decide how much is to be set aside in this reserve fund, and they, as a matter of fact, are the only people who know whether or not their bank is solvent. We see at the foot of every bank balance-sheet a certificate by the auditors to the effect that "the foregoing is a true and correct account of the bank's affairs according to the books." This form of certificate first came into use about eighteen years ago. Previously the auditors used to give a certificate to the effect that "the foregoing is a true and correct balance-sheet showing the state of the affairs of the bank." Every auditor used to sign a similar certificate without much consideration until a couple of them got into gaol. The auditors then protected themselves by altering their certificate in the way I have indicated, so that it now reads that the balance-sheet gives a true and correct account of the bank's affairs "according to the books." Honorable members can well imagine what a clerk who writes a good hand can do under direction in the way of bookkeeping. He can produce a work of art, and that was sometimes done prior to the banking smash. I wish to point out to honorable members, who are inclined to give way, and to fall in with

the idea entertained by a certain legislator, who would like to go down to posterity with his name attached to at least one measure, that the directors of a bank alone know whether or not it is solvent. As a matter of fact even they hardly know whether it is or is not, because as a bank manager once said to me, "The difficulty is to get branch managers with common sense." We all know what is the position of a bank manager in some of our unfortunate lonely little towns where, through sheer loneliness, men are sometimes driven to drink. A bank manager so situated perhaps meets a neighbouring squatter, or some local business man, who, after they have had a drink or two, says, "You had better let me increase my overdraft by £10,000 or £15,000. I have any number of sheep and cattle on my run, and everything will be all right." In a weak moment the branch bank manager consents to the overdraft being increased, and in due course forwards a report to head-quarters. The bank's inspector probably accepts the report that the assets of the borrower are as represented, and the directors, believing that their institution is perfectly solvent, continue to pay dividends; but even they do not really know whether or not the bank is solvent. On the dictum of the directors alone depends the amount of the dividends to be paid; and we can well understand the temptations of these days of "rigging the market"—an expression which, I regret to say, we sometimes see in the press. People we will assume are looking for a safe investment, and they say, "Well, here is a bank paying a dividend of 10 per cent. per annum, which will give me on my investment a return of 5 per cent.," and they invest accordingly. But what may not an evil-minded director do? There have been such gentlemen, as those who remember the banking smash of 1893 well know. Some of them were ordered to spend a little time in Darlinghurst, largely for the good of the community.

Mr. KING O'MALLEY.—Only the little chaps; not the big roosters.

Mr. HIGGS.—That is true. Some of the smaller fry were convicted, but some of the bigger fellows got off. Some of the bigger men in Queensland were brought to trial, but the presiding Judge took a merciful view of their case, probably because they were very aged, and their acquittal was secured. It is important to remember that this Bill will leave it in the power of the directors of a bank to time, "This year we will pa special reserve fund 2 per c amount that would otherwise as dividends." That, of co mean that the return on the would be reduced accordingly, returning, as I have shown, would return only 1½ per cent. poor widows and other shareho no doubt go to Messrs. Palme or some other well-known firm brokers, and say, "Don't yo had better sell our shares? only so much per cent." would put their shares on the down would go values. Sh brought, perhaps, £40 before to £35, £25, or £20. But the know"—the men who ha market—would be able to say, that these shares are all right buy in at £20, and next ye pay a dividend at the full r frain from paying anything serve fund." In these circ hold that the Bill embodies ciple. I see nothing to re and I therefore propose to both the amendment and the stands.

Dr. MALONEY (Melbourn When this Bill was before the session I took strong exceptio cause I did not think that t appointment of trustees woul desire of quite a number of have invested in banking share and have suffered. The a more concise and explanator clause as it stands, and I sh vote for it. I have not tak in the debate on the measure but so far as I am able to un position, the Bill will be an all banks that have their hea Australia, and are controlle against those whose head offic trolling power are in the Unit or elsewhere. I have here a having a majority of shares, and value, as well as their hea boards of management, outside tion of the Commonwealth. these have also more than c shareholders; and this propose legislation could not for these taken advantage of by them. number is the Bank of Aus English, Scottish, and Aust

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the London Bank of Australasia, the Union Bank of Australia, the National Bank of New Zealand, and the New Zealand Bank. With the exception of the last-named all have their head offices in London. The reserves and undivided profits of the Bank of Australasia amount to £1,825,000, as against a paid-up capital of £1,600,000. That would really more than counterbalance the full liability of the shareholders. Although the shares are paid up, there is still a reserve liability of the shareholders, under their charter, of £1,600,000. In the English, Scottish, and Australian Bank the paid-up capital is £539,437. It has reserves and undivided profits of £245,000. The London Bank of Australia, which has ordinary and preference shares, has a reserve fund of £102,000, with a liability for uncalled capital of £736,000. The paid-up capital of the Union Bank of Australia is £1,500,000. The undivided profits and reserves amount to £1,459,000. It has no uncalled capital liability, but it has still a reserve liability of £3,000,000. That is only payable in the event of the bank liquidating, which I hope will never happen. The National Bank of New Zealand has a paid-up capital of £475,000. The reserves and undivided profits amount to £460,000. There is a direct liability upon the shareholders for uncalled capital of £750,000, but no reserve liability. The Bank of New Zealand, with its head office in Auckland, has a paid-up capital of £500,000 and reserves of £1,034,000, or actually double the amount of paid-up capital. The liability for uncalled capital on the shares is £500,000, and there is also a reserve liability of £1,000,000. All this liability may to a certain extent assure depositors and investors in the various banks of their greater stability, but to my mind it would be far better to adopt the plan suggested in this Bill, the whole of which meets with my full approval, and I have given some attention to it. It would certainly be wise, if this Bill is passed, for any one who has money to invest to put it into the shares of banks to which the Bill will apply, at the current rates, because as the reserve liability is gradually wiped out by the apportionment of the profits, as indicated by clause 3, the shares of those banks will rise in value. The Bill will give extra stability to the Australian banks, but its operation may not be quite fair to non-Australian banks doing business here, which at present are on an equal footing in all respects with local banks. They will be at a disadvantage in that they cannot take advantage of this law, which is applicable only to Australian banks, and also to banks having more than £100,000 of permanent paid-up capital. The following purely Australian banks would also be debarred from taking advantage of this law, owing to their having either less than £100,000 of permanent paid-up capital, or more than one class of shares:—The Ballarat Banking Company, an institution which has established itself firmly in Victoria and paid very fine dividends; its paid-up capital is only £85,000, but, of course, it could bring itself within the scope of this measure by making a further call of capital to the extent of £15,000; the City Bank of Sydney, in regard to the shares of which there is some difficulty which I have not had clearly explained to me; the Commercial Bank of Australia, which has ordinary and preference shares, a distinction which will prevent it from taking advantage of the measure; the National Bank of Australasia, to which the same thing applies; the Royal Bank of Queensland, which has 4,609 £10 preference shares fully paid up; the Victoria Land Bank, which has ordinary and preference shares; and the Colonial Bank of Australasia, to which the same disability applies. That is the bank in which I had the privilege of serving as an officer, and from which I was glad to get away, as I would rather be a member of this House. The honorable member for Richmond will agree with me that it is much more pleasant to be one's own master and a member of this House than to be an officer even of a bank.

Mr. FENTON.—The people are our masters.

Dr. MALONEY.—They are masters who are more just, and do not debar human beings from marrying at a certain age. After eliminating the foregoing, the following Australian and Tasmanian banks would remain eligible to take advantage of this measure—The Bank of Adelaide, paid-up capital £400,000, reserves and undivided profits £399,000, liability for uncalled capital £125,000, and reserve liability £625,000; Australian Bank of Commerce Limited, paid-up capital £958,172, reserves and undivided profits £3,500, uncalled liability nil, reserve liability nil; Commercial Banking Company of Sydney Limited, paid-up capital £1,500,000, reserves and undivided profits £1,450,000, liability for uncalled capital £1,500,000,

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reserve liability nil; Commercial Bank of Tasmania, paid-up capital £175,000, reserves and undivided profits £193,000, liability of shareholders for uncalled capital £525,000, reserve liability nil; Bank of New South Wales, paid-up capital £2,700,000, reserves and undivided profits £2,040,000, liability of shareholders for uncalled capital nil, but reserve liability of shareholders £2,500,000; National Bank of Tasmania Limited, paid-up capital £152,040, reserves and undivided profits £46,000, uncalled capital liability £80,000; North Queensland Bank Limited, paid-up capital £100,000, reserves and undivided profits £23,000, uncalled capital liability £250,000; Queensland National Bank Limited, paid-up capital £413,296, reserves and undivided profits £94,000, liability for uncalled capital £320,000; Royal Bank of Australia Limited, paid-up capital £300,000, reserves and undivided profits £143,000, liability for uncalled capital £900,000; Bank of Western Australia, paid-up capital £200,000, reserves and undivided profits £547,000, liability for uncalled capital nil, reserve liability on shareholders £200,000. I have obtained a number of opinions from leading bank managers in the city, of which the following are examples—

Liability of Shareholders for Uncalled Capital.

In the case of the limited liability companies this liability has the effect of restricting investment in these companies' shares. In the case of the Commercial Banking Company of Sydney Limited this liability is practically covered by the reserves. The reserves are, however, mainly invested in the business, and, rightly speaking, should be treated as capital. The actual reserves are those specially invested plus the liability of shareholders for uncalled capital. In a limited liability company this latter protection may be very shadowy—that is, the shareholders may have no tangible assets other than the moneys they have invested in the shares.

The effect of the proposed law would be to allow companies to continue to use their existing nominal reserve funds in the business, or even distribute these reserves by instalments amongst shareholders, at the same time building up a fund in the hands of trustees which would completely extinguish any nominal liability for uncalled capital. This would have a tendency to stimulate investment in such companies' shares, and after it had been in operation for a year or two would cause a material increase in the price of such shares.

The average man who has a current account does not go into the question of the liability of the shareholders of the bank. I cannot remember ever being asked, when filling up a deposit receipt for an investor, what was the paid-up capital of the bank,

Dr. Maloney.

or the amount of the liability holders. I have asked a good and those in charge of the issu receipts about this matter, and met one who has been asked wi five years any question as to liability or the uncalled capita the shareholders. Another opi worth quoting is the following

Reserve Liability of Share

It will be seen that the three ba not limited liability companies a tically the whole of their capita the only ones that have any serio bility. They are—

Bank of Adelaide, rese £625,000.

Bank of New South Wale bility, £2,500,000.

Western Australian Bank, re £200,000.

These banks have been incor special Acts of Parliament. The serves are either equal to or in paid-up capital, but these repute mainly employed in the business fore such only in name. The guard which depositors have in th from the solvency of the banks, bility of the shareholders. The will have the effect of permitti reserves to be appropriated or minished, perhaps in providing fo tained losses, or in paying incr to shareholders, while at the sam is being built up which will ul shareholders of all liability, and longer incumbent on directors to funds at all.

I have also been furnished wi ing opinion, which I shall that I may hold the scales possible, although I do not of it—

The Bill makes an unfair d favour of certain institutions—b in such a way that they obtain vantage as compared with othe same time, relieving them from which others are bound to co The carrying of the measure mus of increasing the market price o through the prospect of relievi substantial liability which they be compelled to bear. Then t moral effect likely to be creat sence of responsibility. If sha to reap handsome profits they s compelled to take some moder making of such profits.

I consider that the fact th holders put their money into an earnest, so far as they

It will be observed that onl banks have portion of these invested. Would it not be well to invest the whole of these fu wealth or State bonds?

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I have no objection to that suggestion, and the Bill has my full appreciation in its provisions with reference to the investment of the funds. When the measure was introduced last session, I was of opinion that the trustees should be nominated by the Government; but I am content to take this Bill as a measure of justice which will do a great deal of good. If any honorable member really desires to understand the Bill, he ought to ask any stockbroker or other dealer in shares if he ever met an investor who inquired deeply what liabilities they would incur when they paid the necessary cover for the shares. I think that, after such inquiry, it will be seen that only on extremely rare occasions, if ever, are such inquiries made. I shall vote for the clause as amended, though I may have one or two suggestions to make later on.

Mr. FENTON (Maribyrnong) [3.56].—I am rather surprised at the perseverance displayed in support of this small measure, in view of the fact that we are contemplating passing a comprehensive banking Bill in the near future. Under the circumstances, I think it would be well if this measure were withdrawn at once. I beg to intimate now that in the event of the amendment of the honorable member for Richmond being agreed to, I shall move the insertion of the following words after "dividend"—

after having allowed for depreciation of properties and increased salaries for employés.

I shall not attempt to traverse the ground covered by the honorable member for Capricornia, but I should like to read one or two extracts from a letter written by a gentleman who thoroughly understands the banking business—

It is a notorious fact that the twenty banks operating throughout the Commonwealth have been making enormous profits for years past. These profits would be much larger if presented properly and accurately—

These words were written after due deliberation, and convey considerable meaning—

for they are invariably whittled down before presentation to the shareholders by means of ingenious special appropriations to inner reserves, contingent accounts, transfers to London, suspense accounts, and the hundred-and-one methods known and practised by bankers.

It is most desirable that shareholders, especially in financial institutions, should be thoroughly acquainted with all the details of the business in which they have invested; and my own opinion is that the proper way to deal with banking is by such a measure as I have already indicated as likely to be introduced. I intend to move the amendment because I think that, whenever a banking Bill of any kind is placed before us, we ought to try to incorporate some of those reforms, which practically the whole of the community, and particularly employés in banks, have been desiring for years. My correspondent further says—

It is important that the shareholders of a bank, and indeed the public as well, should be accurately informed of the true financial position of any institution which is borrowing millions from the people and Government of the Commonwealth.

A number of people are inclined to take exception to the word "borrowing"; but as a matter of fact the rank and file of the people, who are the working classes, really supply the coin which the banks use to make huge profits for a few. I am informed that sometimes directors themselves do not exactly know into what particular corner certain secret reserves have been placed, and if that be so, what of the shareholders or the public generally? I intend to move a further amendment providing that before any profits are distributed the books of the banks shall be audited by Government officials, in the same way as are municipal accounts. If the investing public knew that the affairs of financial institutions were subject to Government inspection, they would feel much greater security than under the present private and perfunctory method.

Mr. PAGE.—What about the Commonwealth bank?

Mr. FENTON.—The Auditor-General will have a say in that matter, and the accounts will have to be kept in correct fashion. I am sure none of us desire a repetition of the financial disasters of the early nineties. We are within, I suppose, six months of the introduction of a modern banking Bill, and I think it is practically a waste of time to deal with piecemeal legislation of the kind before us. I should like to read just one more extract—

It is surely an implied rule, in the absence of other conditions to the contrary, that all the shareholders of a banking company should stand on the same footing, and should possess the right to know the real profits of the company in which they hold shares.

It seems only right that all investors should have a perfectly clear statement of the affairs of the companies in which they have invested.

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Progress reported.

PEARL-SHELLING INDUSTRY.

Debate resumed from 26th October (*vide* page 1879) on motion by Mr. BAMFORD—

That a Royal Commission, selected from members of this Parliament, be appointed to take into consideration all matters pertaining to the employment of white and coloured labour now, and to be, employed in the Australian pearl-shelling industry, and in respect of the general conditions under which such industry is now conducted.

Dr. MALONEY (Melbourne) [4.9].—In as few words as possible I desire to offer the strongest support to the motion that a Royal Commission be appointed; and I hope that the Government will see that the resolution is carried into effect at an early date.

Mr. MAHON (Coolgardie) [4.10].—I trust that the proposal of the honorable member for Herbert will receive the support of the House. The pearl-shelling industry, although absolutely dependent on the legislation and administration of the Commonwealth Parliament and Government, is by no means familiar to honorable members and to the public, because it is carried on in the remoter parts of Australia, chiefly at Thursday Island, off the Queensland coast, and from Dirk Hartog Island to beyond Broome, off the coast of Western Australia. Naturally its conditions vary, and despite this variation it has been attempted to apply to it a uniform set of regulations. I regret that the honorable member for Herbert has stated that the pearlers have not attempted to meet the desires of the Government by trying to substitute white for black labour. Whatever may be said of the Thursday Island pearlers, about whose work I know little, I can affirm, from intimate knowledge of the pearlers of Western Australia during the last seven or eight years, that they have made every attempt to give effect to the Government regulations, although these have operated harshly upon them. Many of them are convinced that to substitute white for black labour, especially for diving, is impracticable, if not impossible, but, nevertheless, they are willing to put their hands into their pockets to pay for the experiment. More cannot be expected of them. Had the honorable member for Herbert read carefully the proposals of the Western Australian Pearlers Association, he would not have said what he did. Amongst other things the members of the association say—

It is the intention of the Association to make every endeavour to obtain within the Commonwealth a supply of white labour suitable for the requirements of the training station, same time, thoroughly test the possi the United Kingdom, France, G the Northern countries of Europe m obtaining a good class of men.

By having each vessel of the manned by whites, every man, it i obtain not only a training in diving ing work, but a knowledge of loc and seamanship essential to the pro ance of his respective duties. On taining proficiency as a diver or t vours will be made to find employm ing vessels belonging to members ciation, the vacancies thereby occu training station being filled by fur The Association believe that unde method is it practical to effect the Asiatic to white divers without di whole industry, and imposing extr on the many small proprietorships

As the full text of the stateme published in *Hansard*, I sha more of it now. What I have my assertion, and disproves wh said by the honorable member. ern Australian pearlers may ha ceeded in getting white diver are difficult to obtain. When sank, off the Leeuwin, a year ago, it was almost impossible t services of a white diver. How be thought easy to obtain whi live the lives that have to be p pearling boats, and to descend depths at which the shell is f industry receives little sympath sons who are prepared to sub industries largely at the expens payer. Pearl shelling is a v vocation. Storms and typhoon devastate the fleets, and destr of lives. Within the past three have been two big storms, in property has been destroyed, lives lost. The impression u vail that pearl shelling is ca large companies, making enorm that it is a business for rich m time three or four companies most exclusively on the nort of Australia, but now the ind ried on by comparatively poor of the pearl shellers being car having got together a little built luggers at Fremantle, a taken round to Broome or D the exception of one firm in one owns more than three or Again, although the industry when shell is fetching a hi London, it is difficult to get labour for it, and it is subject regulations, and there are

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losses from storms to which I have referred. The Department of External Affairs has on occasion relaxed its regulations. When the town of Broome was almost destroyed by a cyclone, it allowed the black labour engaged in the pearl-shelling business to be employed on shore in rebuilding the place, and, on the whole, there is no cause for complaint. But, wanting local knowledge, the departmental heads are entirely dependent on the advice of the officer on the spot at Broome, and sometimes that gentleman is disposed to interpret his instructions too literally. In one case an employer, having four or five black divers whom he wished to send back to the islands, desired to ship them from Port Hedland, but as the departmental instructions say that seamen divers and tenders who have been shipped at Broome must be discharged there, the officer refused to allow these men to be discharged at Port Hedland. Vessels do not call frequently at the ports on the north-west coast, and the discharging of these men at Broome would have meant their maintenance for three or four weeks, and the extra expense of the fare from Broome to Port Hedland. Such an instruction would not be enforced were the Minister fully acquainted with local conditions. If Parliament wishes the industry to continue, we should ascertain by personal investigation what conditions are best for it, and for the Commonwealth. If, on the other hand, it is determined to wipe it out, that determination should be made known, and compensation should be paid to those who will suffer by it. On the other hand, if we permit it to be carried on we ought to try to devise conditions that will enable it to be continued without imperilling the policy of a White Australia. As I understand that the time allotted to the consideration of general business, Orders of the Day, has almost expired, I ask leave to continue my remarks at a later date.

Leave granted; debate adjourned.

PAY AND ALLOWANCES: PERMANENT MILITARY FORCES.

Debate resumed from 2nd November (*vide* page 2194), on motion by Mr. RYRIE—

1. That a Select Committee (with power to send for persons and papers) be appointed to inquire into the pay and allowances of the warrant, non-commissioned officers, and men of the Permanent Military Forces of the Commonwealth.

2. That such Committee consist of Mr. Charlton, Mr. Kelly, Mr. Mathews, Mr. McWilliams, Mr. Roberts, Mr. Bruce Smith, and the mover.

Upon which Mr. KELLY had moved—

That before the word "warrant," line 4, the word "commissioned" be inserted.

Mr. CANN (Nepean) [4.26].—Since Thursday last, when I asked for leave to continue my remarks on this motion, my attitude in regard to it has been continually misrepresented. In the first place, a statement was made in the local press that I deliberately talked out the motion. *Hansard* shows, however, that whilst I was speaking the honorable member for Wentworth suggested that as the time allotted to the consideration of private members' business had almost expired I should ask leave to continue my remarks at a later date. It shows, further, that I promptly adopted that suggestion, but that the honorable member for North Sydney objected to leave being granted. Since then the honorable member for North Sydney has written to the daily press of Sydney a letter, in which he makes the statement that the Minister, through his representative, deliberately blocked discussion on one occasion, and that his followers had now talked out the motion. The honorable member for Wentworth, and the honorable member for North Sydney, who claim that they are anxious to see justice done to the officers and men of the Naval and Military Forces of the Commonwealth, are not going the right way to assist them. I rose last Thursday to support this motion, and there are many members of our party who are also in favour of it. The honorable member for Maranoa supported the motion, and also the honorable member for Melbourne Ports, so that it is really a gross misrepresentation of the facts to say, as the honorable member for North Sydney and the honorable member for Wentworth have allowed it to be said in the press, that we deliberately tried to talk out this motion. The facts are that the motion was not talked out, and that it still remains on the business-paper. Former Parliaments recognised that it was their duty to do something in connexion with this matter, as shown by the fact that section 123 of the Defence Act 1903-10 provides—

Funds may be established in such manner and subject to such provisions as are prescribed for providing for the payment of annuities or gratuities to members of the Defence Force permanently injured in the performance of their duties, and for the payment of annuities or gratuities to members of the Permanent Forces who are retired on account of age or infirmity.

That principle having already been recognised, it is only fair that a Select Committee should be appointed to inquire into the matter.

[*Debate interrupted under sessional order.*]

REPORT OF ROYAL COMMISSION ON POSTAL SERVICES.

Mr. WEBSTER (Gwydir) [4.30].—I move—

That, in the best interest of the public and of the Commonwealth Postal Service, the report of the Royal Commission on Postal Services should (in a general sense) be adopted by this House.

I need not inform the House that I regard this as one of the most crucial periods in my existence as a public man. During my political career I have had occasion to address this and other Parliaments upon matters of very serious concern to the welfare of the people, but on no occasion has it fallen to my lot to face such an exceptionally heavy task as that which now lies before me. It is no exaggeration to say that, for practically four years, I have been soaking myself, so to speak, in the affairs of the postal services of Australia; and after such a lengthy term of critical and minute observation on one of the most extensive inquiries ever held in this country, I think I may well claim the indulgence of honorable members while I endeavour to do justice to the subject that I have taken in hand. I may briefly summarize the subjects to which I intend to address myself. In the first place, I shall give a short review of the trials and vicissitudes of the Royal Commission, of which I had the honour to be a member. Next will follow a brief history of the Postmaster-Generalships under both State and Federal control; and thereafter I shall give an indication of the condemnation of the system by the Public Service Commissioner, and by the Public Service Inspectors. I shall also deal with Mr. McLachlan's evidence on the question of salaries, and other matters of importance in relation to the Department. I propose then to review the Ministerial changes that have been made since 1908, when the Commission entered upon its inquiry, as well as to indicate the departmental changes that have been made since that date. Questions appertaining to Boards of Inquiry that have received attention during that period will next engage my consideration, together with questions by the Public Service Commissioner, dealing with rates of salary, classification, &c. Honorable members will thereafter be given the results of the system, or lack of system, under the old *régime;* and I hope also to deal with the opinions of Sir Robert Scott, Mr. McLachlan and Mr. McKay—the three most prominent officers of the Commonwealth service—concerning what the management of this great institution ought to be. In the next place, I shall review the Public Service Commissioner's latest report on the Report of the Royal Commission, as that gentleman had a double deal, so to speak, as compared with all others who had to place their case before the Commission. Finally, I shall endeavour to sum up the actual situation. In attempting to give a brief history of the Commission, I may be pardoned by the House if I have to be somewhat severe in my observations. It is a painful, but nevertheless a necessary duty to perform, in order that honorable members may know the difficulty that will beset them when at any time they endeavour to secure means of doing justice to some big Government concern. I hope for the indulgence of the House while I attempt one of the most arduous tasks that has ever fallen to the lot of any Parliamentarian. It is to me particularly arduous, inasmuch as I stand practically alone. I have a full recognition of my infirmities, and I appreciate also my limited capacity, due, to some extent, to restricted education, and to the fact that I have had to spend the greater part of my life in an occupation involving hard physical toil. With these drawbacks, I appeal for the consideration of honorable members. The magnitude of my task may be understood when I point out that the shearers' dispute, although it does not involve machinery anything like as intricate as that relating to this great Department, has taken, not hours, but days, to present to the Court. The advocates of the respective parties have occupied days in presenting to the Court the points involved in that dispute, although, compared with those covered by the report of the Royal Commission, they are comparatively few in number. The Postmaster-General's Department was described by the late Public Service Inspector of New South Wales as being of infinitely vaster proportions than is the machinery of any railway service in the world. I mention these facts to show that I have before me no easy task in endeavouring to marshal the whole of the essential evidence so as to put it as concisely as possible before the House. I have also laboured under a difficulty in

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that I have had no assistance in the preparation of this case, such as I might have had if one of my late colleagues had been returned to this House at the last general elections. I am the only member of the House who occupied a seat on the Commission, and have not had an opportunity to distribute any portion of the work involved in this connexion amongst others who could have assisted me, had they been re-elected to Parliament. I think I shall be able to show that the criticisms of the Commission, although visibly melting at the present time, have certainly been very considerable. It is my desire to place this matter before the country, which is interested in it, in such a way that its importance may be realized. It is now about four years since I accidentally came into contact with the affairs of the General Post Office. There was no material trouble in my own electorate. I had generally been able, by vigilance and attention to duty, to alleviate the difficulties which undoubtedly occurred from time to time in that vast area, but they would not have been sufficient to warrant me in attempting to diagnose the cause of all the troubles in the Department. It was when I offered to take up the work of the present Attorney-General, on his leaving for England on the Navigation Commission, that I was brought into close contact with the Postal Department of New South Wales, and became cognisant of facts which I had seriously to consider on behalf of that gentleman and his constituents. My curiosity was aroused by what I heard, my interest by what I saw. Eventually I came to the conclusion that there was something so radically wrong with the whole machine that nothing short of a searching inquiry would ever effectually remedy the disease. It became apparent to me that a Royal Commission was the only way in which we could get to the bottom of the trouble. I tabled a motion, which remained on the notice-paper for some time. I endeavoured to get the Government of the day to acquiesce in it, but they did not see their way clear to do so. In order to thwart my efforts, they appointed what they called a Cabinet Committee of Inquiry, to investigate this vast concern. The futility of that appointment was palpable to any one who knew the task that had to be faced, and the partial report of the Committee was of little value to the Department or to the Government. Subsequently I met with very strong opposition from the Government, but determined to persevere. It is a matter of history that I took advantage of the Standing Orders to move a motion for the appointment of a Royal Commission. The Government of the day were adamant to my private appeals, although I was friendly to them, and as they would not concede the point, I moved for the Commission in the House in the way I have indicated. The Government opposed it, and it will be remembered that, while the honorable member for Ballarat, who was then Prime Minister, was endeavouring to thwart my efforts, the wily members of the then Opposition were also trying to "dish" him. The Leader of the Opposition and his deputy were watching the political barometer very closely, and when the honorable member for Ballarat saw that he had to choose between being dragooned by me or by the Opposition, he decided that he would prefer the treatment of a friend to that of an antagonist. He then withdrew his motion, and allowed me to proceed. I can never forget that day—a day of excitement such as has rarely been equalled in this Parliament. Time after time I was appealed to by Ministerialists and by members of my own party to compromise, but I realized that there was no room for compromise on questions of this kind. The issue at stake was too big. There was too big a body of people affected. The general public had been suffering for too long, and therefore I had no option, as a representative of the people, but to go right on with my work. It was remarkable on that occasion, when I came in a little late after going through the last interview, to find how solid the Opposition sat. One would have thought they were the Labour party. Not one man moved. We, as a Labour party, could have envied them the solid way in which they eventually voted in support of the proposition. Six of my friends from this side passed over with myself to the other side, and four of them have since been elevated to office. Those four, I may say, did not specially favour the motion, but had some other fish to fry. The other two that came over with me I knew I could rely upon to see me through under any conditions, but at any rate those two, who were desirous of achieving the end that I was aiming at, together with the four who voted for the motion for an object which I need not mention, but which they have since secured, or nearly secured, helped me to carry the motion against the Government. I have never seen the honorable member for Ballarat so angry as he

was on that occasion. Bitter were the recriminations that were cast across the chamber, and one Minister came to me and said, "You have killed us." I said, "Not so; you attempted suicide, but there is still a hope for you"—and there was a hope. The Government at first made it a vital question. They were going out upon it. The Governor-General was summoned from Kosciusko in a hurry. He got back in a hurry, too; but an hour before he arrived some one reached the stool of repentance, with the result that the resignation of the Government was not handed in. They did not go out, and the Royal Commission was granted. That is the pleasant part of the episode. To the unpleasant part I should prefer not to refer, but it must be done. The public man who is afraid to do that which hurts some one's feelings is either a coward or an imposter, and I do not profess to be either, whatever else I may be.

It is the subsequent history of the Commission that troubles me. Prior to taking my seat on the Commission, I heard, from a quarter where I did not seek for information, that the Commission would be of no avail to me; that we would be allowed to go on for a time, until a financial report was submitted, and that when that report was accepted supplies would be stopped, and the Commission would die. That was either an act of treachery or an act of conspiracy, but such was the information conveyed to me unsought. I knew that the gentleman who told me could not have made it up, but must have learnt it from an inner circle. Being on my guard, and feeling that probably the Government, in their resentment against me for taking the action I did, were determined to prevent me from carrying out the object I had in view, I immediately reviewed the *personnel* of the Commission, and wrote to the then Prime Minister, the honorable member for Ballarat, a strong protest against the chairman who had been selected. I also wrote a letter in protest against the secretary who had been nominated. He—and I say this in the light of all the evidence that has been taken—had been one of the chief mischief-makers in the centre of trouble in New South Wales. For that reason I felt that he was not entitled to be there, and I intimated to the Commission that if he remained secretary I would not remain a member. The result was that by the next sitting that secretary had gone. However, we still had the chairman. We took preliminary evidence in Melbourne, Sydney, and Brisbane. We returned to Melbourne while the House was sitting, and went on with our work. It w were sitting in Melbourne that bomb-shell was hurled into the came from the chairman of the who brought forward, without by the Commission, without by the Commission, and withou the Commission, the prophesied report." He threw this docu he called a report, on the ta mandate was that the Commissi sider it. When he told me t report on the financial position vice, my hair positively stood said, "A report on the finan of the service, when we have ex one accountant out of seven; w hardly more than scratched th the question of the finances !" tion could not possibly have b upon at that stage, and the pos ridiculous in the extreme. I t so far from considering the r called it, I would not even knew that it was an imposition, tunately, in keeping with the had received in the early days mission. The chairman sought document through the Commiss body decided, after some trou pone its consideration until Hobart, after the session clos the House rose, however, son pened. The Government we when we got to Hobart the repo too. Then the second trump played by these gentlemen. resignation of three members mission. That was looked death-blow of the Commission, have been to most bodies of th was not fatal to this Commissi because there remained on it so who were desirous of going t the task they had undertaken. men resigned, and what is n going to state it, although it when they reached the mainlan mania, the chairman made it to go to the Governor-General to him to end the life of the Had it not been for the ex- Dalley, who happened to be i at the time, also going to nor-General and stating the cas mission would have lived no lon the Governor-General heard th the man who had gone on the honestly to carry out his duties, decided that the inquiry must pr it did proceed, with four m

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ex-member for Dalley being elected chairman. Our troubles, however, were not at an end, for we were castigated by the press, and subjected to never-ending humiliation at the instance of newspapers all over the country. Day after day, and week after week, we were attacked; and never in history was there so consolidated an attempt to wipe out of existence a Commission appointed by the highest tribunal of the country. Then, having gone through all this, our position was made still harder by the knowledge that, of the Commissioners, there were at least two who would have ended the Commission. Actuated largely by their personal interests and their vanity, they struggled to take action of a character which, but for the casting vote of the chairman, on more than one occasion, would have thwarted us in carrying out the duties with which we had been charged. Altogether, it will be seen that we had a hard and thorny road to travel. As I have said, we had the press against us, and country newspapers were invited to publish articles manufactured in Melbourne, behind which step there was, it was strongly suspected, a prominent officer. Not only had we internal troubles, but we had to face cold treatment from honorable members of this House, who, at least, should have given the Commission credit for trying to perform their high duties. We had a hard task to perform, involving great concentration of thought and effort; but we were ridiculed and calumniated on every hand by those who knew better, but who had the power. Our path was strewn with difficulties such as have beset no Royal Commission in the history of the Commonwealth or the States.

I congratulate this and other Governments on the way in which they have followed the chart laid down on an ocean that had had no chart before—the chart laid down by the Postal Commission. When the Commission was appointed, there was nothing to guide a Postmaster-General as to what was best for the emancipation of the service. Since that time, however, previous Governments to a degree, and the present Government to a greater degree. have had this chart at their command; and I congratulate, not only the Minister, but the departmental officials, and the Public Service Commissioner, on having so largely adopted it for their guidance. While, however, I make this acknowledgment for the way in which the ship has been prevented from striking the rocks, and brought into somewhat more placid waters, I cannot compliment them on having adopted suggestions without any acknowledgment or recognition of their indebtedness to the Commission. In the outside world such action would be regarded as piracy or plagiarism; but here it seems to be a virtue. What I have stated in this connexion is a fact, and it is no use pretending otherwise. That fact should be stated, though not for my benefit; for, after I have made my speech and performed my task to the bitter end—having done what I believe to be my duty—I care nothing for what politics may offer me.

I desire now to pass from this rather unpleasant part of the history of the Commission, and to deal with the great Postal Service itself. This is the greatest public service in Australia, involving an expenditure of nearly £4,000,000 per annum. This Department is acknowledged by Mr. McKay to be of greater magnitude than any railway service. Its ramifications enter into the life of every man, woman, and child in this country, and into their relations with their brethren in other parts of the world. Yet all along the line, from the days of State control onwards, this great Department has been made the plaything of Governments. There has always been an idea that the man who was unfit for any other office, was fit for the position of Postmaster-General. I have looked through the history of the Postmasters-General of Australia; but I do not desire to mention them in detail. In South Australia there was, at one time, an up-to-date Postmaster-General, and the results of his administration are still to be seen. In no other State, however, can we point to any Postmaster-General who has been instrumental in redeeming the decadent service of which he had the honour to be the head. In the Commonwealth there has been the same old story. From the time of Senator Drake, our first Postmaster-General, we have had men appointed who have never given any serious portion of their lives to the consideration of the vital issues that underlie the success of such a Department. We have had eleven Postmasters-General in eleven years. I have endeavoured—and I say this with all humility—to master the great problem, and to grasp it to its very roots. This has taken me four years during which neither I nor my wife has had a holiday. Honorable members will understand, therefore, why I am pleased to be now nearing the end of my tribulation. We have had Postmaster-General after Postmaster-General; but, as a matter of fact, there is no manager of this great

Public Service. The Minister, of course, is supposed to take the place of a manager; but I care not how able, adaptive, or industrious a man may be, he has no time, in administering a Department of this kind, to study the great problem as it ought to be studied. It has been proved again and again that the Postmaster-General is merely the instrument of the official heads, and is, therefore, liable to continue conditions that have been our bane for years.

Mr. J. H. CATTS.—It is like a ship without a rudder.

Mr. WEBSTER.—The Public Service Commissioner said that the Department is like a ship without a captain—that, though there were captains in the States, in the persons of the Deputy Postmasters-General, there was no commodore. What business concern in the whole civilized world, doing £4,000,000 worth of business per annum, could we find conducted without a manager? What business house, with great branches like that of the Post Office, would dream of leaving the control to one manager, when there is work enough, and probably more than could be grasped by three of the ablest administrators, organizers, or financial geniuses that could be obtained in any part of the world? The present method is like taking a man from the stokehold, putting him on the bridge, and expecting him to navigate the vessel. I desire honorable members to note particularly what Mr. McLachlan said when he gave his evidence before the Commission. Mr. McLachlan, unfortunately, is one who can read the political barometer with more precision than any man I know in this country, as is shown by what has taken place. Mr. McLachlan, when giving his evidence, said, "I blame the system"; but when he was asked who was responsible, he replied, "I do not know." When Mr. McKay was examined, he also said the troubles were due to the system, the responsibility for which he placed on the Deputy Postmasters-General and the Central Office. When we asked the Deputy Postmaster-General and the Central Office who was responsible for the troubles, they said, "The Public Service Commissioner." When we asked subordinate officers who was responsible, they blamed first one, and then another. It mattered not how we tried to get at the cause of the trouble, the responsibility was always transferred. All we heard was that it was the system that was at fault. To show that I am not unfairly treating the Public Service Commissioner, let me refer honorable to questions 48891-2-3.

Mr. SPEAKER.—I would honorable member that if he thing to go into *Hansard* he m it is not enough to give a refe

Mr. WEBSTER.—Mr. M blames the system. This is par dence—questions 47884-5—

Who is responsible for that lack o tion?—In my opinion, no one is It is due to the general system.

Who is responsible for the gener Perhaps one would have to go probably to the Deputy Postmaster- eventually to the Head of the De locate the responsibility for cond in my opinion, are improper.

Mr. McKay cannot say who is of the system. Evidently, it had but grew, and was growing unt vention of the Postal Commiss Public Service Commissioner, M and other prominent officials themselves behind the system. orable members to pay particul to the evidence of the Public S missioner, especially in view of of the Postal Commission's re was permitted to read all the ev to call to his assistance his insp was made the last witness, tha be in a position to reply to When examined on the 25th 1909, he read a statement which dered after he had been sworn, evidence. In this statement, d postal assistants, he said—

Under the Commonwealth classifi assistants are in a much better p commence at a salary of £60 at age, and advance to a maximum annum, which, in view of the na work performed, is fair remunera service rendered.

He has since stated that it is muneration. Again, referring assistants, he said:—

Under the State, when perform duties, they could only have advance increments of £10 and £15 to £ under the Commonwealth, they ha by £20 increments to £160, and m have received long service incremen

Not only did the Commission that the clerical assistants recei muneration to which they were reason of their services, but he rates and conditions of the sort then he has shown his readines his sails to the breezes that blow so-called re-classification has t the barrier between the junior sorters. Formerly a junior s

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not become a senior sorter until he had passed a difficult test, but the test is now dispensed with, and junior sorters can rise to be senior sorters, and to a maximum salary of £180 a year. At the same time, however, the position of despatching officer has been abolished, these men being made senior sorters. As despatching officers was a position created by the Public Service Commissioner himself, with a view to the recognition of superior service, they were entitled to receive £200 a year, but as senior sorters, they cannot get more than £180 a year. The Commissioner has made this change with a view to placating the larger number, and to re-establish his popularity with the service, for whose troubles he is chiefly responsible. Dealing further with the sorters—page 2299, the Commissioner said :—

> It must be recognised that the conditions of the sorting class in every State have been considerably improved since Federation, and that no warrant exists for conferring further advantages upon these officers.

In 1911, the Commissioner realizes the need for trimming his sails again, and acknowledges the justice of the case presented on behalf of the sorters. I would point out that the tree which figured in one of his reports some time ago, to show that every man in the service could climb from the foot to the topmost branches, has fallen. Its every branch has been lopped off. When the Commission began its work, the maximum salary of a letter-carrier was £138 a year, and men could rise from that position to become junior sorters, with a minimum of £144 a year. The sorters to-day are still at a minimum of £144 per annum, while the letter-carriers have a maximum of £156 per annum. Therefore, a letter-carrier who becomes a sorter will receive a lower salary.

Mr. SCULLIN.—Is that called promotion?

Mr. WEBSTER. — "Engineering" more correctly describes the process. The Public Service Commissioner has left one weak link in his re-modelling of the service. The evidence given by the sorters regarding the conditions existing in New Zealand was largely contradicted by him in a circular which he issued; but the officers of the Department published another circular, in which they established their position by showing the exact conditions that exist in New Zealand under the recent classification. That, of course, was not palatable to the gentleman who had so assiduously endeavoured to make it appear that they had misrepresented their case before the Commission. I do not know whether that is why the sorters have been picked out for special treatment, but, save for a slight advantage gained by the juniors, the sorters as a body have secured less recognition than other classes. The scale of wages paid to sorters in New Zealand is as follows:—In Grade 3, the sorters rise from £110 to £140 by three yearly increments of £10 each; in Grade 2, their salaries increase from £150 to £170 by two annual increments of £10 each; in Grade 1, the salaries are increased from £180 to £200 by two annual increments of £10 each; and the despatch clerks rise from £200 to £220 by two annual increments of £10 each. That is the scale under the classification scheme of 1908. An attempt was made to lead the public to believe that the men had not faithfully presented their case when before the Commission; but, by the production of these, the actual facts, they have now established their position. This scale shows that a sorter in New Zealand is allowed to receive up to £180 per annum, and that, on becoming a despatch clerk, he may receive up to £220 per annum. The Commissioner declared that the postal assistants of Australia were well paid when their maximum pay was £150 per annum. Even that was not the maximum when we commenced our inquiries, but as soon as the Public Service Commissioner saw that the evidence pointed strongly to the inadequacy of the salaries of these men he raised the then existing maximum, not by annual, but by long service, increments, extending over twelve years, at the rate of £6 per six year period. In that way he got rid of what I described as the sweating rates that prevailed in 1907. Postal assistants, according to the Public Service Commissioner, were worth only £138 per annum in 1907; but in 1908 they were worth £150 a year, and to-day they are worth even more, since he has raised the maximum to £168. He now indicates that he proposes to grade them, and to provide for a maximum salary of £180. If a postal assistant is entitled to a maximum of £180 per annum, surely no one can say that the sorters are being adequately rewarded! Many men do not fully realize what the work of a sorter involves. A good many people regard it as comparatively easy. They may be surprised to learn, however, that a sorter in New South Wales,

for instance, must carry in his mind something like 4,000 postal addresses, and that he must be able to sort at a given rate without more than 2 per cent. of errors. If the percentage of errors is continuously greater he receives a black mark. The work is certainly most strenuous.

Mr. LAIRD SMITH.—Are the men who bring down the gold from Bendigo sorters?

Mr. WEBSTER.—They were formerly regarded as sorters, but the Commissioner has improved their position—on the recommendation of the Commission, I presume—and they are now known as senior sorters. Coming to the position of the letter-carriers, the Public Service Commissioner is reported, at page 2301 of the *Minutes of Evidence*, to have said, when before the Commission :—

> It cannot be said that these officers are inadequately paid at existing rates . . . and there is no justification for any further concession.

That statement was made prior to the report of the Commission being issued. At that time the letter-carriers were receiving £138 per annum, with increments; but today their salary is fixed at £156 per annum. The Commission recommended a payment of £150 per annum, but the Commissioner went one better. He displays a tendency to go either a little above or a little below our recommendations, the object evidently being to show that he is taking independent action. Let us look for a moment at what he has done in the Telegraph Branch. He contended that his proportional grading system was perfect, and that it was the only way in which each man could be allocated a fair reward for the services he rendered. When he saw the storm clouds gathering, however, what did he do? He abolished the plan on which he had sought to work that particular branch of the service, and introduced another system more in accordance with the recommendations of the Commission. Nevertheless, in evidence given by him before he knew what we were going to report, he contended that the proportional grading system was all that could be desired, and that the officers working under it were properly and fully rewarded. We recommended that those officers in the fifth class should go up to £210 per annum. The Public Service Commissioner would not go so far, but soon after the Commission began its inquiry he raised the remuneration from £160 to £180. When we began our labours they were receiving only £160, but he increased this amount to £180 by long-service increments of £10 each. Since then he has adopted a system under which they will receive, not £210 per annum as recommended by us, but £200 a year. Yet he said that they were amply paid when they were getting only £160 per annum. The Postal Commission considered that £210 should be the maximum pay in the fifth class; the Public Service Commissioner now fixes the maximum at £200 per annum. We also said that fourth class officers should be able to go up to £285, the increased pay being granted for merit alone. Mr. McLachlan did nothing to indicate how he was going to treat the fourth class officers. The presumption is that they will be restricted, and that, as in the case of the despatch officers, the senior men will be placed at a maximum of £210. And so he juggles with his classification, taking off a little bit here and adding a little there. In every case his conclusions practically refute the evidence that he gave before us when he had nothing to guide him as to what our findings would be. I come now to the linemen—the men employed in the Construction Branch—concerning whom the Public Service Commissioner said, as reported at page 2302 of the *Minutes of Evidence*—

> It is considered that the present grading of linemen in the Commonwealth service is based on fair and equitable conditions, and that no good reasons exist for saddling the Postmaster-General's Department with an increased expenditure not warranted by the work performed.

In other words, in 1909, the Commissioner said that these men were not entitled to receive any better remuneration, but in 1911 he gives them all that the Postal Commission recommended.

Mr. J. H. CATTS.—Did not the Public Service Commissioner have available the same evidence as the Commission had?

Mr. WEBSTER.—The departmental evidence was available to him long before we commenced our inquiries, and I propose to show, by a reference to his latest report, what type of man he is.

Mr. THOMAS BROWN.—No Public Service Commissioner could sift the Department as the Royal Commission did. It would take a man all his time to do that. He would have no time for anything else.

Mr. WEBSTER.—That supports my contention that there is a necessity for a complete change of the whole system. I absolutely agree with the honorable member, but the Public Service Commissioner does not. He holds that he is the right man in

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the right place, and that he can do what the service requires. I propose now to refer to the telegraph messengers. It will be remembered that a difficulty arose in regard to the dismissal of these boys on reaching the age of eighteen. Just as they were beginning to show what they were made of, and to be of service—just as the Department was likely to reap the benefit of the training it had given these youths — they had to be discharged because of some idiotic provision in the regulations, which made it imperative that, if there was no other position available for them, they should be retired. Mr. McLachlan, in his report, stated that it had been suggested to him that the age should be extended to twenty years. Since, however, he saw the Postal Commission's report, he has not only extended the age to twenty years, but has abolished the whole arrangement, which should have been abolished years before, and the Department is now at liberty to secure the services of the boys that it trains, and keep them to fill positions which, to a large extent, had been left unfilled in days gone by.

Mr. THOMAS BROWN.—That was done by legislation.

Mr. WEBSTER.—I presume the Public Service Commissioner took as a recommendation the action of the honorable member for Calare in moving the extension of the age to twenty years when the Public Service Bill was before this Chamber. We cannot do anything even by legislation without consulting the Public Service Commissioner, because he is the "boss of the show," and we must obey him or, at least, consult him. We have his striking opinion on relieving staffs expressed at page 2303 of the report—

> A suggestion has been made by one of the Associations that each officer should be relieved by an officer of his own division and class, and, as far as possible, in the same subdivision of class. Such a proposal is preposterous and impracticable, and only serves to indicate the lack of knowledge of the general working of the service and the expenditure involved.

That opinion has already been considerably revised, and a relieving staff has been appointed. Such a staff was most necessary, but was most scandalously neglected, particularly in New South Wales. In that State I found boys receiving nominal salaries doing relieving work in offices where they were exposed to temptations to which they ought never to have been exposed. I found many things going on in that State which would not be tolerated by any business man, and services being exacted that would not be accepted from any ordinary employé. I have seen men getting £160 a year relieving postmasters at £400 a year for months and months at a stretch, and in one or two cases for years, and never rewarded for the greater responsibilities cast upon them. This was one of the standing disgraces of the Department, which was never sought to be remedied until the Commission began to lay bare the facts.

Mr. LAIRD SMITH.—Has it been remedied?

Mr. WEBSTER.—Yes, to this extent, that a relieving staff of so many officers of a certain grade has been proposed, high grade officers relieving in high grade post-offices, second grade in second grade, and so on. Therefore, what the Public Service Commissioner said, before he knew what the Commission's report was going to be, was preposterous, is practically, although not perhaps wholly, adopted by him and those who are administering the Department to-day. The Public Service Commissioner then went on to indicate the system whereby the selection of officers was achieved under the Public Service *régime*. He said the system was perfect, that there had never been any trouble about the officers who had been allocated positions by him, and quoted Queensland as an example. He said that in that State some men were sought by the Chief Officer to be put in a superior position, which he claimed they were not entitled to, and which the subsequent permanent Deputy Postmaster-General also decided that they were not entitled to. He used that as an illustration of the fact that the recommendations of the then Deputy Postmaster-General were not reliable, but he did not mention the fact that subsequently, when things began to mould themselves into shape, practically all of those men who had been denied promotion were given promotion by the very same Deputy Postmaster-General. The recommendation of the Public Service Inspector, on which the denial of the promotion was based, was negatived only when the Deputy Postmaster-General fully realized the quality of the staff upon which he had to rely in the carrying out of his duties.

I come now to something which will be rather a surprise to the House and the country. The Commission made 175 recommendations. Of these, 130 have a reasonable chance of being adopted. One hundred and three have already been adopted. Eight of the remainder

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deal with matters which come within the purview of the Minister of Home Affairs, who has apparently not yet decided what he is going to do about them. They deal with improved buildings, improved sanitation and ventilation, improved designs for country buildings, and specifications that will be more uniform and in keeping with modern requirements. Three of the recommendations affect matters under the control of the Treasurer. One of these is to the effect that the deficit of £2,300,000, which was the result of the first six years of Federal control of postal administration—a deficit arrived at by an honest comparison of receipts and charges—should be wiped off, because there is no hope of it ever being met in any other way.

Mr. POYNTON.—What does the honorable member mean by "deficit"?

Mr. WEBSTER.—I refer the honorable member to a table attached to the report showing how we arrived at our conclusions, which have not since been challenged by any financial authority.

Mr. POYNTON.—Does the Postal Department owe the Treasurer the amount you mention?

Mr. WEBSTER.—The Postal Department was worked at a loss to the public revenue of £2,300,000 for the six years, when the proper charges that should have been made to the Department are taken into consideration.

Mr. POYNTON.—Is it correct to call that a deficit?

Mr. WEBSTER.—If the honorable member looks into the question he can decide whether it is the correct term or not. I regard it as correct, and use it accordingly. I admit that we inherited some disabilities from the States, which, with the exception of South Australia, shirked their responsibilities prior to Federation, knowing that the postal services were to pass under Federal control. Maintenance and construction were allowed to fall behind; but, whilst that was the state of affairs when we took the service over, practically the same condition was still in existence when the Commission began to make its inquiries. There was, therefore, no set off that could be allowed for a service that was no better after six years of Federal administration.

Sir JOHN QUICK.—Is that deficit arrived at after debiting capital expenditure and works done?

Mr. WEBSTER.—Yes; it is arrived at, after taking into full consideration, as must be done, the interest due to on that part of the transferred represented by the postal services ment.

Another recommendation is that surer shall not have power to cut the Estimates of the Postal Dep his own sweet will, irrespective o jury he does to the Departmen penalties that it will have to p future on account of his action. three other recommendations towa the Government are favorably and there are thirty-four which been agreed to. Of those thirty- are not indispensable, although to the Commission that they wou ful if adopted. One of them wa cers should be compelled to liq just claims of their creditors. that the Government and the D and the Public Service Commi not think that is a fair proposi therefore, have not adopted it. was that all staff matters be charge of a staff committee. course, comes under the headin Board of Management, and, th not adopted, because the Board o ment idea has not yet been adopt

Mr. PAGE.—Does the honora ber expect that the Government it?

Mr. WEBSTER.—I am not anything. I am leaving the ma public to judge when they know We also recommended that the appeal be preserved to officers, partmental arbitrator appointe with appeals. We recommende money be abolished, and extra paid for. That has not be adopted, but the conditions in t have been materially improve Public Service Commissioner si No fewer than 134 of our recomm have been adopted, or are under tion. When the Hobhouse Comm quired into the position of the e the British Post Office there wa tation on the part of the British ter-General in immediately sh appreciation of the work which done by the members of that Co As soon as he had read the Rep did not take him long, he came d House of Commons, and, altho volved an expenditure of £1,000, once moved its adoption. He di a crumb here and a crumb ther

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told the House that the Commissioners had done work which entitled them to recognition and appreciation; and the Report was adopted by Parliament in less time than it has taken the Commonwealth Government to consider some of the more simple issues raised.

Mr. THOMAS BROWN.—The British Commission was appointed with the hearty approval of the Government of the day, whereas the Australian Commission was not!

Mr. WEBSTER.—Is that any reason why there should be any lack of appreciation of the value of the work done? The work of the Australian Commission is proved to have been necessary and to have been well done, by the fact that 134 out of 175 recommendations have been accepted. The Commission was clearly entitled to credit at the hands of the Government for a determination that knew no limits to get at the bottom of the trouble in the Department. I have here a list of the Ministerial changes that have been made, and if any one would take the trouble to read through the evidence——

Mr. PAGE.—Good God!

Mr. WEBSTER.—The honorable member may say "Good God"; but any man wishful to do justice to the country, and interested in the work, would not hesitate to take the short cut I am prepared to show him to find a basis for the statements I am now making. The Ministerial Department has been most vigorous in picking the fruit of the tree—more vigorous than any other section interested.

Mr. THOMAS BROWN.—Then to that extent the Government has done good work?

Mr. PAGE.—And the honorable member for Gwydir should not grumble!

Mr. WEBSTER.—I am not grumbling, but merely stating facts. If the honorable member for Calare worked for two years without any appreciation of his effort, and practically no reward, he would think the "boss" was not too kind to him.

Mr. PAGE.—The honorable member will never get any other treatment all his political life.

Mr. WEBSTER.—I am not looking for reward. I have paid a heavy penalty for the action I took in this matter, not only personally and at home, but elsewhere. I have here a list of the changes made by the Ministerial head since the Royal Commission began to lay bare the troubles that existed—that is, changes made in the Postal Service by the Minister since January, 1908. The words used in this list are not mine, but are taken from the authentic reports supplied to me by the Department.

Sir ROBERT BEST.—They are changes made long before the Commission's report came out.

Mr. WEBSTER.—That is not so.

Sir ROBERT BEST.—Most of these changes were made a very considerable time before the report came out.

Mr. WEBSTER.—How does the honorable member know what I am going to read? Here we have a sample of how the honorable member can prejudge a case.

Sir ROBERT BEST.—Not at all; we heard of the honorable member's complaint afterwards.

Mr. WEBSTER.—The farce to which the honorable member for Kooyong, as a member of the late Government, was a party, in appointing a Cabinet Committee, will stand as one of those cunning devices of an Administration to get out of a difficult position.

Sir ROBERT BEST.—It took the wind out of the honorable member's sails anyhow.

Mr. WEBSTER.—It took no wind out of my sails. It was only a subterfuge of a Government that could not act straight to a supporter. The first Ministerial change is—

Increase of delegated powers to Deputy Postmasters-General.

Mr. THOMAS BROWN.—The point is whether the Government would have made those changes if there had been no Royal Commission.

Mr. WEBSTER.—Would the Government have so acted if they had not been provided with a chart?

Sir ROBERT BEST.—The Government did act.

Mr. WEBSTER.—In those matters the Government did not act until the Commission had inquired. The increased powers are—

Inflict fines under Post and Telegraph Regulations; appeal through Secretary to Minister.

That was a change made after 1908, and not before the Royal Commission began to inquire. I have this on the authority of the Department, and I thrust the fact in the teeth of the honorable member for Kooyong, who tries to take credit to which he is not entitled.

Mr. FENTON.—Was the evidence published in the newspapers as it was given?

Mr. WEBSTER.—Yes.

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Mr. FENTON.—Then much information could be gleaned from that.

Mr. WEBSTER.—Undoubtedly the Government were watching the Commission very closely; there never was a busier time in the Department, the office of the Public Service Commissioner, or the office of the Minister. Let me relate one little incident to prove my case. The immaculate ex-member for North Sydney, in 1910, came, with the honorable member for Ballarat, to defeat me in my electorate if he could. This immaculate ex-member on the platform gave a typical reason why I should not be returned. He told the electors that it was not necessary to return me to Parliament to produce or deal with the report of the Postal Commission, because the Government, he said, were "picking the eyes" out of it as the evidence was given, and by the time Parliament met there would be nothing left to report on. These were the tactics used by a member of the Government which preceded the present Government. When we find a gentleman like the ex-member for North Sydney, whom we would never credit with stooping——

Mr. DEAKIN.—Is the honorable member alluding to Mr. Dugald Thomson?

Mr. WEBSTER.—Yes.

Mr. DEAKIN.—He and I were never together in the honorable member's electorate.

Mr. WEBSTER.—No; each went to a different part of the electorate; and it is unnecessary to say that wherever they went I increased my majority. Other changes made are—

To discriminate *re* lowest tenders.

To accept tenders, grant preference, &c.

To establish allowance post and telegraph offices, money order and receiving offices, maximum £100 instead of £50.

To establish telephone exchange at semi-official and allowance post-offices.

To establish new mail services and authorize deviations up to £100 instead of £50.

To sign on behalf of Postmaster-General contracts for telephones.

To deal with cases coming within sections 103c, 104, 105, and 106 of the Post and Telegraph Regulations, where persons elect to be dealt with by Postmaster-General as per section 156 of Act.

To sell condemned stores or material, &c., to value £100, instead of £50.

More used to be spent in selling stores than the stores were worth—

To sign for Postmaster-General contracts for material, repairs, &c., in connexion with telephone lines.

To deal with expenditure *re* works repairs of telephone and telegraph lines without submitting to Central Office.

That used to be the clogging machinery—

Power delegated under section 8 and Telegraph Act to Chief Electri to deal with all routine matters telephone construction, maintenance ment, also all matters *re* working telephone exchanges, other than volving policy of Public Service A

That was not done prior to Power was given where previous been fettered—where men had to control a Department without to act. Now we come to the d changes—

Granting cash bonuses *re* sugges cers from £1 to £10, higher an further considered.

There used to be a limit of £ ward for a suggestion.

Mr. CARR.—Some officers hav

Mr. WEBSTER.—I think t some grants of that kind have Hitherto the best has not been the employés, who have been encouragement. Many have m able most valuable discoveries, hundreds of pounds to the D but have received either no re miserably poor reward.

Mr. CARR.—I understand th connexion a distinction is ma officers and men.

Mr. WEBSTER.—That is higher the officer the higher t At present, however, I am de with the men in the lower grade

Telegraph messengers to be grant day each week where practicable.

This change was indicated, but cularly recommended, by the C because it had practically been the Postmaster-General before ported—

Improved methods *re* schools of i train for telegraphic positions.

Anybody who reads the report o Commission will see where that came from. Will honorable m lieve that in 1907, with the grea made on the telephonic and teleg vices, there was practically no vided to give instructions to junio sired to qualify themselves for h tions? In this great Departmen raw material was allowed to g for want of guidance. I am s the training of the boys. In al countries opportunities are give per training, and classes are

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under the direction of the best experts, but in the old days of our postal service the boys were left to pick up knowledge as best they could, and were compelled to learn in their own time. The inferiority of the Service to-day is due to the unpardonable neglect of its heads in the past to give junior officers the training they needed for the proper performance of their work. Other reforms are—

Granting £1 per month to cooks in country line parties.

Granting leave for attending military camps.

Formerly there was no grant for cooks, and the granting of leave to attend drills or camps was at the discretion of the higher officers. To-day the men must be granted this leave. That, of course, is necessary, seeing that we have compulsory military service. These are further reforms—

Test cards for sorters to be placed in envelopes.

Encouraging engineering officers to study electrical science by refunding fees paid for tuition.

It would be better for the Department to have its young officers under the supervision of, and taught by, its own experts. With regard to travelling, the determination is—

First class fares under Public Service report 158 to be granted at the discretion Deputy Postmaster-General, and liberal interpretation exercised.

Formerly only the higher officials were allowed first class railway fares, the men on the lower rungs of the ladder having to travel second class, but, owing to the recommendation of the Postal Commission, first class fares are now to be allowed in many cases. Honorable members will understand that in the tropical parts of Queensland travelling is an irksome duty, and the second class carriages are not very comfortable, nor is the company very select, being composed of varied nationalities. The Department now enjoins—

Special vigilance to detect and tax insufficiently prepaid mail matter.

Some thousands of pounds of revenue were being lost because a great deal of mail matter was insufficiently prepaid. This was reported by an officer, without notice being taken of the report for some time, but he ultimately was called as a witness before the Commission, and since then this change has been made.

Mr. LAIRD SMITH.—Was he dismissed in consequence? That would have happened in the old days.

Mr. WEBSTER.—He is still in the Service, though I do not think he has been promoted. New rules are—

Advances to be made to line repairers to cover travelling expenses.

Cost of removal or transfer of members of line gangs and families to be borne by Department.

Supply of uniform; rates of wages and conditions of labour determined by Wages Boards to be observed.

The last is a reform for which the Minister is responsible. New instructions are—

Female telephone attendants not to be required to work later than 10 p.m.

Letter carriers' and porters' loads to be reasonable.

The first of those instructions is due to the complaints that were made of the excessive hours that were being worked. As to the loads of letter carriers and porters, the Commission found that they were beyond reason. I have seen loads which the men could not carry, but had to drag. Another reform which has been initiated is the—

Introduction of labour-saving appliances where necessary.

Had the Department been up to date, it would have utilized, as ordinary business concerns do, the latest labour-saving devices. Then this instruction has been issued—

Three months' supply of telegraph poles to be held at principal telegraph centres.

In the old days it often happened that the carrying out of contracts was delayed through want of poles, or green poles had to be used. Provision is now to be made for—

Employés, line construction and maintenance, to be insured by contractors.

Supply of first-aid cabinets for line parties.

Formerly injured men got no compensation, and means were not provided for saving life, or relieving pain. Another reform is the—

Establishment of pole depôts at suitable centres.

The moving of poles from one place to another greatly increased the cost of lines. The new arrangement will reduce expenditure on construction, and should reduce the guarantees required from those asking for telephone communication. It has been determined—

To discontinue condenser service where it seriously impairs telegraphic working.

It was shown by the evidence that, by reason of the overloading of the telegraph lines under the condenser system, double

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rates for telegrams had become the rule instead of the exception. The Department has determined that—

Country linemen are to be afforded opportunities to transfer to city parties.

There were no country parties in Victoria until just before the inquiry commenced. Now there are four or five. Formerly the work was done haphazard. The linemen employed in the country, however, complained that they never had the chance to get back to the city. Two more reforms are—

Collective tenders for all States confined to the supply of sulphate of copper.

Manufacture of mail bags, harness, &c., to be undertaken by Commonwealth Harness Factory.

We recommended the establishment of factories to provide all the requirements of the service, so far as that might be possible. It has been determined to grant an—

Increase of initial allowance to telegraph messengers from £26 to £39, from 1st March, 1911, also to assistants at semi-official post-offices.

At one time messengers were being paid 10s. a week, but in consequence of an exposure of the conditions applying to some of the semi-official offices the pay was raised to 15s. a week. The boys who were getting 10s. a week were often given the important work of letter delivery, and were sometimes found playing marbles while the letters intrusted to them were being blown away by the wind. It is now resolved that—

Preliminary training of telephone attendants is to be given after instead of before appointment.

Postmasters without assistants are to be granted full number of days in lieu to be added to annual leave.

In 1906 and 1907, a great many men were working overtime, for which, after much agitation on my part, some thousands of pounds of compensation were paid, but the evidence of country postmasters revealed a system of sweating unexampled in my knowledge or reading. They sent in returns which were attached to the report of the Commission, but they have not received compensation. In future, however, overtime is to be added to their annual leave. There has been an—

Alteration *re* private box fees.

Commission allowed to private bag holders on not less than £1 of stamps.

Uniform conditions *re* issue of duplicate postal notes by chief officer in each State.

Formerly there was no uniform each State had a different system been determined that—

Furniture to conduct semi-official o be a charge on Departments.

Semi-official offices are to be practically in consequence of th mendation of the Commission. reforms are these—

Boys under 16 years not to be e relieve men acting as letter carriers.

Carbon copying process to be exte duce clerical labour.

The old practice was to set clerk to re-write copies; the Departm thought of adopting the copying which have been in vogue in o houses for decades past. Othe made are—

Supply of typewriters to selected off clerical labour is involved.

Abolition of back-stamping of let

That was a change made by the master-General—

Parcel post facilities to be exten receiving offices.

That is another reform propose Commission—

Mail services where loss not more t cent. of estimated revenue or does £5.

That is an improvement made b Postmaster-General—

Provision *re* return of unclaimed n

Another Ministerial proposal—

Planning of buildings to secure e tension.

One of the recommendations of mission—

One hundred per cent. of postage as based upon estimated revenue on services.

Before the Commission entered labours, when a new mail service quired the estimated revenue was the amount of outward postage, ward postage not being taken into Subsequently it was decided to allo cent. in respect of both inward ward postage—clearly a more plan. To-day, owing to penny however, that has to be increase per cent., otherwise a material lo be shown—

Mail contracts over £100—contract ried out by the contractor or a mem family, the former provision as to d the employment of a son of the contra eighteen years of age being discontin

Under the old system a contractor allowed to employ a son who w eighteen years of age, and this

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sulted in hardship. A contractor might have a son under that age who was quite competent to do the work, but he was not allowed to employ him. The provision as to age, however, no longer applies. Other changes are—

Abolition of acknowledgment to apply to all parcels.

Charges for information *re* postal notes.

That is one of the ex-Postmaster-General's innovations—

Action to secure prompt and correct delivery of mail matter.

To prevent accumulation of letters at post-offices.

To employ extra hands.

To prevent overworking of sorters and letter carriers.

I was glad when that last-named change was announced. An attempt has been made to prevent overworking, but little has been achieved—

To regulate sorting and delivery to obviate late hours and long periods of duty.

which went on until 1907-8—

Book receipts for registered letters to be adopted generally.

Previously loose receipts were given, although any business house would have adopted the book system—

Deposit from newspaper proprietors to cover value of papers posted in one night.

Re increased frequency of mail services, if revenue equals 75 per cent. of cost of service, or public concerned makes good the loss.

I give the Ministry great credit for having introduced this change. The old system imposed on many residents of country districts serious disabilities in securing delivery of mails. The ex-Postmaster-General deserves credit for having realized the inequity of the old system—

Issue of a Commonwealth Post and Telegraph Guide.

Prior to the advent of the Commission, there was a separate post and telegraph guide in respect of each State, and the system created a network of confusion. Since our inquiry, however, a Federal *Post and Telegraph Guide* has been issued, as was urged in the report, and it gives information regarding the whole Commonwealth—

Abolition of 2½d. charge *re* missing postal articles.

That was one of our recommendations—

Restriction *re* letters addressed *poste restante* to a period of six months.

That is another recommendation which was strongly urged.

Improvements *re* letter receptacles and facing table *versus* baskets or secure box.

Application of extra payment to allowance and semi-official postmasters for telephone exchange duties.

Adoption of uniform scale of payment to allowance postmasters on basis of work done.

Economy *re* parcel mails.

Additional postage facilities at General Post Offices to facilitate sorting.

Sitting suspended from 6.30 to 7.45 p.m.

POSTPONEMENT OF BUSINESS.

First Order of the Day, Government business, called on under Sessional Order.

Mr. FRAZER (Kalgoorlie—Postmaster-General) [7.45].—I desire to move—

That Government business be postponed until after the consideration of the motion standing in the name of the honorable member for Gwydir.

Mr. SPEAKER.—In order to allow the honorable member for Gwydir to continue his speech on the motion submitted by him this afternoon, it would be necessary to postpone, not only Government business, but the further consideration of all business standing in the name of private members. The honorable member continued to speak to his motion until the time allotted under the sessional order for the consideration of private members' business had expired, so that, in accordance with the procedure now adopted, his motion is really at the bottom of the business-paper.

Mr. FRAZER.—I am prepared to move that both Government business and the remaining private business be postponed until after the consideration of the motion submitted by the honorable member for Gwydir.

Mr. SPEAKER.—Unless special steps be taken, the motion standing in the name of the honorable member for Gwydir cannot be dealt with until to-morrow, since it has been placed at the bottom of the business-paper. Originally, when a motion was talked out, it disappeared from the business-paper, but since I have occupied the Chair, I have followed a different course. It seemed to me to be unfair that any honorable member should be able to talk out, and so cause to disappear from the business-paper a motion of which possibly the whole House was in favour, and I, therefore, adopted the practice of placing at the bottom of the business-paper a motion which had been talked out. The honorable member for Gwydir continued to speak to his motion until the time allotted for the consideration of private members' business had expired, and his motion has, therefore, been placed at the bottom of the business-paper.

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Mr. FRAZER.—Perhaps, with the concurrence of the House, we might suspend the Standing Orders in order to allow the honorable member for Gwydir to continue his speech.

Sir JOHN FORREST.—What is the urgency of the motion ?

Mr. FRAZER.—We gave the honorable member an assurance that to-day and to-morrow would be allotted to the consideration of his motion.

Sir JOHN QUICK.—We have had no notice of that arrangement.

Mr. FRAZER.—The Prime Minister made a statement to that effect in the House some time ago. If the Opposition will not agree to my proposition, the position will be that the House will resolve itself into Committee of Supply, and, on the Estimates relating to the Postmaster-General's Department, the honorable member for Gwydir will be able to complete his speech. I would suggest, however, that, in the special circumstances, leave be given for the suspension of the Standing Orders. I am prepared to move that they be suspended.

Mr. SPEAKER.—Such a motion would have to be carried by an absolute majority of the House. Probably the difficulty could be overcome by the Minister moving, with the consent of the House—

That Orders of the Day, Government business, be postponed until to-morrow; and that the notice of motion by the honorable member for Gwydir take precedence for the remainder of to-day's sitting.

I am prepared to accept such a motion, but I would point out that the business of the House would be conducted in a more agreeable way, and it would certainly be more in keeping with the dignity of the Chamber, if some effort were made to ascertain the exact position under the Standing or Sessional Orders before such propositions are submitted. I have already made an alteration in the procedure originally adopted in this House, in order to allow honorable members greater latitude, and I again find myself placed in a most awkward position owing to no fault of my own. The honorable the Minister may move in the direction I have indicated, but it will be for the House to decide whether the motion should or should not be carried.

Motion (by Mr. FRAZER), by leave, proposed—

That the Orders of the Day, Government Business, be postponed until to-morrow, and that the motion of the honorable member for Gwydir (Mr. Webster) with reference to the the Royal Commission on the posts have precedence for the remainder o sitting.

Sir JOHN FORREST (Swan) I am disinclined to oppose the Go in their desire to allow the honora ber for Gwydir to proceed, but I think that they are adopting a m ordinary attitude in proposing to the consideration of important Go business in order that a private me deal with a matter concerning whi expressed his opinions over and ov

Mr. FRAZER.—The Prime Mi the presence of the Leader of th tion, said that he would set apart for the discussion of this question control.

Sir JOHN FORREST.—I a ally opposed to this procedure. think that the honorable me Gwydir has any right to expect t to postpone the consideration o business of importance in order th ventilate his views on this quest has spoken on the subject over again.

Mr. WEBSTER.—I have not.

Sir JOHN FORREST.—How not desire to object to any course Government may think it necessa sue, as they are responsible for th of public business in the House.

Question resolved in the affirm

REPORT OF ROYAL COMM ON POSTAL SERVICE

Debate resumed.

Mr. WEBSTER. — I am to the Opposition for the tion they have extended to m occasion. I should certainly not pected the concession had not the led me to believe that my moti be given precedence over all othe this evening. The next items o of departmental changes made Commission began its inquiries are—

Economic means to convey letter c ten minute distances, to and fro by bus, or contract vehicle, at Depar pense.

The effect of that is to expedite of the Department, and save t from the necessity of carrying he for great distances—

Inspectors of letter carriers to be

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They have been appointed—

Reform *re* collection of porterage charges on telegrams.

Uniform form of certificate *re* copies of telegrams, improving method of check.

Steps to improve method of dealing with Inter-State telegraphic traffic.

Matters *re* Press message despatch.

Refunds on repeat telegrams to be made at once.

The latter is a Ministerial action outside the scope of the Commission—

Telephone trunk lines, utilized to transmit press telegrams.

Adoption of uniform telegraph forms.

Telegrams to take preference over telephone trunk line conversations.

Wheatstone instruments to equip at least one circuit between all Capitals.

That is one of the great innovations that have been made in the Department to the advantage of the public. Some people may think that the Commission's inquiry has had to do largely with the welfare of the Postal service itself, but it has been of equal interest and benefit to the public whom the Department serves. In no case has greater relief been given to the public than by the introduction of Wheatstone instruments into the Telegraphic Branch. Formerly, on congested lines, the public had to pay double rates to get their messages through; but now the introduction of the Wheatstone instruments enables the business to be done more rapidly, and the public are assured of a reasonable service at the ordinary rates. Strange to say, when the Commission were inquiring into the matter, there was an obsolete Wheatstone apparatus lying idle in the Sydney General Post Office. No one seemed to care whether it was worked or not, or to be aware of its advantages. There was only one Wheatstone operator, and he was the only expert, in the whole Commonwealth. He was stationed in Western Australia. He has since been appointed teacher of Wheatstone operating, and is travelling through the States instructing the staff. The public are benefited by practically every recommendation in the report, even by those which relate most closely to the service, because, if a service feels that it is justly rewarded for its labours, the public are bound to receive better attention and better results—

Direct duplex working between Melbourne and Brisbane through repeaters at Sydney.

That is another change that will expedite public business—

Out-door supervisors of messengers to be appointed.

This is a reform which affects the welfare of the public, because previously there was no supervision of messengers, and the appointment of supervisors enables the public to be better attended to, and the messengers to do their work more expeditiously—

Limit of cross check telegrams to five days instead of nine days per month.

That is a saving of revenue which is very beneficial to the public—

Appointment of wireless expert for three years.

That is a Ministerial act —

Department provide sleeping requisites for telephonists.

Continuous service on revenue of £150.

Abolition of telephone coupon system.

Two-mile radius telephone from exchange.

The two last are Ministerial changes—

Exception *re* seven years' guarantee to lines costing not more than £100.

That was a matter which was urged very strongly in the recommendations of the Commission—

Separate rooms for telephone exchanges with continuous services.

This also is of great benefit to the public. In country districts, previously, the telephone exchanges were stuck in any corner of the big offices; and this, and the obsolete character of the appliances, all militated against a good service being given to the public. By having separate telephone exchanges with modern switchboards, proper attention can be given to those who use the telephones. Therefore, as distinct from the benefits to the service itself, the public come in all the time—

Improvement *re* tenders, sealed pattern instead of maker's name.

That is another safeguard against imposition by contractors.

Adoption of hygienic appliances for use with telephones.

That is a Ministerial change.

Alteration in connexions common battery telephones to reduce effect of extraneous noises.

Under guarantee, deposit 75 per cent. of estimated difference between estimated and minimum revenue instead of the whole difference.

That reform is of great advantage to all country districts. Formerly no allowance was made with regard to making up the estimated loss on a telephone connexion. A concession of 25 per cent. has now been made, which will enable many districts to get telephone communication which they would not have got before.

Connecting lines to be credited with 33⅓ per cent. of total revenue from new business.

That is another innovation which means economy of working and a saving to the public.

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Reduction of telephone lines in country districts partly erected by Postmaster-General.

Night telephone attendants, no duties to interfere with ordinary work.

Basis for fixing hours of telephonists under present varying conditions.

Asbestos blankets for fire extinguishing in telephone exchanges.

Up to this time the provision against fire was absolutely nil. The arrangement was most unbusinesslike, but now asbestos blankets have been provided for the purpose of putting out fires when they occur at the switchboard at any of the exchanges, which they are liable to.

Tea money allowed where two meal hours occur during period of duty.

Tea money used not to be allowed under the old conditions, unless an officer could prove that he had been on duty for several hours after the usual time at which his services should cease.

Broken time limited to fourteen hours.

There was no limit before in this regard. The Department worked its officers in many cases—I do not say on the average—for very long hours. The limit has been brought down to fourteen hours now, which, in practice in the great body of cases, means about eleven hours for broken shifts. We recommended a reduction to twelve hours maximum.

Minors not to be prosecuted without Postmaster-General's approval.

Minors used to be prosecuted without rhyme or reason by irresponsible persons, the Department being put to great expense and trouble, and the whole Service being in some cases dislocated.

Official offices instead of semi-official in charge of General Division officers.

Simplification of official correspondence.

When we were inquiring into this question any one who saw the different methods adopted in the different States in regard to correspondence would have marvelled how the Department could be so behind the times. Some of the States had a decent system, while others were not at all in accordance with modern commercial requirements.

Personal allowance of semi-official postmasters raised to £110 per annum.

Semi-official offices being abolished, that does not apply.

Casual or exempt employés, eight shillings a day.

This went one better than our recommendation.

Tests for promotion of sorters and senior sorters, facilities provided for practice in sorting, &c.

Those are matters to which I r
speaking of facilities, which were
denied, having now been provide
offices for men to acquire knowle
them for advancement in the
sorters.

Appointment of chief accountant
to reorganize departmental accoun
cure uniformity and provide balanc
profit and loss account.

Imagine a great Department
spending £4,000,000 a year, a
no uniform system of accounts!
had the Accountant of the Serv
the Commission, we asked him
an indication of the revenue and
ture in the three main branches o
vice, and business men will ma
I say that the reply we received
cannot do it. The Department
kept separate accounts, and, the
information on that vital point ca
to the Commission, nor could any
tion be given for the guidance o
ous Ministers who have had cha
Department." Such a condition
is almost unthinkable. Neverthe
a fact; but since that time an a
who, I believe, is a capable o
been appointed, and he is now do
which ought to have been done
beginning of Commonwealth a
tion.

Officers called out at night to
troubles to be paid overtime.

Officers used formerly to be cal
all hours of the night to serve
partment and convenience the pu
after doing their ordinary day's
they were not entitled to any
therefor. They are now paid
ought to be, for the extra ser
render.

Detailed instructions issued for t
stocks.

That was one of the weakest li
whole administration of the D
We found, in the Stores Branch,
system and method in bookkeepi
taking, and the checking of s
every State there was a hybri
which was practically no protect
revenue; and there was conse
loophole left for manipulation a
by the men employed. As a
fact, in Western Australia, one
without being detected, took enou
wire from the departmental store
his selection. He was not found
the investigations of the Postal
sion caused the officials to m

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inquiry, and they discovered that many pounds' worth of material had been purloined over many months. This case shows the loose system that prevailed all through the service; and but for the honesty of the men generally, the Commonwealth would have suffered to a much greater degree. The next change is—

Regulations and forms dealing with the purchase, receipt, custody, inspection, disposal, and accounting in connexion with stores, adopted.

All States brought into line *re* use of money order account for paying moneys, received, and paid out from this account.

Only New South Wales had adopted the system; though in South Australia it was in practice to a certain extent, none of the other States had fallen into line. There was the cumbersome method of sending money to the country to meet liabilities, with all the risk of loss and unnecessary bookkeeping. Now payments are made by money order, which provide their own check.

Uniform forms *re* money orders adopted.

Revenue and expenditure classified, adopted by Conference *re* expenditure.

There never had previously been any classification. After the report of the Commission was issued, a Conference was appointed to deal with revenue and expenditure. Here was a Department spending £4,000,000 per annum, and yet there was no classification of the revenue and expenditure. There was no means of ascertaining the financial position of the Department; and even to-day there is no such record. There have been two Committees—a Committee of experts and a Committee appointed by the previous Government—and each has been condemned by the Public Service Commissioner as ineffective, and as entailing an absolute waste of public money. Both Committees have issued reports, but these have proved not worth the paper on which they are written. Instructions have been issued to classify the revenue and expenditure. A public accountant from a railway service has been appointed chief accountant of the Commonwealth; and, although he has been at his work for nearly twelve months, there is no result as yet. He is, however, I believe, getting the system into order; he is laying the foundations of a system; but even now as I say there is no result showing the actual expenditure and revenue. Can we imagine a Public Service Commissioner, or a Minister, without any guiding star to the financial situation? Such a state of affairs is unbelievable to the ordinary commercial or business man; and yet neither the Minister nor the Treasurer to-day can ascertain to what extent each branch of the service is paying, or is not paying—

Detailed instructions *re* methods of ascertaining the value under classified headings of the departmental assets existing on 1st July, 1911.

This means that for the first time a legitimate attempt is being made to discover the departmental assets on the first day of the financial year. At present, there is no knowledge of what the assets of the Department are; everybody is in the dark, and would have continued to be in the dark but for the appointment of a chief accountant, as recommended by us.

System of ledger accounts embracing the whole of the financial transactions of the Department designed to show the financial position of the Department and results of working the Department's business, have been laid down.

Ordinary business methods have been laid down for the first time in the year of our Lord 1911.

Uniform charging of expenditure items; all forms used by Department to be put in block form to prevent waste and expedite handling.

In other words, there has been waste in handling, and there is an attempt being made to prevent it.

Adoption of uniform buckram label for Inter-State mails.

Re letters addressed to deceased persons being sent to dead letter office—postmaster to advise relatives *re* proper procedure.

In many instances, letters addressed to deceased persons have been sent to the Dead Letter Office, without any intimation being given to those who addressed them; but now that is to be changed. That practically is the list of the improvements and amendments that have been made by the Department itself. If these changes were necessary—and I say they were—what was the condition of the Department before they were made? It was very nearly in a state of chaos.

Now we come to the changes made by the Department.

Reduction of red tape *re* files of papers in which Commonwealth Public Service Commissioner was concerned, saving time and expense.

There is a lot of red-tape yet to be abolished, not only in the Postal Department, but in all other Government Departments. I am glad to say, however, that some of this tape is being cut away in the Department immediately under discussion; and it is time that was done, for the Department has been tangled up in red-tape for so many years that one wonders how it is now to be liberated.

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Duties assigned by Permanent Head to the various Deputy Postmasters-General.

I find that it would be more convenient and fitting to deal with the question of organization when I come to discuss the Board of Control, and the management, and deal with the final problem of how the Department is to be managed in the future—of whether this Parliament is wide-awake enough to recognise the importance of the recommendations made by the Commission.

As to the question of furlough, it may not be known to honorable members that officers who have served twenty years, and whose record is good, are entitled to six months' furlough on full pay, or twelve months on half pay, as a reward for their diligence. Previously, however, if an officer died before he obtained the furlough to which he was entitled, there was no means of handing over an equivalent to those dependent on him. I find that the payment depends on the recommendation of the Permanent Head and the certificate of the Public Service Commissioner; but a new scale has been adopted, and the recommendation of the Permanent Head eliminated, it being now left to the Chief Officer to say whether the furlough shall be paid for. Indeed, more has been done; because, in the case of death, an equivalent will be paid to those dependent on the deceased officer. Thus, some degree of justice has been done in a manner which common sense and equity dictate.

Mr. THOMAS BROWN.—That is not general, though it may be done in particular cases.

Mr. WEBSTER.—It is adopted as part of the recommendation.

Mr. ROBERTS.—A recent interpretation is that this furlough is not allowed unless the officer is coming back to resume duty.

Mr. WEBSTER.—An officer is not allowed to go away on furlough merely to get out of the service when he is not entitled to retire.

Mr. THOMAS BROWN.—I was referring to cases where an officer dies when he is entitled to furlough.

Mr. WEBSTER.—Another change is—

Boards of Inquiry.

Permanent Head on advice of Chief Officer may impose penalties, curtail leave, or Public Service Commissioner may reduce grade and salary, &c.

That is an improvement in administration which I need not discuss.

General Division.

Vacancies to be reported to Inspector by Chief Officer, with opinion thereon. General tie up, Chief Officer reports, then confers with Inspector, report to Commissioner if not agreed, report to Permanent Head, he forwa
missioner, who recommends to Gove
and all have again to be informe
That is the sort of red-tape we
gard to vacancies in the Gener
Same process *re* Clerical and
Division.

Offences of temporary employés
with by Chief Officer, and he sha
spector, eliminating the Permanen
Commissioner.

The Public Service Commissio
gentleman, who, in giving his ev
that everything was "all right
den"—that salaries, condition
and everything else, was tip-t
there was hardly anything he
to be wrong.

Officers in Western Australia wh
ceive a district allowance may be
allowance equal to 5 per cent. of
That was done at the instiga
honorable member for Coolgar
ther reforms are—

Altering the *personnel* of boards
That was necessary, and, inc
tial—

Public Service Inspectors may
transfers exceeding three months.

Formerly, there was no approv
ing transferred on the *ipse di*
one—

Chief Officer in lieu of Minister t
to grant leave.

Formerly, the Minister only
leave—

Special allowances approved by
in place of Permanent Head.

A reform suggested by the Co

New procedure to be followed i
vacancies.

Further extension of power to C

Alterations of subjects of exami
section 21.

The Public Service Commissi
giving evidence, said that the e
were not too difficult; but he
acknowledged the need for alt
as recommended by the Commis

Abolition of receipts for less th

Power to reprimand or caution e

In the General Post Office, Sy
was called the "blue terror"
officers being fined for trivial o
the practice of fining has
abolished, it has been curtailed

Mr. J. H. CATTS.—There s
proper Appeal Board.

Mr. WEBSTER.—That w
mended by the Commission—
Board under the Board of Co
continue my statement of reform

Deferred increments, Commission
when due *re* seniority,

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Leave of absence to attend camps.
Rates of salary, Professional Division, fixing minimum at £180.

The Commission recognised that the salaries paid in this division should be at least £20 a year higher—

Raising age of approval for messengers 14 to 16, instead of 13 to 15.

That is a recommendation of the Commission—

Fees in certain cases of officers abolished.

Formerly, officers were required to pay fees on presenting themselves for examination for promotion to a higher class or grade—

Long-service increments granted to Clerical Division at maximum of £180.
Removal expenses of transferred officers, fixing maximum allowance of weight of furniture.

At one time, no hard-and-fast rule was in existence—

Absence of officers to be entered in attendance-book, except when on official business.

While we must treat our officers justly, we must see that the public is fairly served, and provide against malingering or neglect of duty—

Monthly return of fines and punishments to go to Commissioner by Chief Officer not to the Permanent Head.
Alteration of scale of marks *re* examination for General Division.

Another barrier removed—

Prescribed scale of travelling allowances, making Clerical and General Division uniform, *re* the minimum from 7s. to 8s. per day.

Formerly, there was no equitable arrangement. The Commission recommended 7s. a day, but the Commissioner has gone one better, making the allowance 8s. a day all round. The Commission recommended what it believed to be just and equitable, in view of all the circumstances—

Alteration of the scale of marks *re* examination to another division.
Examination abolished for advancement of telegraphists beyond £120.
Vacancies caused by retiring officers going on furlough to be filled without waiting actual retirement, thus obviating the necessity of acting appointments.

The last is one of the most important changes that have been made. At one time, when a Deputy Postmaster-General was on the eve of retiring, he was allowed six months' furlough, and his successor was appointed temporarily to fill his place. Finally, New South Wales was what was called a widowed service, nearly every man in 1907 in the higher positions being merely an acting officer. The Public Service Commissioner thought the regulation wise and equitable, but he has since consented to alter it—

Compensation to officers acting for more than six months, pay to be between present and minimum salary of higher position.

There used to be much sweating of relieving officers. Men getting from £120 to £160, and in some cases only £110, were relieving officers much more highly paid. Some getting £160 were doing the work of others with salaries of £400, without any reward; and others were relieving for years, taking big responsibilities, without compensation. The Commission recommended that, after three months, a relieving officer should be paid the minimum salary of the next higher grade; but the Commissioner has provided that an officer must be relieving for six months before he receives such minimum.

Payment of tea money independent of evidence of actual expenditure.

At one time men received only the amount which they could prove they had expended. If they had spent less than the allowance, they got only their actual expenditure—

Allowance granted to linemen in camps who did not previously receive the same.
Nominal advancement to officers on furlough to preserve seniority.
Officers in charge of mail vans to be senior sorters.
Abolition of grading.
Regulation of what shall constitute an off-day or day in lieu.
District allowance revived.
Casual artisans and mechanics to be paid rates fixed by Arbitration Court or Wages Board.

The Commission had nothing to do with the latter.

Minimum wage granted irrespective of period of service.

It was stated, in evidence before the Hobhouse or Chamberlain Commissions in the Old Country, that there should be a minimum wage for all above a certain age; that when men had reached an age at which they ought to take up the duties of citizenship, the fact should be recognised in their pay. In England, an increase is given without seniority being attained or an examination passed. At twenty-three, a man obtains an increase because he ought to have undertaken additional responsibilities of citizenship. I was anxious that the principle should be recognised here. The Commissioner regards the married man as a more useful officer than a single man. Therefore, to secure a good service, marriage should be encouraged. Formerly, a person

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who had been in the service for three years, and had attained the age of twenty-one, received a minimum wage of £110; but now the minimum is £126 on attaining the age of twenty-one, without regard to length of service—

Temporary relief officers to receive allowance.

Advisory Boards to decide qualifications of sorters.

If the Advisory Boards are composed of experts, the sorters need have no fear.

Temporary telegraphists' rates go to 8s. minimum and 10s. maximum per day.

These wages were raised because it was pointed out that temporary telegraphists were not paid in proportion to the services rendered, and the conditions under which they were employed.

Abolition of 18-year limit for retirement.

Temporary employés (adult) to receive 8s. per day.

Method of calculating overtime to letter carriers altered.

The system that formerly prevailed was something in the nature of a Chinese puzzle; but it has been somewhat improved.

Uniform system of grading position of post and telegraph offices occupied by the officer next to postmaster in seniority.

Time and half pay where telegraphists are on duty seven or more consecutive days, for Sunday half-day's pay and time in lieu abolished.

Uniform allowance for all men on duty away from station, including exempt casual, temporary, and permanent men.

These privileges applied only to a certain extent to the permanent men. They now apply to all men engaged in this service.

Hours of supervising officers in mail branch to be the same as those of the staff they control.

Formerly the supervising officers in many cases were expected to remain on duty for hours after the staff had ceased work. It is now recognised that, not only the staff, but the supervising officers, are entitled to justice at the hands of the administration. These constitute the changes that have been made in what the Public Service Commissioner declared to be a perfect service, so far as administration was concerned. I do not mean to suggest that he said that everything was perfect; but it was difficult to get him to admit that there were any imperfections. If he did make an admission of the kind, he usually qualified it with the statement, "If the position is not what it ought to be, it is certainly better than it was under the State *régime*." He would then endeavour to prove his contention by bringing to his assistance the exploded theory of averages. The Commissioner's resort to the theory of averages to support the excellence of his administration, as compared with the condition of affairs in pre-Federation days, provides an amusing study. I come now to his classification scheme. I have already quoted opinions expressed by the Public Service Commissioner when being examined on oath before the Commission, as to the wages that prevailed in the several branches of the service. I am now going to read what is reported to me by the Department as to the changes he has made—changes that are altogether out of keeping with the statements which he made on oath. Let it be remembered that those statements were made, not in the early days of the Commission, but in November, 1909. The Public Service Commissioner was the last witness to be examined. We adopted that course, in order that he might have the last word on the subject. In the first place, he has fixed the minimum salary of the fifth class at £60, instead of £40, and the maximum has been raised from £160 to £180. The latest proposal is to adopt the Commission's recommendation and to raise the fifth class of the clerical branch of the service up to £200 a year. That is the decision of the Commissioner. I take it that it will be adopted by the Government, and that £200 a year will in future be the maximum. It is worthy of note that the proposal agrees with the recommendation made by the Commission, which considered that £200 would be an equitable return for the services of diligent and deserving officers in this class.

Postmasters, Grades XIV. and XV., fixed salaries of £120 and £140, abolished; and postmasters in Class V. permitted to advance to £180. Proposed further increase of maximum to £200.

The salaries of postmasters are also to be increased. Another change made is—

Number of grades above 5th class reduced from twelve to six.

I was astonished to find that there were no less than twelve grades of postmasters. Since the cost of conveying every postmaster to a new position has to be borne by the Department, one could not help wondering why an administrator should have seen fit to fix upon no less than twelve grades. The Commissioner, however, has now seen the error of his ways, and has reduced the number to six. The Commission recommended that the number should be reduced to five, and the Commissioner has gone as near as possible to our recommendation without actually adopting it. Com-

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ing to the telegraphists, we find that the maximum of the fifth class has been amended as in the Clerical Division, by being increased to £200 per annum. The Postal Commission recommended that the maximum of that class should be £210. Further changes made by the Commissioner are—

Proportional grading to be abolished and 4th class officers to be paid £210 and upwards, according to the value of their work.

All clerical officers of 21 years of age to receive not less than £110 per annum irrespective of service.

General Division minimum raised from £138 to £144 per annum.

Bar at £156 removed and maximum of £168 obtainable by annual increments.

It will thus be seen that the General Division are to come up from the original maximum of £138 a year in 1907, to £168 per annum. According to a paragraph in the newspapers, it would also appear that the maximum salary of assistants is to be increased to £180, as provided for in Grade 7, Regulation 104, which applies to senior sorters and senior mechanics. The jack-of-all-trades in the Department, who had very few to speak for him on the Commission because of his isolation—the man who could not marshall his evidence owing to want of organization—is, therefore, to get a fair deal. The salary of £180 a year is in excess of our recommendation. We recommended that it should be £150; but we certainly indicated that the duties of these officers were very varied, and that there should be some classification for them. Some of these men rank next to postmasters; they do telegraphic work, and possibly counter and financial work, and are, therefore, more valuable to the Commonwealth than others who discharge merely routine duties—

Assistants and postal assistants, minimum raised from £60 to £72; adults receive £126 irrespective of service.

We agree that the minimum should be raised, and the Commissioner, in order to show that he was able to see further than we could—although he could not see what we wanted him to see at the time—has undertaken to raise the minimum from £60 to £72. Thus a youth will enter the service under improved conditions—

Adults receive £126 irrespective of service.

Maximum raised from £138 to £150.

Grade bars removed.

Advance to maximum by regular increments, and postal assistants to go to a maximum of £180 a year.

New positions of senior assistants and senior postal assistants created. Minimum salary £132, maximum £156, by annual increments.

These officers are to advance to the maximum, not by increments that may be given at the will of the Chief Officer for the State, but by annual increments. So long as an officer performs his work satisfactorily he will be entitled to an annual increment as provided by the latest classification scheme of the Public Service Commissioner. Then, again, other changes made are—

Battery men raised from £60 to £72; adults £126. Maximum raised from £125 to £150.

The Commissioner could not see the necessity for any of these changes a little over eighteen months ago—

Grooms, salary raised from £110 to £126.

Grooms in charge, minimum raised from £120 to £144; maximum from £132 to £156; annual increments.

Labourers from £110 and £120 to £126.

Linemen, minimum from £114 to £125; maximum £126 to £150. Regular increments. Grade bars removed. Allowance granted to officers in travelling parties.

We have here a wholesale adoption of the recommendations of the Commission. After reviewing the evidence given by the Commissioner, one cannot but marvel at the way in which he is able to accommodate himself to conditions existing from time to time, and brought about either by the Government of the day or by the political winds that happen to be blowing. I say without hesitation that if ever a man displayed a remarkable aptitude for adjusting himself to conditions that appeared to be most popular, and popularizing himself with the service when he saw that there was no alternative, that man is the Public Service Commissioner. These linemen have got practically all that we recommended, and that which he said would not be warranted. Line foremen have been granted a maximum of £180 instead of £162, while other changes are—

Line inspectors, minimum increased from £170 to £192.

Letter-carriers, minimum increased from £60 to £72; adults £126, irrespective of service, and maximum increased from £110 to £150.

Advance to mechanics on passing efficiency test.

The door is thus opened for advancement—

Mail drivers, minimum increased from £60 to £72; adults £126 irrespective of service, and grade bars removed. Maximum raised from £126 to £150.

All these grades upon which the Commissioner set so much value have practically been removed. One would have thought that the Commissioner was engaged in grading butter, having regard to the many grades that he set up in each division. They were set up, apparently, to prevent officers

getting too far ahead. Many of these barriers have been removed under this re-adjustment, and even proportional grading has become a thing of the past. Men may now advance, as recommended by the Royal Commission, according to merit—

Minimum of mechanics increased from £114 to £132, grade bars removed, and advance to £156 per annum by annual increments.

Sailmakers, minimum increased from £114 to £126, and maximum from £126 to £150. Regular increments.

Mr. ARCHIBALD.—That is a lot of money for a sailmaker.

Mr. WEBSTER.—It means an advance of nearly 10s. a week.

Mr. ARCHIBALD.—Evidently the Commissioner did not think that sailmakers were worth very much before.

Mr. WEBSTER.—There were many whose services, apparently, were not thought to be worth much before we commenced our inquiry. I come now to other changes made by the Commissioner—

Telephone monitors, minimum raised from £114 to £126, and maximum from £126 to £150. Regular increments.

Telephone supervisors, minimum raised from £132 to £144, maximum from £138 to £156, and from £156 to £168 as per grade.

Telephonists, minimum from £32 to £39, adults £110, irrespective of service.

Those are rates for the women of the service, who have not been overlooked since the Commission began its inquiries.

Telegraph messengers, minimum raised from £26 to £39, maximum from £52 to £60.

Pole-dressers, minimum from £120 to £126, maximum from £132 to £150.

Time after time the Public Service Commissioner declared that the wages he was paying to the pole-dressers were an ample reward for the services they rendered. In spite of that repeated assertion, he has now acknowledged that they are entitled to the wages of a tradesman, as those figures show.

Ship mailmen, minimum raised from £120 to £126, grade bars removed; maximum £150 to £156.

Storemen, minimum from £120 to £126, grade bars removed; maximum, £138 to £150.

Typists, minimum raised from £60 to £72, adults receive £126 irrespective of service; maximum from £120 to £150.

As will be seen, the claims of both men and women typists are also recognised. He has not missed any of them this time, although he missed them all formerly—

Watchmen, raised from £120 to £126.

Cleaners also advanced.

I would rather have handed all those details to *Hansard* than have read them in full, but it was necessary for me to read them in order to put them on record, and have them published, so that all those interested may see what is being done, why it is being done, and how it is being done. I have not had an estimate made, but I should think that the difference between the rewards given to the service under this so-called new classificattion, or as I would rather call it the breaking down of the old classification, and the pay previously given to the service, must be at least £250,000 per annum. To that extent the Postal Service benefits. If the pay now given on the Public Service Commissioner's own classification, based on our report, is a fair reward for the services rendered, what must the position of the service have been before attention was drawn to it by constant agitation in the course of the Commission's inquiry? The service must have been absolutely sweated in those days; but the Public Service Commissioner turned round and said that "Of course they did not do anything, because they were waiting for the Postal Commission's report." He practically belied that statement in his own evidence, when he said, on oath, that these increases were not warranted, and that the additional money would not be earned. Now that the service benefits to that extent even by the concessions that have already been made, they ought, I think, to be much more contented and energetic. Now that they have a chance of advancing by merit, the men and women in the service ought to work to achieve the best results possible, and to give the public the very best services that are in them. Apart from the question of salaries, look at the changes which the Public Service Commissioner has made in the administration. I have not yet dealt with organization, because that fits in with the more vital question of control and management, and when we come to consider the changes in organization, as well as the other changes, absolutely not a shadow of the old conditions—not enough even to identify them—is left. Those old conditions were the outcome of nine years' efforts at administration by this public servant. If his system, his methods, his rewards, his classification, his grading are now all thrown to the winds, I would like to know what there is left standing to the credit of his reputation as an administrator of the affairs of a great service of this kind. The Public Service Commissioner says, and his Inspectors repeat it, for they evidently all learn the same tune, that the Public Service Inspectors are best qualified to judge the merits of the services rendered

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by any officer in the Department. I admit that after a thing is produced it is easy for a man to justify his position as a critic by altering some little detail, just as the Commissioner has altered his programme in this case to make it appear that he is omnipotent in this Department. In the first classification on which the Postal Service was based, the men were classified, and had the right of appeal to an Appeal Board, but they had to appear in person. They had no one to represent them. I do not mean to say that the Board treated them badly, or did not try to help them, but in any large body of men there are bound to be some nervous individuals who cannot put their own cases properly, and they would be liable to have their appeals cast out by reason of that infirmity. Mr. McKay, the Public Service Inspector, told us that he inspected the work of every man in the service in New South Wales before that first classification was made, and in spite of the disability under which those who appealed laboured, no fewer than 33 per cent. of the appeals were allowed by the Board. Mr. McKay was therefore wrong in one out of every three cases, and probably the proportion would have risen to one in two if all the men had been able to put their cases before the Board as they should. If that gentleman, after watching and inspecting the work of every officer, as he said he did, could not arrive closer to a just decision than that, he cannot be as well qualified to judge the value of the services of the officers as the head of a Department or the heads of branches would be if they were properly qualified to occupy those positions. There is therefore a duplication of work, and a duplication of expense, in that regard, without any corresponding advantage to the Department or to the country. Let us take the case of a senior Public Service Inspector of New South Wales. I wish to illustrate what has been the result of this magnificent reign of Mr. Duncan McLachlan, our Public Service Commissioner.

Sir WILLIAM LYNE.—The best man you ever had.

Mr. WEBSTER.—I know he is a particular pet of the honorable member, and probably I shall have a word or two to say on that point a little later. A Department is generally judged by results.

Sir WILLIAM LYNE.—The honorable member is talking rubbish.

Mr. WEBSTER.—The honorable member was amongst those Ministers who never thought this Commission would come to fruition. The result has been rather a disappointment to all of them.

Sir WILLIAM LYNE.—I do not know that it has been fruitful yet.

Mr. WEBSTER.—I have shown that the tree has been bearing a magnificent crop. I have placed before the House some of the results. I have shown the state of the Department under Ministerial control, under departmental control, and under the Public Service Commissioner's control; and I have indicated the changes that have now been admitted to be necessary to bring the Department into something like working condition.

Sir WILLIAM LYNE.—And now it is under Webster control.

Mr. WEBSTER.—It is not under my control at all, but I am pleased to say that I have had something to do with relieving both the general public and the service itself from what would have been a very unfortunate position had things been allowed to continue in the old way. Let us now look at the system and what it has produced. Here we have a Public Service Inspector, Mr. McKay, dealing with some of the leading officers who climbed to the top of the tree under Mr. McLachlan's system of promotion. When Mr. McKay was examined about the qualifications of one officer to take up the position of senior postal inspector, he gave certain evidence which I shall quote. There is an anomaly in the State of New South Wales. That large State is subdivided into a number of districts, in which inspectors have to do the work of supervising the services of the officers of the Department. The most remarkable feature of this administrative system is that there is no connexion between the metropolitan area and the country districts, although the interests and the work of both are interdependent. The metropolitan area is under a senior inspector, and the country is run under individual inspectors. How uniformity of administration or action is to be obtained under such conditions is a problem which the Commission could not solve. The witness was asked with regard to that officer—

Is he a typical man for the position of senior postal inspector?

The answer was—

On some points the senior inspector is a very competent man—

That might mean at the table—

but in others he is not so competent, but one has to take the best man available.

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The next question was—

As senior inspector is he responsible for the district inspectors of the State?

The answer was—

No, but he should be.

Therefore, the gentleman who had control of the Public Service in New South Wales, and who was responsible for making the machinery work smoothly, said that a certain officer had no control, but should have, and was "the best man available!" In other words, it means that the officer was the best of a bad lot; and this is the result of years of administration under the supposed refined system of advancement—that instituted by the Commissioner. Now we come to question 47875, which shows how the service is run, according to Mr. McKay—

Is it not a fact that up till recently many offices had not been inspected in the country for a great length of time?—That is quite true, and I think the service suffers in consequence. I think it is absolutely essential for the proper conduct of the work of the Department to have frequent inspections of offices.

Mr. McKay knows what ought to be done, and he thinks it ought to be done, and yet it is not done. That is the system under the control of the Public Service Commissioner, the Central Office, and the Deputy Postmasters-General; and while we have a man with power and no responsibility, we cannot escape results of the kind. The Commissioner is prepared to appoint officers, but evidently he is unable to see that the officers are put to duties which they can discharge effectively. Yet we are told that we have to speak in an undertone when we refer to the Commissioner and those associated with him. Questions 48116 and 48117 and 48118 deal with the absence of power to remedy anomalies—

Is there a disability owing to dual control as between the promotion of the staff as laid down by the Commissioner and the administration of the Department?—I think I have called attention to the fact that, although the Commissioner or his inspectors may direct attention to anomalies in the working of a Department, the Commissioner has no power to enforce a rectification of those anomalies, but he can refuse to grade a staff, or to supply additional staff, even though it be desired by a branch of the Department.

Do you consider that a weakness in the Commonwealth Public Service Act?—Yes.

Have you any means of overcoming it?—The only means would be to amend the law, so as to give the Commissioner power of enforcing something he regarded as necessary.

Here we have men in wrong positions, who are not giving the country their best services; and yet there is no power to make a change in the interests of the public. When we have regard to the type of officers produced under the old order, we cease to wonder at the results. I notice that the Public Service Commissioner complains in his report that the Royal Commission cut short his examination. I wish to tell the House, however, that the Public Service Commissioner had eighteen months' or two years' notice, and was permitted to make his statement in writing. He was supposed to give us the best in him, and he had months in which to prepare, with the help and advice of his inspectors. He had the evidence of every witness before him; and his statement occupied eighteen and a half pages of closely-printed material; yet he complains now that there were lots of things he intended to say, and which he had no opportunity to say. I may remark that I myself had him under examination for eight hours, and then I had not finished. The Commissioners did agree to meet again, and resume the evidence by the Public Service Commissioner, but that was in 1910, when we had to go to face the electors. Two of the Commissioners did not come back to Parliament, though two did; and, in any case, the newspapers, Parliament, and people generally began to demand our report. Some of my comrades must have been frightened, for they decided not to continue, on the ground that the written statement of the Public Service Commissioner ought to contain all he had to say. That is why that gentleman's examination was not resumed. If he had anything "up his sleeve"—and he implied he had—it was not creditable on his part to keep it there when he had a chance to put it into his statement. If he was merely waiting for an inspiration from somebody else as to what he ought to say or do, he was evading his responsibility as a witness before the Commission. Yet the Commissioner complains in his report, which I have described as "lamentations and apologies," that his examination was cut short. The Public Service Commissioner is the greatest man at reporting I ever knew, and his reports are marvellous in their construction. One thing stands out prominently in them, namely, that Duncan McLachlan is always on top; that everything he does is right, or, if it is not, it is better than is done in the States, and, therefore, every one ought to be satisfied. As to the opinion of the Public Service Commissioner and his Inspectors, who say that they can judge what an

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officer is, I read the following evidence on page 2311—

Have you any knowledge of the fitness of the telephone manager in Brisbane for his position?—

This is the evidence of Mr. McLachlan, who fixes the salaries, and who says he gets his knowledge only from papers supplied.

I have only the knowledge that I get from the official papers about him, and it is said that he is not the best man for that particular position. The Department would like to have a better one.

But the Department evidently had not a better man, or he would be known to the Public Service Commissioner, who is responsible for the advancement of officers. If there were better men in the service, then one should have been sought, even if he were low down in the scale of seniority. The following is question and answer No. 49950:—

If Mr. Watson is inefficient, cannot he be removed?—I would not say he was so inefficient as that. He can conduct the business. The Commonwealth Public Service Inspector is of opinion that a more up-to-date man should be in the position.

This officer apparently gets along somehow, although the Commissioner is convinced that a better man should fill the position. There is a traffic manager in New South Wales in the telephone service, and this is said of him by Mr. McLachlan—

Are you aware that Mr. Nelson, the electrical engineer in New South Wales, maintains that the telephone traffic manager in Sydney is not the right man in the right place?—I believe he holds that view, but it is not uncommon for professional men to think that because an officer does not know as much as a professional man does technically, he is not a good man, whereas it might be the other way about.

Mr. Hesketh, who is a technical man, and, I admit, of high attainments, said in his evidence that it is essential to the proper working of a telephone exchange that the manager shall have technical knowledge; and in one case we found a manager so qualified, and his exchange and its administration were a great improvement on what was found under other conditions. Why did the Public Service Commissioner not get a better man? We may assume that the service could not produce one. Here is another, and, perhaps, the most heartrending instance of a general state of inefficiency. It is shown in question and answer No. 48971—

Is either death or retirement the only way by which an improvement can be effected in the officers in the Commonwealth Public Service?—That is so.

Evidently the only way in which the officering of the Postal Department can be improved is by death or retirement. Fancy that being said of a Department with 13,000 permanent hands. Amongst these must be men who must deteriorate from time to time, owing to their own fault or otherwise; and yet there is no means of removing them to make room for better men.

Mr. CARR.—Does the Commissioner say that?

Mr. WEBSTER.—He says—

It is most difficult to get a man out of the service, or displace him from the position he is in.

Imagine a man trying to carry on business without being able to discharge employés who are not capable of doing their work.

Mr. BAMFORD.—Is it fair to make the Commissioner the only judge of an officer's capacity?

Mr. WEBSTER.—I have not made him the only judge; this Parliament did so when it placed the service under his domination. To show how hopeless is the state into which the system has drifted, and how poor are the products which the gardener has reared after years of cultivation, I instance the fact that, when a new Deputy Postmaster-General was needed for Western Australia recently, on the retirement of the former occupant of the office, the Commissioner had to go down several grades to get him. The next man to the Deputy Postmaster-General in each State is the Chief Clerk, who is supposed to be the understudy of his chief, and capable to act as substitute when the chief is on leave, or otherwise absent. Next in rank to the Chief Clerks come the Chief Accountants, and then the Chief Electrical Engineers. The Western Australian position could not be filled by any of the Chief Clerks, by any of the Chief Accountants, by any of the Chief Electrical Engineers, or by any of the Mail Branch Managers. The Commissioner had to take the Assistant Mail Manager in New South Wales, who was getting a salary of about £360, and promote him to the position at £700.

Mr. WEST.—He is a good man.

Mr. WEBSTER.—Yes. The recommendations of the Commission are being adopted, and merit is being recognised, without regard to the tree of promotion which figured in one of the Public Service Commissioner's reports. But this case illustrates the weakness of the service. A position on the top branch having become

vacant, none of the four men on the second branch was capable of filling it, none on the third, fourth, or fifth. It was not until the sixth branch was reached that a capable man was found. That shows how ineffective the selection of officers by the Public Service Inspectors has been. They are supposed to supervise and correct the recommendations of the Deputy Postmasters-General; but they do not do it. We had the Chief Clerks before us. I do not wish to injure any one; but I have my duty to perform, and it cannot be done in kid gloves. One Chief Clerk came before us, and we commenced to examine him; but he was so hopeless that we had to let him go. Nothing was to be got out of him, because there was nothing in him. He was a standing joke. In Western Australia, we found a man of similar type. As to the man in Queensland, the least said the soonest mended. He had been the head of the Staff Committee. The nearer the men are to the throne, the sooner they get the crown. This man had risen more quickly than a man in the lower ranks would ordinarily rise, and had attained a position which, in my judgment, in that of the Commission, and in that of the Commissioner and his officers, he was not capable of filling. The only Chief Clerk worthy of his position was the man in New South Wales. The Public Service Inspector recommended him highly for promotion; but the Department jockeyed him out of it. He is an able, honest public servant in every sense of the words, and has for years been a slave to duty, carrying the burden of administration in an acting capacity for half the time during the past five years. By reason of some influence which cannot be analyzed, he was driven, as he admitted in his evidence, to withdraw his name from an application for promotion, feeling that he would not be able to work happily with those who were hungering for it.

Mr. ROBERTS.—What evidence did he give to that effect?

Mr. WEBSTER.—The Honorary Minister can refer to his evidence. Were I to read every question and answer, I should never finish. This is evidence to which I direct attention—question 49009—

Taking the officers to whom I have referred, such as the telegraph manager in Queensland, telephone managers, and chief clerks, would those men set a standard that would induce the staff to possess a higher appreciation of their duties to the Commonwealth?—In certain cases they would not. We live in hopes of getting better men when they go out. There is room for improvement.

What an admission of weakness! There is hope of improvement only when men occupying prominent positions in the various States leave the service. The Department cannot get rid of them. We found that there was no such thing as accountancy in the service, and only one duly certificated accountant. He was tired of his job. He made a report which, had it been acted on in the early days of Federation, would have prevented a great deal of trouble; but one accountant has no chance against so many so-called accountants who are not qualified. In the Department a man cannot rise higher than the high water mark, and if he is where the tides are low he cannot rise very high. Men have to conform to the standard set to them, and a brilliant man is crushed down, or crushed out of the service by his superior officers. Bright men who could not tolerate the system have left the service at the first opportunity, to seek better employment elsewhere. The Public Service Commissioner complained of the character of the employés in the clerical division in New South Wales in 1902 and 1903, saying that the standard was low, and the creation of the State *régime*, but God knows if anything could be lower than the standard produced by his *régime*. Although he contended that their standard was low, and that they were inefficient, he took away twenty of the brightest lads, and put them into the Customs Department, making a weak service still weaker. As I have mentioned, I asked the Chief Accountant whether he could tell us how the Department stood, what we owe, what we have in hand, and so on, but he could not tell us. That was three years ago, and we do not know the position now. The men in the Accountancy Branch were not fit for their work, and the service was like a ship without a rudder. The accountant should be the "king pin," the guiding star of the administration; but in Tasmania an accountant drawing £500 a year, after submitting a statement which he swore was his own, could not tell us anything about it; and we ultimately discovered that it was drawn up by an inferior officer, getting about £260 a year, who was the only man who could explain it. The other man fainted off, to get out of the difficulty. When you find an officer like that at the head of a Department——

Mr. ROBERTS.—Is the honorable member sure that he was the man?

Mr. WEBSTER.—The name of the man who occupied this high position was Octavius Lord. One would hardly expect to

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find another case of the kind in the course of such an inquiry; but we did. We went to South Australia, where there was supposed to be an accountant in charge of the big financial branch of the Department. This accountant submitted to us a statement which we subsequently found had been compiled by some one else. He swore to it; but later on could not identify any part of it. Subsequently, we had before us an officer of the Audit Department, who admitted that he had prepared every line of the statement. The man who had presented it to us as his own statement, thinking that he could bluff us, was unable to explain any part of it, and did not seem to be familiar with the simplest proposition in it; yet he was at the head of an important branch of the service. Is that not sufficient to prove what this system of controlling the service by a Commissioner has produced? Is it any wonder that the Department should have occupied the position that it did in 1907? Unless radical changes are made, not at the bottom, but at the top of the service, we shall return again to the old state of affairs.

Mr. WEST.—The Act must be amended.

Mr. WEBSTER.—That, too, must be changed. If we are to have a service that will be a credit to the country, and which will be up to date and efficiently and economically managed, we must have in charge of it men who stand at the very head of their profession, and who will be ready to reward the deserving officers. A young and brilliant officer should be placed in the position for which nature has fitted him, irrespective of his age or any question of seniority.

Mr. BAMFORD.—Who is going to be the judge of that?

Mr. WEBSTER.—The man who knows his work.

Mr. BAMFORD.—Where are we going to find him?

Mr. WEBSTER.—I am surprised that the honorable member should ask such a question.

Mr. RILEY.—The honorable member would also give the foreman power to sack a man if he did not suit him?

Mr. WEBSTER.—Yes; but under the existing order of things there is no such power, and a man may remain in the service until he is removed by death or reaches the retiring age.

Mr. RILEY.—Does not the honorable member think that we must amend the Act?

Mr. WEBSTER.—Yes; but we must have, in addition, at the head of a Department a man who is qualified to judge.

Mr. BAMFORD.—How would the honorable member find him?

Mr. WEBSTER.—Surely the honorable member would not be content to stick in the mud because he could not see any clear way of getting on to solid ground.

Mr. J. H. CATTS.—We have the whole world to choose from.

Mr. WEBSTER.—We have, if necessary; and good men are to be found. I do not desire to give all the examples that I could put before the House on this phase of the subject, but there are one or two more quotations which I propose to make. The Commissioner was asked—

> If a man said, in effect, that he was responsible for a statement, and it was afterwards found out that he was not, would that man be fit to control a body of men.

He replied, "No. I should say he was a very weak man." Yet such a man was the product of management of the service by a Public Service Commissioner. He was asked, further, in regard to Mr. Kinmond, central office accountant—

> As central accountant, does he practically occupy the position of your proposed chief accountant?—

He replied—

> Yes, but as I say, it wants, in my opinion, a very much bigger man. Mr. Kinmond might do as an assistant to such a man, but he is not the type of chief accountant that I have in view, although he is exercising that position to-day.

That was prior to the adoption of the Commission's recommendation by the appointment of an accountant from the railway service of Western Australia. The Commissioner admitted that he had to put in these positions men who were much too small, although bigger men were necessary. Regarding the power of the Public Service Commissioner to select officers, and the necessity for a Public Service Inspector to supervise the work of departmental officers in selecting men for different purposes, the Commissioner had a great deal to say. He urged that such powers were absolutely necessary. He always kept in front the importance of his presence on the ship, yet he admitted in answer to question 49325 that during the whole of his seven years' administration he did not think there had been twenty refusals of applications for increased staff in Sydney. Imagine the necessity of a Public Service Commissioner and a staff of officers

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for the purpose of rejecting twenty cases in a State like New South Wales, where there are nearly 5,000 officers. Twenty cases have been disallowed in seven years, and there is no proof that the Commissioner was right in all those cases. All the circumlocution and all those safeguards which he says are so necessary in the public interest, have resulted in his having to refuse the recommendations of the Deputy Postmaster-General of New South Wales in about twenty cases during a period of seven years. Surely that ought to be enough to convince any one that to continue that sort of service is not only unwise, but absolutely unjustifiable. In answer to another question, the Public Service Commissioner said that there was not much trouble now. The Deputy Postmasters-General and the Public Service Inspectors are now in almost total agreement on all questions. Is it not truly marvellous? A few years ago when there were a few vacancies for Deputy Postmasters-General, we had a scramble going on in the Department. We had one man cutting another man's throat, and each striving to get into favour. The result was that the recommendations of the officers then officiating were more closely scrutinized than at any other time. When the office of Deputy Postmaster-General of New South Wales became vacant, the Public Service Commissioner recommended Mr. McKay for the position. He recommended not a man in the Department, but an officer in his own branch of the service. It was ruled by the authorities, however, that Mr. McKay could not legally occupy the office. The Public Service Commissioner was advised that he could, and possibly Mr. McKay would have been the best man for the position, but because of this legal disability, a worse man, according to the Commissioner, obtained it. There we have another illustration of the remarkable power which the Public Service Commissioner is able to exercise with regard to officers in his own Department. Another vacancy arose in Victoria, and again the Public Service Commissioner recommended that the position of Deputy Postmaster-General in this State should be filled by the then Public Service Inspector for Victoria. It was held that he could not take the position, and the result of that ruling is, according to the Commissioner, that the service secures an inferior officer for want of a merely nominal amendment of the law. I am not here to say whether or not these Public Service Inspectors would have been the most suitable officers to appoint to these positions, but I do know that the progress of a man in the Department of the Public Service Commissioner is very rapid. He is under the eye of the administrator of the service, and has a better chance of advancement than has a man in any other part of the public service. The position was the same in Queensland, under the old staff system. I spoke about the senior inspector in New South Wales not being able to make inspections anywhere outside the metropolitan area. I may mention that Mr. Golding, the Electrical Construction Engineer, was also confined to the metropolitan area. We found that he had no power to control country districts which wanted guidance and development, and that there was no continuity of supervision. The work in country districts was left to the senior lineman or any employés who chanced to be able to give details. There was no connecting link between them and the officer charged with the administration of the metropolitan area in this regard. Only recently we had in New South Wales electrical engineers who for months had no engineering work to do. They had simply to engineer a pen over a piece of paper. They were doing clerical work, and were deprived of the opportunity to develop their special knowledge, which was really lost to the Department. This is the way in which the Department has been administered as the result of the system I am now discussing. Of course, it was said that these men have grown up in the system; but the trouble is that they do not grow bigger. The system, we are told, will not produce bigger men, and, therefore, we have to put up with the best we can get. The Public Service Commissioner said in reply to question 49158, "I took the best that was offered to me." That is what he always said when he found himself in a difficulty. He admitted that a particular man might not be the best that could be produced, but he said, "The opportunity exists in the Department, but men do not rise to it." I suppose they rise to a certain standard and cannot get any higher.

Mr. J. H. CATTS.—Perhaps there is no incentive to rise.

Mr. WEBSTER.—That seems possible when we examine the improved scale as now introduced by the Commissioner. We have Sir Robert Scott and Mr. McLachlan, the one Scott by name, and the other Scot by nature; one running the Department, and the other supposed to be running it. Sir

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COMMONWEALTH OF AUSTRALIA.

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PART I.

SPEECHES.

September 5 to December 21, 1911.

EXPLANATION OF ABBREVIATIONS.—*Adj.*, motion of adjournment; *ad. rep.*, adoption of report; *amdt.*, amendment; *com.*, committee; *cons. amdts.*, consideration of amendments; *cons. mes.*, consideration of message; *cons. req.*, consideration of requests; *dis.*, order of the day discharged; *expl.*, explanation; *int.*, introductory stages of Bill; *mes.*, message; *m.*, motion; *obs.*, observations; *m.s.o.*, motion to suspend standing orders; *p.o.*, point of order; *q.*, question; 1R., 2R., 3R., first, second, or third reading; *recom.*, recommitted.

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PART II.

SUBJECTS.

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DEFENCE. (Naval and Military Defence; Control of Railway Transport for Defence.)

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EXTERNAL AFFAIRS. (Fisheries, extra-territorial; Naturalization and Aliens; Immigration and Emigration; Influx of Criminals; Pacific Islands; High Commissioner; Communications, with States; Executive Council Offices; Territories of the Commonwealth; Issue of Passports; Consular Appointments; People of Special Races; Issue of Royal Commissions.)

GOVERNOR-GENERAL.

HOME AFFAIRS. (Acquisition of Property; Acquisition, Construction, and Control of Railways, with State Consent; Rivers, Control of, Subject to Irrigation; Census and Statistics; Public Works; Federal Capital Site and Territory; Inter-State Commission; Electoral and Franchise Acts and Elections; Public Service; Meteorological Bureau.)

PAPERS.

PARLIAMENT. (Opening, and Prorogation of; Address-in-Reply; Election of the President, Mr. Speaker, and Chairmen of Committees; Deputy Chairmen of Committees; Standing Committees; Business, Order and Conduct of; Library; Officers of Parliament; *Hansard*, &c.); **Rulings.** (The President, Mr. Speaker, and Chairmen of Committees.)

PETITIONS.

POSTMASTER-GENERAL. (Posts, Telegraphs, and Telephones; Ocean Mail Services and Cables.)

PRIME MINISTER. (Department of; Executive Council; Audit Office.)

TRADE AND CUSTOMS. (Trade and Commerce, including Navigation, Shipping, and Customs; Distillation; Excise; Bounties; Lighthouses, Lightships, Beacons, and Buoys; Quarantine; Fisheries; Weights and Measures.)

TREASURY. (Taxation, exclusive of Customs and Excise); Public Loans, and taking over of State Public Debts; Currency; Banking; Insurance; Coinage; Government Printing; Audit; Expenditure by Commissions; Public Accounts; Custody of Public Moneys; Finances, General Supervision of; Pensions and Invalid and Old-age Pensions.

EXPLANATION OF ABBREVIATIONS.—*Adj.*, adjournment; *ad. rep.*, adoption of report; *amdt.*, amendment; *com.*, committee; *cons. amdts.*, consideration of amendments; *cons. req.*, consideration of requests; *cons. mes.*, consideration of message; *expl.*, explanation; *int.*, introductory stages of Bill; *mes.*, message; *p.o.*, point of order; *m.*, motion; *obs.*, observations; *q.*, question; *recom.*, recommitted; 1R., 2R., 3R., first, second, or third reading; *m.s.o.*, motion to suspend Standing Orders.

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House of Representatives:

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House of Representatives:

Order of leave, Bill read a first and second time, considered in *com.*, and passed through its remaining stages, 4809; message from Senate, 4874

Senate:

Bill received from House of Representatives, *m.s.o.*, and 1R. moved and debated, 4885; Bill read a first and second time, 4900; considered in *com.* (The Parliament), 4900; (Prime Minister), 4910; (Treasury, Attorney-General, and External Affairs), 4912; (Defence), 4917; (Home Affairs), 4922; (Postmaster-General), 4923; (Appropriation of Supplies), 4935; *ad. rep.*, and 3R., 4938

APPROPRIATION (WORKS AND BUILDINGS) BILL.

House of Representatives:

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Senate:

Bill received from House of Representatives, and 1R., 2373; *m.s.o.*, moved, debated, and agreed to, 2374; 2R. moved, 2374; debated, 2381; Bill read a second time, 2401; considered in *com.*, 2401, 2404; *ad. rep.* and 3R., 2419; assent reported, 2908

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House of Representatives:

Order of leave, 3250; 1R., 3338; message recommending appropriation, 3396; appropriation in *com.* and *ad. rep.*, 3562; 2R., moved, 3562; debated, 3565, 3591; Bill read a second time and committed *pro formâ*, 3632; considered in *com.*, 3687; *ad. rep.*, 3689; 3R. moved and debated, 3782 (*amdt.* to omit "now" moved, 3802; negatived, 3805); Bill read a third time, 3807; Bill returned from Senate without *amdt.*, 4183; assent reported, 4809

Senate:

Bill received from House of Representatives, *m.s.o.*, 1R., and 2R. moved, 3772; debated, 3872, 4063; Bill read a second time, 4079; considered in *com.*, 4079, 4082; reported and passed through its remaining stages, 4113; assent reported, 4718

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House of Representatives:

Order of leave and 1R., 3682; 2R. moved, 4837; debated, 4839; Bill read a second time and passed through its remaining stages, 4852; message from Senate, 4876

Senate:

Bill received from House of Representatives, 4961; 2R. moved, 4961; debated, 4962; Bill read a second time and considered in *com.*, 4969; *ad. rep.* and 3R. moved and debated, 4971; Bill read a third time, 4972

BANKING COMPANIES RESERVE LIABILITIES BILL.

Senate:

M. to request House of Representatives to resume consideration at stage reached last session, 425; message from House of Representatives, 1007

House of Representatives:

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House of Representatives:

Message recommending appropriation, 1795; *cons. mes., ad. rep.*, and order of leave, 1986; 1R., 2078; 2R., moved 2644; debated, 2867, 3006; (*amdt.* to refer Bill to Select Committee), 3043, 3087, 3166; *amdt.* negatived, Bill read a second time, and committed *pro formâ*, 3192; considered in *com.*, 3251, 3340, 3451, 3509; reported, 3527; 3R. moved and debated, 3897; Bill read a third time, 3919; Bill returned from Senate with *amdts* and *cons. amdts.*, 4530, 4814

Senate:

Bill received from House of Representatives, *m.s.o.*, 1R., and 2R. moved, 3855; debated, 4236, 4415; Bill read a second time, and considered in *com.*, 4467; *ad. rep.* and 3R., 4484; message from House of Representatives, 4885

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CONCILIATION AND ARBITRATION BILL.

House of Representatives:

Order of leave moved and debated, 671; agreed to, 673; 1R., 1132; 2R. moved, 1439; debated, 1443 (*amdt.* as to concentrated industrial control being fraught with danger, 1536), 1523, 1645, 1698, 1734, 1796; *amdt.* negatived and Bill read a second time and committed *pro formâ*, 1823; considered in *com.*, 1950, 1986; 3R., 2071; Bill returned from Senate with *amdts.*, 2828; *cons. amdts.*, 2865; *ad*, *rep.*, 2866; assent reported, 3086

Senate:

Bill received from House of Representatives and 1R., 2068; 2R., moved, 2220; debated, 2468, 2580; (*amdt.* as to inclusion of rural industries, moved, 2586; ruled out of order, 2587; *m.*, to dissent from ruling, moved and debated, 2587; negatived on division, 2590); Bill read a second time, 2611; considered in *com.*, 2612; reported, 2641; *ad. rep.*, 2704; 3R., 2798; message from House of Representatives, 2908; assent reported, 3058.

COPYRIGHT BILL.

Senate:

Order of leave and 1R., 1008; 2R. moved and debated, 1104; Bill read a second time and considered in *com.*, 1108, 1512

CUSTOMS BILL (1910).

Senate:

Assent reported, 8

CUSTOMS TARIFF BILL (1910).

Senate:

Assent reported, 8

CUSTOMS TARIFF BILL.

House of Representatives:

Order of leave, Bill presented and passed through all its stages, 4414; Bill returned from Senate with requests, 4817; *cons. req.*, 4866; *ad. rep.*, 4871; message from Senate, 4876

Senate:

Bill received from House of Representatives and *m.s.o.* moved and debated, 4486; agreed to and 1R. moved and debated, 4487, 4534; Bill read a first time, 4557; 2R. moved and debated, 4558; Bill read a second time and considered in *com.*, 4568, 4647; *recom.*, 4716; *ad. rep.*, 4718; message from House of Representatives and *cons. mes.*, 4956; *ad. rep.* and 3R. moved, debated, and agreed to, 4959

DEFENCE BILL (1910).

Senate:

Assent reported, 8

BILLS—*continued.*

DEFENCE BILL.

Senate:

Order of leave, and 1R., 3[illegible] 3862; debated, 3865; Bill time, and considered i reported, *m.s.o.*, and through its remaining sta sage from House of 4972

House of Representatives:

Bill received from Senate 2R. moved and debated to, *m.s.o.*, and Bill pas remaining stages, 4866

ELECTORAL BILL.

Senate:

Order of leave, 1099; moved, 1176; debated, 1[illegible] 1824, 1857, 1912 (*amdt.* ing facilities should be 2026; *amdt.* negatived a second time, 2043; consi 2043, 2118, 2223, 2300, 2 2910, 3060; reported, 3 3142; 3R. moved and Bill read a third time, turned from House of with *amdts.* and *cons. a* ported, 4980; message Representatives, 4980

House of Representatives:

Bill received from Senate 2R. moved, 3633; debate 3919; Bill read a second sidered in *com.*, 4028; re and again reported, 4852; reported and 4853; reported, *m.s.o.*, through its remaining sta

INSCRIBED STOCK BILL.

House of Representatives:

Message recommending 3742; appropriation in *c* debated, 3778; agreed to, of leave and 1R., 3782; debated, 4817; Bill read and considered in *com.*, *m.s.o.*, and 3R., 4822; Senate, 4876

Senate:

Bill received from House tives, *m.s.o.*, and 1R. and debated, 4945; Bill time, considered in *com* through its remaining st

INVALID AND OLD-AGE PENSIONS BILL.

House of Representatives:

Message recommending 3632; appropriation in *c* debated, 3686; *ad. rep.*, and 1R., 3687; Bill read and passed through its re 4864; message from Sen

Senate:

Bill received from House tives, *m.s.o.* and 1R., debated, and Bill read and passed through its re 4972

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BILLS—*continued.*

JUDICIARY BILL (1910).

Senate:

Assent reported, 8

KALGOORLIE TO PORT AUGUSTA RAILWAY BILL.

House of Representatives:

Message recommending appropriation, 570; appropriation in *com.* moved and debated, 635; agreed to, *ad. rep.*, order of leave, and 1R., 643; 2R. moved, 643; debated, 740, 966, 1036; Bill read a second time and considered in *com.*, 1051, 1158, 1207, 1243, 1410; reported and Bill passed through its remaining stages, 1435; Bill returned from Senate with *amdts.*, 3808; *cons. amdts.* and *ad. rep.*, 3896; assent reported, 4141

Senate:

Bill received from House of Representatives and 1R., 1512; 2R. moved, 1667; debated, 3071, 3142, 3212, 3286 (*amdt.* that Bill be not proceeded with until Senate informed on certain points, and that Commonwealth should secure proportion of added land values, 3299), 3398; *amdt.* negatived, and Bill read a second time, 3437; considered in *com.*, 3437, 3528, 3641; *ad. rep.*, 3680; 3R. moved, 3746; *recom.*, 3747; Bill reported and passed through its remaining stages, 3748; message from House of Representatives, 3843; assent reported, 4082

LAND TAX ASSESSMENT BILL.

House of Representatives:

Order of leave, 3451; 1R., 3587; 2R. moved, 3689; debated, 3691; Bill read a second time and considered in *com.*, 3692; reported and passed through its remaining stages, 3694; Bill returned from Senate with an *amdt.*, *cons. amdt.* and *ad. rep*, 4060; assent reported, 4809

Senate:

Bill received from House of Representatives and 1R., 3680; 2R. moved, debated, and agreed to, and Bill considered in *com.*, 3767; reported, *m.s.o.*, *ad. rep.*, and 3R. moved and debated, 3769; Bill read a third time, 3872; assent reported, 4718

LIGHTHOUSES BILL.

Senate:

M. requesting House of Representatives to resume consideration at stage reached last session, 57; message from House of Representatives, 1007; Bill returned from House of Representatives with *amdts.*, 2068; *cons. amdts.*, 3748; *ad. rep.*, 3756; message from House of Representatives, 3843

House of Representatives:

M. from Senate requesting resumption at stage reached last session, 156; *cons. mes.*, 632; 2R. moved, 648; debated, 651; Bill read a second time and committed *pro formâ*, 664; considered in *com.*, 1475; reported, 1483; *recom.*, 2024; *ad rep.*, 2025; 3R. moved and debated, 2071; Bill read a third time, 2078; message from Senate, *cons. mes.* and *ad. rep.*, 3840

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LOAN BILL.

House of Representatives:

M. recommending appropriation, 4414; appropriation in *com.* moved, 4505; debated, 4507 (*amdt.* to omit "for the acquisition of land in the Federal Capital Territory," 4517; negatived, 4518); agreed to, *ad. rep.*, *m.s.o.*, order of leave, Bill presented and read a first time, and 2R. moved and debated, 4521; Bill read a second time and considered in *com.*, 4529; *ad. rep.* and 3R., 4530; message from Senate, 4876

Senate:

Bill received from House of Representatives and 1R., *m.s.o.*, and 2R. moved, 4557; debated, 4718; Bill read a second time and considered in *com.*, 4718; *ad. rep.*, 4720; 3R., 4956

NAVAL AND MILITARY DECORATIONS BILL.

Senate:

Order of leave and 1R., 1099; 2R. moved and debated, 1184; Bill read a second time and considered in *com.*, 1188, 1296, 1489; reported, 1512; *ad. rep.*, 1569; Bill read a third time, 1666-7

House of Representatives:

Bill received from Senate and 1R., 1729

NAVAL DEFENCE BILL.

Senate:

Order of leave and 1R., 3746; 2R. moved, 3843; debated, 3847; Bill read a second time and considered in *com.*, 3851; reported, *m.s.o.*, and Bill passed through its remaining stages, 3854; message from House of Representatives, 4972

House of Representatives:

Bill received from Senate and 1R., 4060; 2R. moved and debated, 4864; Bill read a second time, *m.s.o.*, and Bill passed through its remaining stages, 4865

NAVIGATION BILL.

Senate:

M. to resume consideration at stage reached last session agreed to, 57; consideration in *com.*, 439, 520, 1008; reported, *m.s.o.* and *recom.*, 1025; reported, 1034; *ad rep.* 1099; 3R., 1176

House of Representatives:

Bill received from Senate and 1R., 1234

OLD-AGE PENSIONS BILL. (See Invalid and Old-age Pensions Bill.)

PACIFIC CABLE BILL.

House of Representatives:

Order of leave moved, debated, and agreed to, Bill read a first and second time, and considered in *com.*, 4601; *ad. rep.* and 3R., 4603; message from Senate and assent reported, 4809

Senate:

Bill received from House of Representatives, *m.s.o.*, 1R., and 2R. moved, 4645; Bill read a second time, considered in *com.*, *ad. rep.*, and 3R., 4720

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BILLS—*continued.*

PARLIAMENTARY WITNESSES BILL.

Senate:

M. requesting House of Representatives to resume consideration at stage reached last session, 57; message from House of Representatives, 1007

House of Representatives:

Message from Senate requesting resumption at stage reached last session, 156; *cons. mes.* and 2R. moved, 668

PETHERICK COLLECTION BILL.

Senate:

M. to resume consideration at stage reached last session, 1098; Bill read a second time; considered in *com.*, and *ad rep.*, 1183; 3R., 1296; *mes.* from House of Representatives, 1512; assent reported, 2026

House of Representatives:

Bill received from Senate and 1R., 1372; 2R. moved, 1456; debated, 1457; Bill read a second time, and passed through its remaining stages, 1475; assent reported, 1986

POST AND TELEGRAPH BILL.

Senate:

Order of leave, moved, 3437; agreed to, 3438

POST AND TELEGRAPH RATES BILL.

House of Representatives:

Order of leave moved, debated, and agreed to and 1R., 1207; 2R. moved, 1436, 1445; debated, 1446; Bill read a second time and considered in *com.*, 1448; reported, 1456; *recom.*, 1663; reported, second *recom.*, and Bill passed through its remaining stages, 1665; Bill returned from Senate without *amdt.*, 3841; assent reported, 4141

Senate:

Bill received from House of Representatives and 1R., 1667; 2R. moved, 3765; debated, 3766; Bill read a second time and passed through its remaining stages, 3767; assent reported, 4082

PUBLIC SERVICE BILL.

House of Representatives:

Order of leave and 1R., 4644; 2R. moved, 4822; debated, 4825; Bill read a second time and considered in *com.*, 4832; *ad. rep.*, *m.s.o.*, and 3R, 4837; message from Senate, 4876

Senate:

Bill received from House of Representatives, *m.s.o.* and 1R., 4959; 2R. moved, 4960; debated, 4961; Bill read a second time and passed through its remaining stages, 4961

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PURCHASE TELEPHONE LINES ACQUIS

House of Representatives:

Order of leave, 673; 1R., 1174 and debated, 3694; Bill rea time and considered in *com.* ported and *m.s.o.* moved a 3708; *m.* withdrawn, 3709 moved, debated, agreed to read a third time, 3808; B from Senate with an *amdt.*, *amdt.* and *ad. rep.*, 3842; ported, 4141

Senate:

Bill received from House of tives, *m.s.o.*, 1R., and 2R. debated, 3770; Bill read a and considered in *com.*, 377 and passed through its stages, 3772; message from Representatives, 3843; assen 4082

REFERENDUM (CONSTITUTION ALTERA

Senate:

Assent reported, 8

SEAMEN'S COMPENSATION BILL.

House of Representatives:

Order of leave and 1R., 673; 1435, debated, 1435, 1443; a second time and passed thr maining stages, 1445; Bil from Senate with *amdts.* *amdts.*, 3840, 3896; *ad. rep.*, sage from Governor-Gener mending an *amdt.* and *co* 4183-4; message from Senate sent reported, 4809

Senate:

Bill received from House of tives and 1R., 1512; 2R. move bated, 3756; Bill read a se and considered in *com.*, 3761 and 3R., 3765; message from Representatives, 3843; mess House of Representatives copy of message from Gove ral recommending *amdt.*, moved and debated, 4195; orders suspended and *cons. m ad. rep.*, 4196; assent reporte

STATUTORY DECLARATIONS BILL.

House of Representatives:

Bill presented and 1R., 33; 2R. debated, Bill read a second considered in *com.*, 664; rep *rep.* moved, debated, and agr moved and debated, and Bi third time, 668; Bill retur Senate without *amdt.*, 1234; ported, 1729

Senate:

Bill received from House of tives and 1R., 1007; 2R. move bated, 1099; Bill read a se and considered in *com.*, 1101; 1103; 3R., 1176; assent report

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BILLS—*continued.*

SUPPLEMENTARY APPROPRIATION BILL (1908-9).

Senate:

Assent reported, 8

SUPPLEMENTARY APPROPRIATION (WORKS AND BUILDINGS) BILL. (1908-9).

Senate:

Assent reported, 8

SUPPLEMENTARY APPROPRIATION BILL 1909-10.

House of Representatives:

Order of leave, Bill presented and passed through all its stages, 4809; message from Senate, 4874

Senate:

Bill received from House of Representatives, *m.s.o.*, and 1R. moved and debated, 4938; Bill read a first time and 2R. moved and debated, 4940; Bill read a second time and considered in *com.*, 4941; *ad. rep.* and 3R., 4941

SUPPLEMENTARY APPROPRIATION (WORKS AND BUILDINGS) BILL 1909-10.

House of Representatives:

Order of leave, Bill presented and passed through all its stages, 4809; message from Senate, 4874

Senate:

Bill received from House of Representatives, *m.s.o.*, and Bill read a first and second time and considered in *com.*, 4942; *ad. rep.* and 3R., 4943

SUPPLEMENTARY APPROPRIATION BILL 1910-11.

Senate:

Assent reported, 8

SUPPLEMENTARY APPROPRIATION (WORKS AND BUILDINGS) BILL (1910-11).

Senate:

Assent reported, 8

SUPPLY BILL (NO. 1) 1911-12.

Senate:

Assent reported, 8

SUPPLY BILL (NO. 2).

House of Representatives:

M.S.O., message recommending appropriation, and appropriation in *com.*, and *ad rep.*, 33; order of leave, Bill presented, 1R. and 2R., moved and debated, 34; Bill read a second time and considered in *com.*, 36; Bill reported and passed through its remaining stages, 46; *mes.* from Senate, 55; assent reported, 104

Senate:

Bill received from House of Representatives, and *m.s.o.*, moved and debated, 25; agreed to and 1R. moved and debated, 26; Bill read a first and second time, and considered in *com.*, 28; *ad. rep.*, and 3R., 31; assent reported, 55

BILLS—*continued.*

SUPPLY BILL (NO. 3).

House of Representatives:

Message recommending appropriation, 1326; appropriation in *com.* moved, 1330; debated, 1331; agreed to, *m.s.o.*, *ad. rep.*; resolution in *com.* of ways and means, order of leave, Bill read a first and second time and considered in *com.*, 1335; *ad. rep.* and 3R., 1372; *mes.* from Senate, 1437; assent reported, 1729

Senate:

Bill received from House of Representatives, and *m.s.o.*, moved and debated, 1373; agreed to and 1R. moved, 1376; debated, 1377; Bill read a first and second time; considered in *com.*, and passed through its remaining stages, 1407; assent reported, 1773

SUPPLY BILL (NO. 4).

House of Representatives:

Appropriation in *com.* moved and debated, 4184; *ad. rep.*, *m.s.o.*, resolution in *com.* of ways and means and order of leave, 4193; Bill read a first and second time and reported without *amdt.*, and 3R. moved, debated, and agreed to, 4194; message from Senate and assent reported, 4373

Senate:

Bill received from House of Representatives, *m.s.o.*, and 1R. moved, 4196; debated, 4197; Bill read a first and second time and considered in *com.*, 4225; *ad. rep.* and 3R., 4236; assent reported, 4415

SUPPLY BILL (NO. 1) 1912-13

House of Representatives:

Message recommending appropriation, 4060

TELEGRAPHS AND TELEPHONES SPECIAL WORKS ACCOUNT BILL.

House of Representatives:

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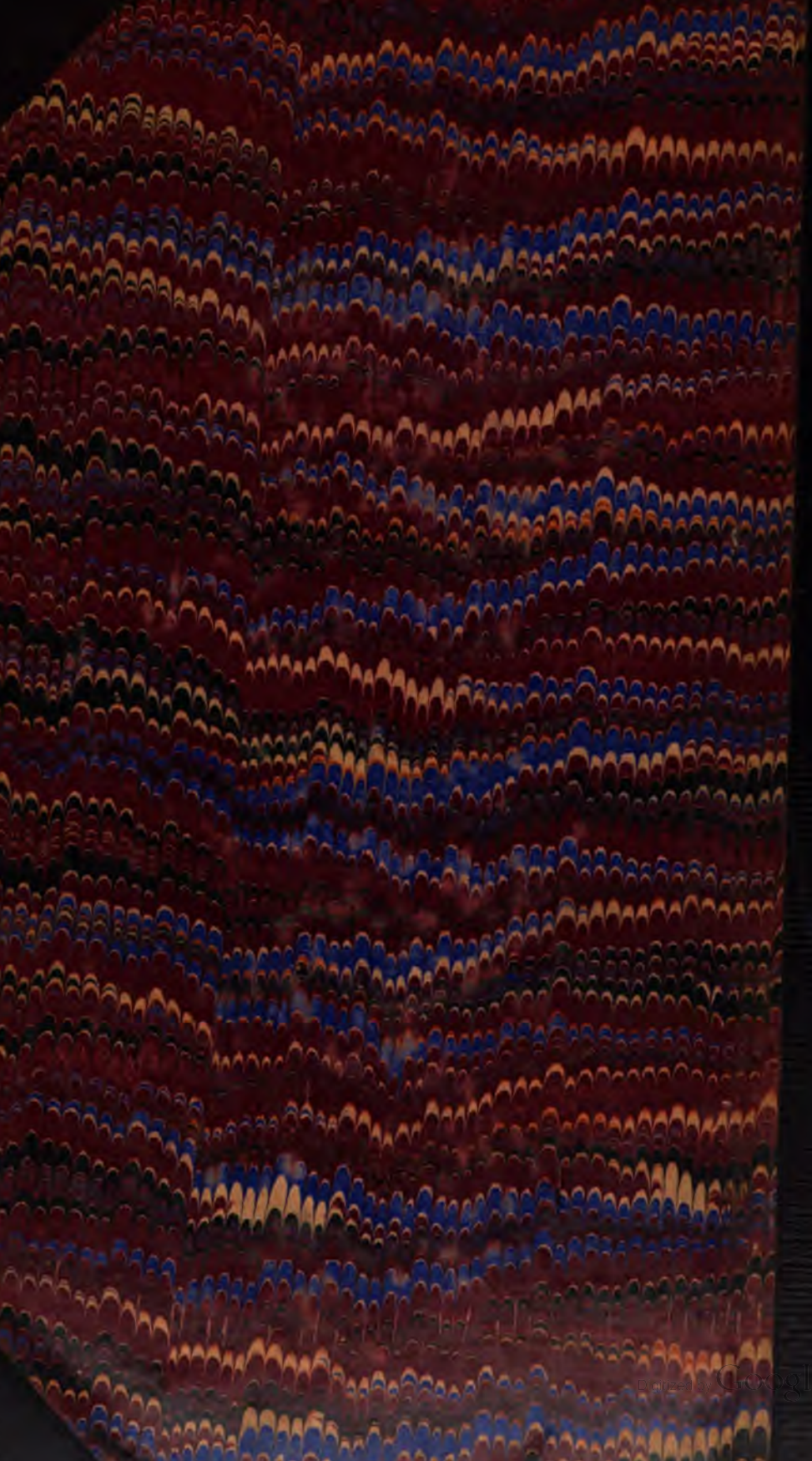
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